SAIG-OP
ENCLOSURE, Interim Controlled Unclassified Information (CUI) Tutorial

1. References.

a. Department of Defense Instruction (DODI) 5200.48, Controlled Unclassified Information, 6 March 2020.

b. Department of Defense Manual 5200.01,Volume 3, DOD Information Security Program: Protection of Classified Information, 28 July 2020.

c. Deputy Chief of Staff, G-2 Memorandum, 27 August 2020, subject: Implementing Guidance for Department of Defense Instruction 5200.48, Controlled Unclassified Information.

d. Army Regulation (AR) 380-5 (Army Information Security Program), 22 October 2019.

e. AR 20-1, (Inspector General Activities and Procedures), 23 March 2020.

f. AR 1-201, (Army inspection Policy), 25 February 2015.

2. Purpose. To provide interim guidance on CUI marking throughout the Inspector General (IG) Enterprise until such time that the DoD CUI Registry comes on line and AR 380-5, (Army Information Security Program), 22 October 2019, is updated.

3. Discussion. CUI is information that is not classified, but still requires protection from unauthorized access. This information is available to Government personnel who have a need to know the contents in order to perform their duties. Unlike the previous use of FOUO where we routinely added that category marking on all our work products, we must now analyze all unclassified information and determine if it should be controlled, why it should be controlled, and who should have access to perform their duties. This is part and parcel of the overall OSD Operations Security (OPSEC) program and will require disciplined thought and principled decisions in order to properly transition to this new way of doing business.

4. Interim CUI Procedures.

a. CUI is protected by law, regulation, and/or Government policy. For the purposes of this tutorial, the laws, regulations, and Government policies that govern decisions to determine if IG information is CUI-protected can be found in AR 20-1, Appendix A, Section II; and AR 1-201, Appendix A.

CONTROLLED BY: Operations & Support Division (SAIG-OP)
CUI CATEGORY: ADPO, OPSEC
DISTRIBUTION/DISSEMINATION CONTROL: FEDCON
POC: Mr. Steven E. Betson, SMO, 703-614-2770

b. Currently, only the CUI categories found at the National Archives category listing registry (https://www.archives.gov/cui/registry/category-list) will be used to mark documents. Creating unique categories or category markings is not authorized and will not be used. Additionally, each category description limits how category markings are selected. Until such time as DOD/HQDA develops final guidance, IGs will use the categories and category markings listed in the matrix below.

c. Marking procedures.

(1) Only use CAC-enabled, Government furnished equipment when creating, editing, showing, or sharing CUI information. All IG-related documents containing CUI will be marked as follows.

(a) Mark headers and footers with CUI, centered across the top and bottom in bold text. This will be the only writing placed in the header and footer. Additionally, do not include NOFORN or REL markings with CUI unless the document is to be released to foreign nationals. Generally, IG documents and records are not releasable to foreign nationals and must gain TIG's approval via the DAIG Legal Office.

(b) The only exception for what is placed in the header and footer is for classified documents. The highest classification will be placed, centered, in the header/footer.

(c) Individual paragraph marking is not necessary, unless CUI is found in a classified document. If a document is classified, individual paragraphs will be marked with the appropriate classification level to include paragraphs containing CUI.

(d) The front page of every IG document (IGAR, ROI, ROII, and inspection report) will have a CUI designation indicator (box) located at the lower right with the following information:

Controlled by: The Inspector General of the Army (SAIG-ZA)
Controlled by: Office/IG staff that created the document/Office Symbol
CUI Category: From the matrix/list below; include all applicable categories
Distribution/Dissemination Controls: From list below
POC: Name and phone number of person creating the document

The first "Controlled by" line is the Original Classification Authority (OCA). For IG documents, the OCA is The Inspector General of the Army (TIG), who serves as the records-release authority. Only TIG, through DAIG Legal, is authorized to release IG records. The rest of the box is self-explanatory.

(e) The first "Controlled by" line is omitted if the OCA letterhead is used on the document.

(f) If the document is classified, a second warning box will be placed to the left of the CUI indicator in accordance with DODM 5200.1. See that manual for the proper marking of classified materials.

(g) These marking requirements will be used on all PowerPoint presentations, Excel spreadsheets, official calendars invitations, emails, and other IG work-products containing CUI. Ensure the CUI designation indicator (box) is placed on the title page of each memorandum, title slide, etc.

(2) CUI Categories. Until such time that updated guidance is provided by HQDA, the IG Enterprise will use the category markings in the matrix below.

