

AMENDMENT TO RULES COMM. PRINT 117-13
OFFERED BY MR. HORSFORD OF NEVADA

Add at the end of subtitle D of title XV of division
A the following:

1 **SEC. 15 ____ . ASSESSMENT OF CONTROLLED UNCLASSIFIED**
2 **INFORMATION PROGRAM.**

3 Subsection (b) of section 1648 of the National De-
4 fense Authorization Act for Fiscal Year 2020 (Public Law
5 116-92), is amended by amending paragraph (4) to read
6 as follows:

7 “(4) Definitions for ‘Controlled Unclassified In-
8 formation’ (CUI) and ‘For Official Use Only’
9 (FOUO), policies regarding protecting information
10 designated as either of such, and an assessment of
11 the ‘DoD CUI Program’ and Department of Defense
12 compliance with the responsibilities specified in De-
13 partment of Defense Instruction (DoDI) 5200.48,
14 ‘Controlled Unclassified Information (CUI),’ includ-
15 ing the following:

16 “(A) The extent to which the Department
17 of Defense is identifying whether information is
18 CUI via a contracting vehicle and marking doc-

1 uments, material, or media containing such in-
2 formation in a clear and consistent manner.

3 “(B) Recommended regulatory or policy
4 changes to ensure consistency and clarity in
5 CUI identification and marking requirements.

6 “(C) Circumstances under which commer-
7 cial information is considered CUI, and any im-
8 pacts to the commercial supply chain associated
9 with security and marking requirements.

10 “(D) Benefits and drawbacks of requiring
11 all CUI to be marked with a unique CUI legend
12 versus requiring that all data marked with an
13 appropriate restricted legend be handled as
14 CUI.

15 “(E) The extent to which the Department
16 of Defense clearly delineates Federal Contract
17 Information (FCI) from CUI.

18 “(F) Examples or scenarios to illustrate
19 information that is and is not CUI.”.

