

## **CUI Notice 2020-06: Limited Marking Waiver Best Practices to Alert Users of CUI**

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October 1, 2020

### **Purpose**

1. This Notice provides guidance to agencies on how to alert users to the presence of CUI when they have issued a limited marking waiver.

### **Authorities**

2. Executive Order 13556, Controlled Unclassified Information (November 4, 2010);
3. 32 CFR 2002, Controlled Unclassified Information; and
4. CUI Marking Handbook, Version 1.1. (December 6, 2016).
5. This guidance pertains to Federal agencies and applicable contractors and is binding on agency actions as authorized under law and similar authority. This guidance does not apply to, and is not meant to bind, the public, except as authorized by law or regulation or as incorporated into a contract.

### **Limited Marking Waivers**

6. When an agency designates information as CUI but determines that marking it as CUI is excessively burdensome, the agency's CUI Senior Agency Official (SAO) may approve waivers of all or some of the CUI marking requirements while that CUI remains within agency control (32 CFR 2002.38).

### **Best Practices**

7. When an agency SAO has issued a limited marking waiver for all or some of the CUI handled or processed by the agency, the agency may mark applicable information systems and databases or include alternate application indicators alerting users to the presence of CUI contained on those systems or applications.
8. You may apply informational banners to the top portion of the user's screen, in a manner that is readily apparent, indicating that the system stores or processes CUI.
  - (a) You may include these informational banners as part of the system's configuration (*i.e.*, embedded electronically).

(b) Banners may be in any color. For consistency, and to align with the SF 901 coversheet, you should consider using a purple banner when possible.

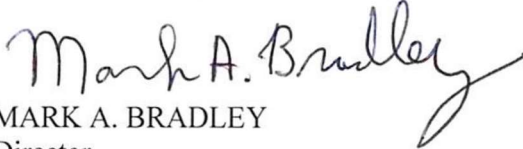
9. You may also modify access (entry) notifications, if used, for systems and include statements that alert users to the presence of CUI.

10. Training and awareness programs and applicable user access agreements should alert users to the limited marking waiver and the requirement to properly mark or identify any CUI if it is transmitted outside the agency's control, as required by the CUI Program.

### **Reporting Requirements on All Waivers**

11. Each agency must report all current waivers and waivers it issued in the preceding year in that agency's annual report to the CUI Executive Agent.

**Please direct any questions regarding this notice to: [CUI@nara.gov](mailto:CUI@nara.gov)**

  
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Director