ORGANIZATIONAL INDEX	CUI CATEGORY	CATEGORY DESCRIPTION	CATEGORY MARKING	USE IT FOR
Privacy	Inspector General Protected	Related to the identity of a person making a report to the Inspector General of any Executive agency.	PRIIG	IGARS, ROI, ROII
	Contract Use	Stipulations for a contractor to meet before material may be used in performance of certain contracts.	CONTRACT	IGNET Contract
	General Privacy	Refers to personal information, or, in some cases, "personally identifiable information," as defined in OMB M-17-12, or "means of identification" as defined in 18 USC 1028(d)(7).	PRVCY	IG Records; Personnel Records; IG Nominations
	Military Personnel Records	Any member or former member of the armed forces or affiliated organization of the Department of Defense.	MIL	Military Personnel Records; IG Nominations

ORGANIZATIONAL INDEX	CUI CATEGORY	CATEGORY DESCRIPTION	CATEGORY MARKING	USE IT FOR
Privacy (Cont'd)	Personnel Records	Related to the employees of federal agencies.	PERS	DA Civilian Personnel Records; Hiring Actions
	Student Records	As per 20 USC 1232g, the Family Educational Rights and Privacy Act of 1974, an education record which is comprised of those records which are directly related to a student.	STUD	Inspector General School Use ONLY
	Health Information	Any information, whether oral or recorded in any form or medium, that (A) is created or received by a health care provider, health plan, public health authority, employer, life insurer, school or university, or health care clearinghouse; and (B) relates to the past, present, or future physical or mental health or condition of an individual, the provision of health care to an individual, or the past, present, or future payment for the provision of health care to an individual.	HLTH	Mental Health Reprisals, Medical Protection System (MEDPROS), Medical Readiness Reporting, Profiles, IG Nominations with Profiles, Individual Pandemic reports

ORGANIZATIONAL INDEX	CUI CATEGORY	CATEGORY DESCRIPTION	CATEGORY MARKING	USE IT FOR
Critical Infrastructure	Emergency Management	Related to information concerning the continuity of executive branch operations during all-hazards emergencies or other situations that may disrupt normal operations.	EMGT	DAIG Protection Programs
	Information Systems Vulnerability Information	Related to information that if not protected, could result in adverse effects to information systems. Information system means a discrete set of information resources organized for the collection, processing, maintenance, use, sharing, dissemination, or disposition of information.	ISVI	Cyber Security Inspections, SharePoint sites, The Inspector General Enterprise Network (IGNET)

ORGANIZATIONAL INDEX	CUI CATEGORY	CATEGORY DESCRIPTION	CATEGORY MARKING	USE IT FOR
Critical Infrastructure (Cont'd)	Physical Security	Related to protection of federal buildings, grounds or property	PHYS	DAIG Protection Program (Physical Security Sub-Program)
Defense	Controlled Technical Information	Controlled Technical Information means technical information with military or space application that is subject to controls on the access, use, reproduction, modification, performance, display, release, disclosure, or dissemination.	CTI	Inspection & Assistance products that address Army Readiness/ Capabilities
Financial	Budget	Related to information concerning the federal budget, including authorizations and estimates of income and expenditures.	BUDG	IG Budget

ORGANIZATIONAL INDEX	CUI CATEGORY	CATEGORY DESCRIPTION	CATEGORY MARKING	USE IT FOR
Law Enforcement	Whistleblower Identity	Identity of anyone providing information relating to a legal violation or illicit or unsafe activity, including information provided by a whistleblower which could reasonably be expected to reveal the identity of a whistleblower.	WHSTL	Whistleblower Investigations
Legal	Administrative Proceedings	Adjudication of agency-related matters including, but not limited to, dispute resolution, settlements, and issuances of orders.	ADPO	DAIG Internal Legal documents
	Legal Privilege	Per 15 USC 78x(f)(4): The term "privilege" includes any work-product privilege, attorney-client privilege, governmental privilege, or other privilege recognized under Federal, State, or foreign law. Per 502(g): (1) "attorney-client privilege" means the protection that applicable law provides for confidential attorney-client communications;	PRIVILEGE	Advice to TIG/DTIG/DAI/ Division Chiefs/Field IGs

