1. Introduction/Definition: Controlled Unclassified Information (CUI)

On March 6, 2020, DoD released DoDI 5200.48, Controlled Unclassified Information (CUI), which outlines procedures and responsibilities for the “designation, handling, and decontrolling of CUI“. CUI is unclassified information that requires safeguarding or dissemination controls pursuant to and consistent with applicable laws, regulations, or government-wide policies (DoDM 5200.01, 2020, Vol 1, p.84). CUI can include scientific and technical research and CUI markings are in addition to the required distribution statement.

The person with authorized possession, knowledge, or control of CUI will determine whether an individual has an authorized, lawful government purpose to access designated CUI. No individual may have access to CUI information unless he or she has an authorized, lawful government purpose. This support material is offered to ensure the firm remains in control of distribution, as specified by SBIR/STTR Policy Directive.  

The Department of Defense (DoD) CUI Registry (available at https://www.dodcui.mil/Home/DoD-CUI-Registry/) provides an official list of CUI categories, marking requirements, and types of information protected. Examples of CUI are technical drawings, blueprints, presentations, and reports that include distribution statements.

2. CUI Transmissions

DON SBIR STTR contract deliverables must be submitted as stated in your contract to the Navy’s SBIR STTR deliverable website, which is appropriate for CUI transmissions.

3. Marking Documents (Reference Examples in Appendices A-D)

The below is provided as support information for marking your DON SBIR STTR deliverable documents.

3.1. All shared business and technical information and deliverables must include CUI markings as follows:

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1 DoD 5200.48§1.2.d. (March 6, 2021). Controlled Unclassified Information (CUI). DoDI 5200.48, "Controlled Unclassified Information (CUI)," Effective March 6, 2020 (whs.mil)
4 DoD CUI Program. (August 19, 2021). DoD CUI Registry
A. Cover page (or page 1):
   1. Must include “CUI” acronym in both the header and footer of the page.
   2. Must include CUI designation indicator block on all documents and material (as shown in Figure 1). Include components within the CUI designation indicator block (as referenced under DoD Instruction 5200.48§3.4.f), as follows:
      ✓ Line 1 – Controlled by: <Name of DoD Component> (Only if not on letterhead)
      ✓ Line 2 – Controlled by: <Systems Command identified in contract>
      ✓ Line 3 – CUI Category: < List category or categories of CUI >
      ✓ Line 4 – Distribution/Dissemination Control: <DISTRO B-F in accordance with SBIR/STTR contract>
      ✓ Line 5 – POC: <TPOC name or COR (Marine Corps Phase II) and phone number or email address listed in the SBIR/STTR contract>

Controlled by: Department of Navy (DON)
Controlled by: <SYSCOM>
CUI Category: <See Figure 2 below>
Distribution/Dissemination Control: DISTRO <B-F>
POC: <TPOC Name or COR, Phone or email address>

Figure 1: Components of Mandatory CUI Designation Indicator Block

B. Other pages within the document:
   1. Must include the “CUI” acronym in both the header and footer of each page
   2. Do not have to include the CUI designation indicator block previously shown on page 1 of the document

C. Emails (see Appendix C for example):
   1. When marking emails, it is best practice to include an indicator marking in the subject line that states [Contains CUI]
   2. If sending an attachment that contains CUI, the name of the file can contain a CUI indicator (recommended)
   3. If email is forwarded, the CUI markings must be carried forward from the original email to the forwarded email

3.2. CUI markings are required for all proposals and contracted deliverables as well as correspondence and email that include controlled unclassified information

3.3. Steps to determine applicable CUI categories (for marking documents) are listed below.
   Step 1: Determine the CUI category which represents the content of the document to be marked. Use Figure 2 as a reference.
   Step 2: Does one or more of the CUI Category Descriptions align with the contents of your document?
      • If no, CUI markings are not required
      • If yes, confirm the CUI Category Description that accurately describes the content of the document
   Step 3: Document each applicable CUI Category on line 3 of the CUI Designation Indicator block. (Note: A maximum of three CUI categories per document is recommended. One example of a common DON SBIR/STTR deliverable CUI category marking is CTL.)
<table>
<thead>
<tr>
<th>Organizational Index Grouping</th>
<th>CUI Categories</th>
<th>Category Markings</th>
<th>Category Descriptions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Defense</strong></td>
<td>Controlled Technical Information (CTI)</td>
<td>CTI</td>
<td>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 would meet the criteria to be marked with one of the distribution statements B through F.</td>
</tr>
<tr>
<td><strong>Export Control</strong></td>
<td>Export Controlled Research</td>
<td>EXPTR</td>
<td>Related to the systematic investigation into and study of materials and sources in order to establish facts and reach new conclusions.</td>
</tr>
<tr>
<td><strong>Procurement and Acquisition</strong></td>
<td>Small Business Research and Technology</td>
<td>SBIZ</td>
<td>Relating to certain &quot;Small Business Innovation Research Program&quot; and &quot;Small Business Technology Transfer Program&quot; information in a government database, as referenced in 15 USC 638(k)(2).</td>
</tr>
<tr>
<td><strong>Proprietary Business Information</strong></td>
<td>General Proprietary Business Information</td>
<td>PROPIN</td>
<td>Material and information relating to, or associated with, a company's products, business, or activities, including but not limited to financial information; data or statements; trade secrets; product research and development; existing and future product designs and performance specifications.</td>
</tr>
</tbody>
</table>

*Figure 2: Determining CUI Category(ies) for CUI Indicator Designation Block*
APPENDIX A

CUI MARKINGS EXAMPLES: WORD DOCUMENTS

CUI Designation Indicator Block on cover (or page 1) with CUI markings in header and footer
What should be considered when creating presentations:

- First impressions matter!
- There’s no point in doing work if others don’t know about it or can’t understand what you did.
- Good practice for any career!
APPENDIX C

CUI MARKINGS EXAMPLES: EXCEL DOCUMENTS

(1) Each tab containing CUI should include the label “CUI” followed by the name of the tab.
(2) The first tab must include the CUI indicator box.
(3) Subsequent tabs must include CUI in the header and footer of the tab.
APPENDIX D

CUI MARKINGS EXAMPLES: EMAIL DOCUMENTS

Content of CUI designation indicator block is required; however, HTML settings may restrict formatting (which is allowable).