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:

SEC. 15. ASSESSMENT OF CONTROLLED UNCLASSIFIED INFORMATION PROGRAM.

Subsection (b) of section 1648 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is amended by amending paragraph (4) to read as follows:

“(4) Definitions for ‘Controlled Unclassified Information’ (CUI) and ‘For Official Use Only’ (FOUO), policies regarding protecting information designated as either of such, and an assessment of the ‘DoD CUI Program’ and Department of Defense compliance with the responsibilities specified in Department of Defense Instruction (DoDI) 5200.48, ‘Controlled Unclassified Information (CUI),’ including the following:

“(A) The extent to which the Department of Defense is identifying whether information is CUI via a contracting vehicle and marking doc-
documents, material, or media containing such information in a clear and consistent manner.

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

“(C) Circumstances under which commercial information is considered CUI, and any impacts to the commercial supply chain associated with security and marking requirements.

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

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

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