ORGANIZATIONAL INDEX	CUI CATEGORY	CATEGORY DESCRIPTION	CATEGORY MARKING	USE IT FOR
Legal (Cont'd)		and (2) "work-product protection" means the protection that applicable law provides for tangible material (or its intangible equivalent) prepared in anticipation of litigation or for trial. Note: There are three limited dissemination control markings that can be used with this category; Attorney Work Product (AWP), Attorney Client Privilege (AC), and Deliberative Process Privilege (DELIB).		
	Legislative Materials	Data related to Congress's legislative, investigatory or oversight responsibilities of the Executive branch of the Federal government. This includes data related to proposed or pending legislation as well as inquiries submitted by Congress to Federal agencies, agency responses to those inquiries and any other	LMI	DAIG CACO Products

ORGANIZATIONAL INDEX	CUI CATEGORY	CATEGORY DESCRIPTION	CATEGORY MARKING	USE IT FOR
Legal (Cont'd)		information which, if disclosed, would reveal the nature and scope of Congressional inquiries.		
Nuclear	General Nuclear	Related to protection of information concerning nuclear reactors, materials, or security.	NUC	TI Inspections Division Inspection Products
	Nuclear Security-Related Information	Related to information that could be useful, or could reasonably be expected to be useful, to a terrorist in a potential attack that does not qualify as Safeguards or classified information, including the exact location and quantities of radioactive material, certain detailed design drawings, information on nearby facilities, emergency planning information, and certain assessments of vulnerability and safety analyses.	SRI	TI Inspections Division Inspection Products
	Safeguards Information	Pursuant to 42 USC 2011, et seq., and as defined in 10 CFR	SGI	TI Inspections Division Inspection Products

ORGANIZATIONAL INDEX	CUI CATEGORY	CATEGORY DESCRIPTION	CATEGORY MARKING	USE IT FOR
Nuclear (Cont'd)		73.2, SGI relates to security related information concerning the physical protection of source, byproduct or special nuclear material and the detailed security measures for facilities and information contained within security plans.		
Intelligence	General Intelligence	Related to intelligence activities, sources, or methods.	INTEL	IO Inspections
	Operations Security	Critical information determined to give evidence of the planning and execution of sensitive (frequently classified) government activities after going through a formal systematic vetting process in accordance with National Security Decision Directive Number 298. This process identifies unclassified information that must be protected. It almost always results from an agency's official OPSEC program, or is otherwise	OPSEC	DAIG Protection Program (OPSEC Sub-Program)/ Commanders Critical Information List (CIL), and Inspection Products/Reports containing U.S. Capabilities, Actions, Limitations, and/or Intentions (CALI)

ORGANIZATIONAL INDEX	CUI CATEGORY	CATEGORY DESCRIPTION	CATEGORY MARKING	USE IT FOR
Intelligence (Cont'd)		commonly approved for use by the CUI Senior Agency Official.		

(a) Use every CUI category for the information found in the document. For example, for IG Whistleblower Investigations the CUI Category line in the CUI Indicator box should reflect PRIIG, WHSTL. Another example is for inspection reports. If after an OPSEC review it is decided that Controlled Technical Information related to Army Readiness or Programs or other OPSEC type information must remain in the report for stakeholders to understand the findings, the document should be marked CTI, OPSEC in the CUI Indicator box. This will, however, restrict distribution to who has a need to know the information and should not be posted to public websites. Only documents that do not contain U.S. capabilities, actions, limitations, or intentions (CALI) will be posted to public websites.

(b) The information posted to public domains is unclassified—not controlled—and generally available for public review. As an example, AR 20-1 and AR 1-201 are posted to the Army Publishing Directorate (APD) and are unclassified documents, available to anyone. This is also true for student guides, slides, and other documents issued during training when the information does not require any controls to restrict access. There are, however, some documents on APD that are controlled and require common access card (CAC) or special permissions to gain access. Those documents are CUI and will eventually be a marked with the governing CUI category markings.

(c) Do not add a category to the header/footer of the document. Only use CUI in the header/footer.

(3) Distribution/Dissemination Control.

(a) CUI is information that Government employees, including Contractors, need to perform their jobs. The goal is to protect sensitive, non-classified government information and limit access to those who have a need to know.

(b) Except for Legal Privilege CUI and some unique circumstances, the IG Enterprise will use one category: FEDCON—releasable to Federal employees and contractors only.

