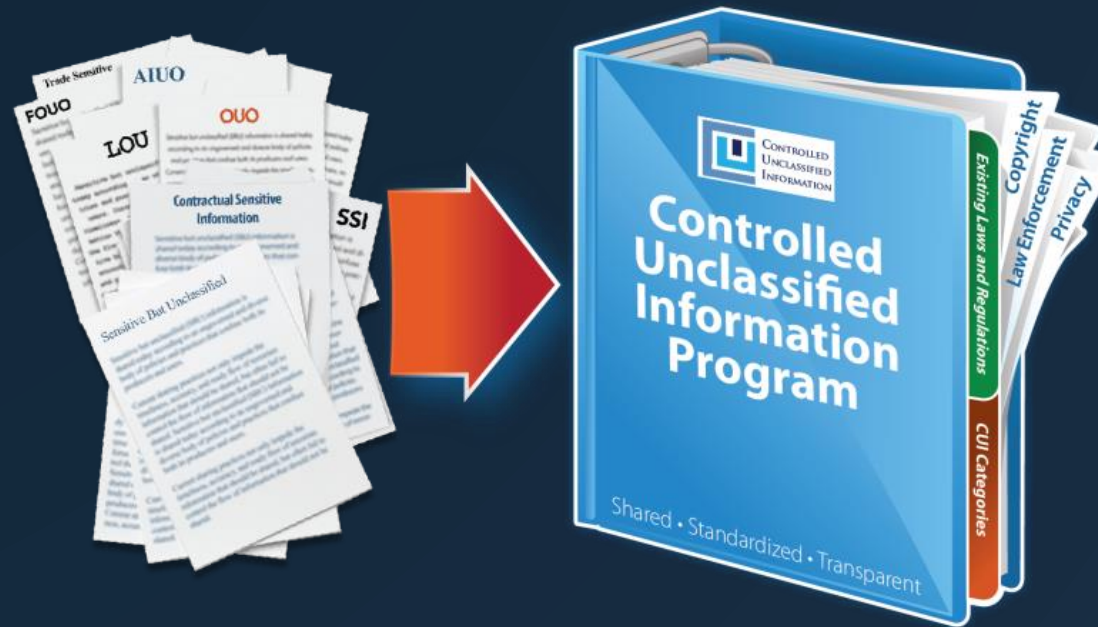# CUI Overview

The History of the CUI Program and NIST SP 800-171

August 31, 2021

Devin Casey
CUI Program, Team Lead
U.S. State Department

CUI Policy Timeline

2005 Memo On the ISE	2008 Memo on CUI	2009 Presidential Memo	2009 Task Force Recommendations	E.O. 13526 CUI
SBU procedures must promote appropriate and consistent safeguarding of the information and must be appropriately shared with, and accommodate and reflect the imperative for timely and accurate dissemination of terrorism information to, State, local, and tribal governments, law enforcement agencies, and private sector entities."	Defines and establishes CUI as the single "categorical designation" for the ISE. purpose is to standardize practices and thereby improve the sharing of information, not to classify or declassify new or additional information.	Creates CUI Task Force Each agency has implemented its own protections for categorizing and handling SBU, there are more than 107 unique markings and over 130 different labeling or handling processes and procedures for SBU information.	The Task Force concluded that Executive Branch performance suffers immensely from interagency inconsistency in SBU policies. Although the CUI Framework is intended to improve the sharing of only terrorism-related information, the Task Force concluded that a single, standardized framework for marking, safeguarding, and disseminating all Executive Branch SBU is required…	This order establishes an open and uniform program for managing information that requires safeguarding or dissemination controls pursuant to and consistent with law, regulations, and Government-wide policies

CUI Policy Timeline (continued)

2016 32 CFR 2002 CUI	2015 NIST SP 800-171	NIST SP 800-171a	NIST SP 800-172	TBD CUI FAR Case
Establishes policy for designating, handling, and decontrolling information that qualifies as CUI.	NIST SP 800-171 provides federal agencies with recommended requirements for protecting the confidentiality of CUI when the CUI is resident in nonfederal information systems and organizations.	Provides federal and nonfederal organizations with assessment procedures and a methodology.	A supplement to NIST SP 800-171. It contains recommendations for enhanced security requirements to provide additional protection for Controlled Unclassified Information (CUI) in nonfederal systems and organizations when such information is associated with **critical programs or high value assets**.	Federal Acquisition Regulation (FAR); FAR Case 2017-016, Controlled Unclassified Information (CUI).
Establishes CUI Advisory Council, outlines roles of CUI EA and SAO's		Note: CUI Notice 2020-04: 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.		RIN: 9000-AN56
Defines Safeguarding and Dissemination			The decision to select a particular set of enhanced security requirements will be based on the mission and business needs of federal agencies	The comment period is from **Nov 2021 to Jan 2022** (these dates are an estimate and are subject to change).
Defines the requirements necessary to protect CUI Basic on non-Federal information systems				Note: CUI Notice 2019-04 Reciprocity and Agency Responsibilities

References / Citations

- Memorandum on Guidelines and Requirements in Support of the Information Sharing Environment December 16, 2005: https://www.govinfo.gov/content/pkg/WCPD-2005-12-26/pdf/WCPD-2005-12-26-Pg1874.pdf

- Memorandum on Designation and Sharing of Controlled Unclassified Information (CUI) May 7, 2008: https://www.govinfo.gov/content/pkg/WCPD-2008-05-12/pdf/WCPD-2008-05-12-Pg673.pdf

- Presidential Memorandum-Classified Information and Controlled Unclassified Information May 27, 2009: https://obamawhitehouse.archives.gov/the-press-office/presidential-memorandum-classified-information-and-controlled-unclassified-informat

- 2009 Interagency Task Force (ITF) Recommendations: https://www.archives.gov/files/cui/documents/2009-presidential-task-force-report-and-recommendations.pdf

- CUI FAR Case on the Unified Agenda: https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202104&RIN=9000-AN56

★ ★ ★

Questions? Comments?