

# CUI and NIST SP 800-171

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# “Pre-CUI”

- Atomic Energy Act of 1946 & 1958
- Atomic Energy Act of 1954
- EO 13526

# What is CUI?

- **C**ontrolled: required by law, regulation, or Government- wide policy to be safeguarded or have limited dissemination
- **U**nclassified: not included under Executive Order 13526 “Classified National Security Information” (December 29, 2009) or a predecessor or successor order, or Atomic Energy Act of 1954, as amended
- **I**nformation: data, reports, documents, etc.

# 32 CFR 2002

- Implements the CUI Program - establishes policy for designating, handling, and decontrolling information that qualifies as CUI.
- Describes, defines, and provides guidance on the minimum protections for CUI physical and electronic environments: destruction, marking and sharing
- Emphasizes unique protections described in law, regulation, and/or Government-wide policies (authorities) These protections must continue as described in the underlying authorities.

# Executive Order 13556

- Established CUI Program
- Executive Agent (EA) to implement the E.O. and oversee department and agency actions to ensure compliance
- An open and uniform program to manage all unclassified information within the executive branch that requires safeguarding and dissemination controls as required by law, regulation, and Government-wide policy

# NIST (SP) 800-171

- Agencies must use NIST SP 800-171 when establishing security requirements to protect CUI's confidentiality on non-federal information systems
- Intended for use by federal agencies in appropriate contractual or other agreements
- Non-tailorable requirements

# NIST (SP) 800-171

- The 800-171 framework consists of administrative, technical, and operational security controls designed to focus on protecting the confidentiality of unclassified-but-controlled information. There are 110 separate controls that fall into 14 different control families.

# How do I know if a project involves CUI?

- The project's proposal announcement guidelines or the research award documentation contain references to any of the following:
  - NIST SP 800-171
  - NIST 800-53
  - FAR 52.204.21
  - DFARS 252.204-7008, -7012
  - Controlled Unclassified Information (CUI), Controlled Technical Information (CTI), Controlled Defense Information (CDI)
- Documents from a project sponsor or collaborator is labeled with any of the following:
  - Controlled
  - Controlled Unclassified Information or CUI
  - Controlled Technical Information or CTI
  - Controlled Defense Information or CDI



# CUI at South Alabama



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## Sponsored Research and Controlled Unclassified Information

The executive branch of the United States government requires protection measures for controlled unclassified information (CUI). Information provided by or collected on behalf of the 81 entities comprising the executive branch and that falls into at least one of the CUI Registry categories will be considered CUI and will need to be safeguarded to at least NIST 800-171 standards. Multiple executive branch entities are currently implementing the new CUI requirements.

**The University of South Alabama is responsible for safeguarding CUI to the minimum standard mentioned above.**

### Definition

CUI is identified by executive branch entities as "sensitive information that demonstrates risk resulting from the unauthorized access, use, disclosure, disruption, modification, or destruction of information collected or maintained by or on

# Does this have an impact on me?

- Yes. Failure to comply may result in contract challenges to, or loss of, research awards and may result in future ineligibility to be awarded contracts from federal agencies.

# Coming soon.....

- Federal Acquisition Regulation
- Key: government will identify “what” contained in the project is CUI
- Key: FAR CUI clause will be consistent with the DFARS in that it will rely on NIST 800-171 as the framework for security requirements
- Key: is expected to differ from the current DFARS 252.204-7012 clause : 1) the DFARS clause does not implement the NARA CUI Program in full. (For example, it does not address marking requirements. ) 2) the DFARS clause requires contractors to identify which of their contractor-generated information is CUI, while the FAR clause will place this requirement on the government.