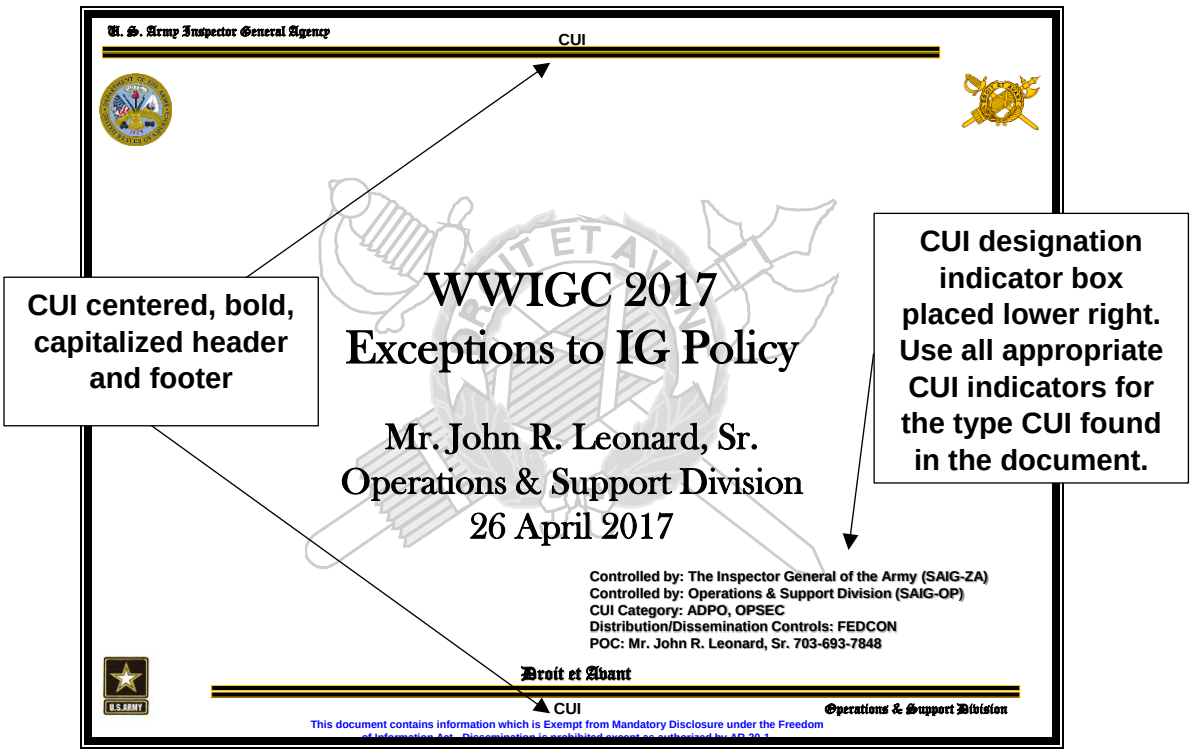
(c) Since only TIG can release Army IG records via the DAIG Legal Office, IGARS, ROIs, ROIIs, and Inspection reports will be marked only with FEDCON to

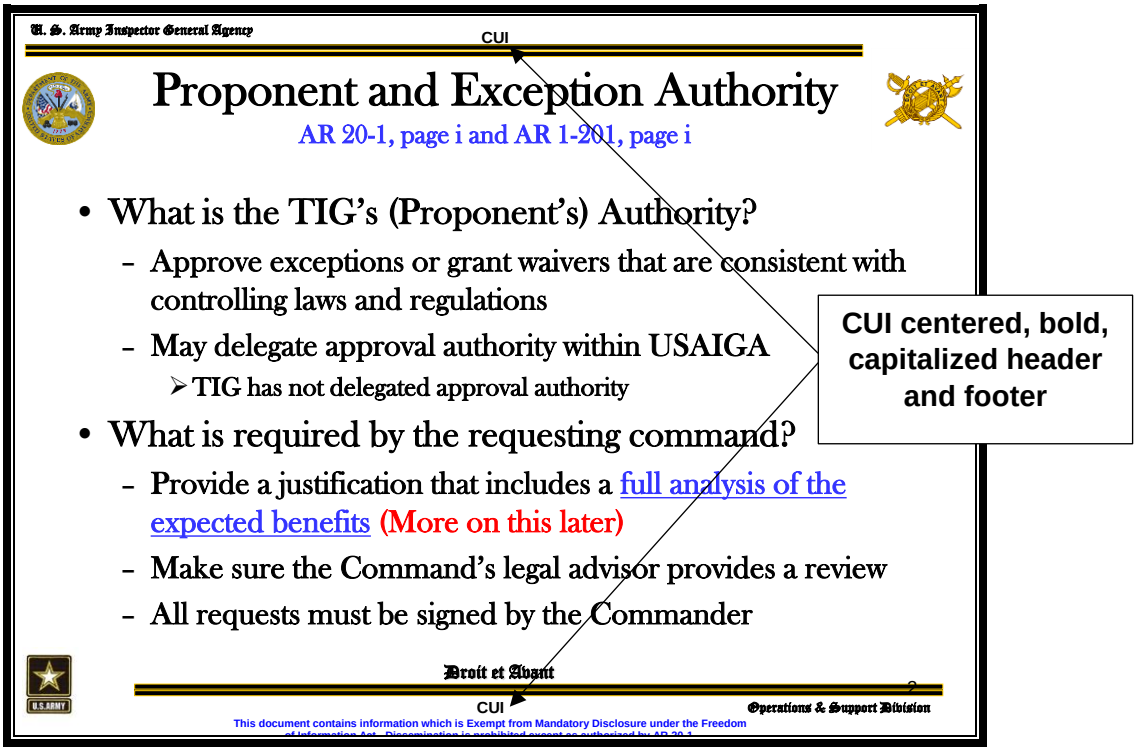
facilitate release to those Government employees who have a need to know the information.

(d) Similarly, IG nominations and Protection Program documents will be marked FEDCON to ensure those who have a need to know have access to the information.

(e) For the Legal Privilege CUI, lawyers have the option to use either Attorney Work Product (AWP) or Attorney Client Privilege (AC) in order to protect the type privilege identified.

(f) There may arise unique circumstances where a document requires stricter dissemination control. As an example, the Inspector General Annual report is restricted to specific staff principals and command levels. That document would be marked as Dissemination List Controlled with the marking of DL ONLY in the CUI designation indicator on the front page of the report. A specific list must be created designating who has access to the information. The list should designate positions, not the incumbents' names.





CUI PowerPoint title slide and slide marking examples

d. PowerPoint presentations (see example above). PowerPoint presentations containing IG CUI will be marked as follows.

(1) The marking CUI in bold, capital letters will be placed centered in the header and footer of each slide.

(2) On the title page, insert the CUI designation indicator box at the bottom right using the format in paragraph 4.c.(1)(d), above.

(3) There is no requirement to portion mark paragraphs or bullets in the slide deck. However, if portions marks are used they will be used for the subject/title, charts, graphs, tables, and all paragraphs/bullets throughout the document.

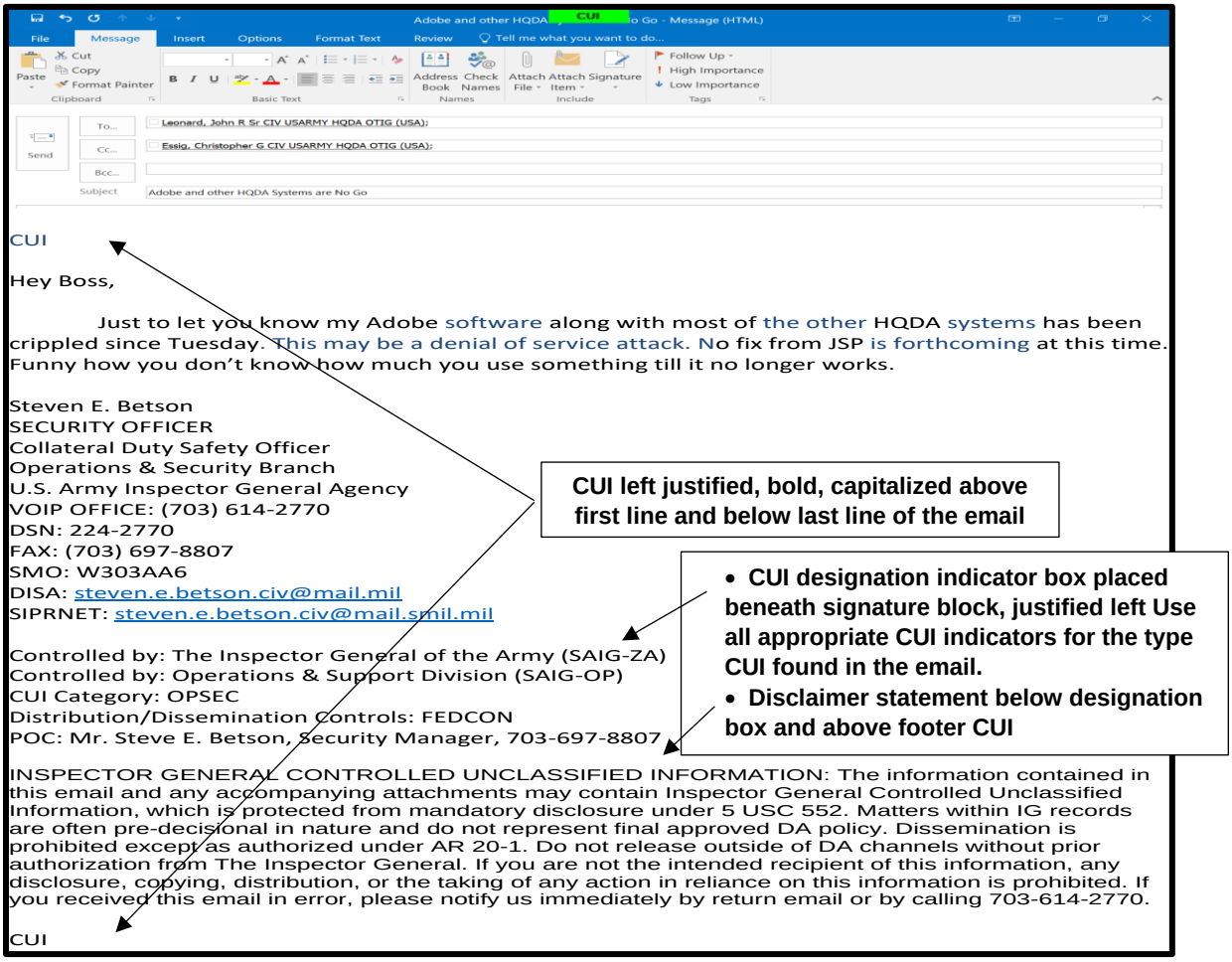
(4) All IG related CUI PowerPoint products will be designated as FEDCON for distribution/dissemination control purposes.

e. Emails. Email containing CUI will be marked as follows (see example below).

(1) CUI will be placed at the top left (banner) in the email and at the bottom left (footer) at the end of the email, below any signature blocks.

(2) The CUI designation indicator will be placed below the CUI declaration statement, far left.

(3) There is no need to portion-mark each paragraph since the type(s) of CUI will be identified in the CUI designation indicator box. However, if it is decided to portion-mark a paragraph, then every paragraph containing CUI will be portion-marked.



CUI email example

(4) IGs will add the following statement below the signature block of all emails containing CUI:

INSPECTOR GENERAL CONTROLLED UNCLASSIFIED INFORMATION: The information contained in this email and any accompanying attachments may contain Inspector General Controlled Unclassified Information, which is protected from mandatory disclosure under 5 USC 552. Matters within IG records are often pre-decisional in nature and do not represent final approved DA policy. Dissemination is prohibited except as authorized under AR 20-1. Do not release outside of DA channels without prior authorization from The Inspector General. If you are not the intended recipient of this information, any disclosure, copying, distribution, or the taking of any action in reliance on this information is prohibited. If you received this email in error, please notify us immediately by return email or by calling 703-614-2770.

(5) Until CUI markings are added to the email system, IGs will use the requirements described above in each CUI email before sending.

(6) Sign and encrypt email containing CUI. DO NOT use non-Government, personal equipment or personal email to email CUI.

5. Coversheets. A best practice to further safeguard CUI is to use a Standard Form (SF) 901, CUI coversheet. This is important to use when transporting CUI material outside the office space or in a non-open storage facility. The SF 901 can be downloaded from the National Archives website. You can use the blank, fillable space in the center of the form to indicate CUI categories, dissemination controls, special instructions, and a point of contact as required.

6. IG documents marked FOUO, also known as legacy marked documents, do not require remarking to CUI except if they are incorporated into or cited in new documents. When that occurs the FOUO document must be reviewed for CUI and marked using this tutorial.

7. Remember, just because something is unclassified does not mean government employees or the general public are automatically granted access to that information. Authors must evaluate the material and determine if any of it is sensitive and should be controlled. Unless it is needed to perform specific government duties, personnel are not authorized access to CUI. If the information falls into one of the matrix categories, mark is appropriately and safeguard it from unauthorized release.

8. Point of Contact is Mr. Steven E. Betson, DAIG Security Manager, 703-614-2770 or steven.e.betson.civ@mail.mil