



Government Microcircuit Applications & Critical Technology Conference

Information Marking Guidance

Markings for GOMACTech Papers

I. DEFINITION

The responsibility for correctly marking material resides with the author, sponsoring government organization, and point of contact in accordance with any contract requirements if/when applicable.

Company restrictive markings such as “Confidential” or “Proprietary” are not appropriate and will not be accepted.

Note: GOMACTech’s audience comprises U.S. citizens and U.S. permanent residents.

All unclassified information throughout the Executive Branch that requires safeguarding or dissemination control is to be labeled as controlled unclassified information (CUI) [1].

The Controlled Unclassified Information Executive Agent (CUI EA) issues guidance to Executive branch departments and agencies that handle unclassified information that requires safeguarding or dissemination controls, pursuant to and consistent with applicable law, regulations, and government-wide policies [2].

As the formal guidance across and within departments is still being refined (and perhaps developed), this document attempts to do its best in providing a concise guide for the CUI marking of material for presentation and dissemination in relation to the Government Microcircuit Applications and Critical Technology (GOMACTech) Conference.

II. PURPOSE

This document provides guidance regarding the usage and marking of CUI information as it relates to the GOMACTech conference.

For information that is supported via government contracts, the USG is following the guidance for CUI. Since GOMACTech is inclusive of non-DoD USG government departments and organizations, the GOMACTech conference is providing this document to help authors understand the current practices regarding CUI. Following these unified marking approaches allow for consistent information handling, clearer disseminating policies, and reductions in obstacles to sharing information while ensuring the information is safeguarded against inappropriate dissemination.

Again, responsibility for correct markings resides with the author, sponsoring government organization and point of contact, as well as any contracting requirements. Be aware of your proprietary information.

III. UNDERSTANDING INFORMATION MARKINGS

GOMACTech supports several specific information markings, indicating the extent of the information’s availability for distribution, release, and disclosure.

A. Publicly Releasable/Released Information

For publicly releasable information related to work performed under a government contract/agreement, use the Department of Defense/War (DoD/DoW) technical information **Distribution Statement A** as indicated below [3]. For work done under a government contract/award, the approval identification (ID) from the releasing authority needs to be included in the document. If the material is supported via a grant or contract that explicitly states information is available for public release (i.e. an award accompanied with a fundamental research exemption), please include the grant/contract number in place of the approval ID.

This marking makes it obvious that the materials have been reviewed and cleared for public sharing. Please place this statement in the footer of every page of the extended abstract or paper. Likewise, include this distribution statement in the footer of each slide for slide decks and somewhere on the bottom for all posters:

DISTRIBUTION STATEMENT A. Approved for public release: distribution is unlimited. Approval ID: XXXX-2025-XXXX.

where one MUST update the approval ID to reflect the Public Affairs approval number provided after the document has cleared.

For publicly releasable material developed by an organization at their own expense (i.e. not under a government contract/agreement) documents should be devoid of markings but should be understood to be openly released via DTIC.

B. For CUI Information

CUI is information created by the USG or on behalf of the USG. The information in this section can be applied to extended abstracts (e.g. 2-page abstracts), full papers, and oral and poster presentations. *Please understand that this information below is to be treated as guidance based on the National Archives.*

The DoD has issued internal guidance [3]–[5], but because GOMAC extends beyond the DoD we want to be clear that GOMAC can accommodate any material properly marked in accordance with the National Archives and approved for dissemination to GOMAC attendees.

1. CUI Marking and Dissemination List

GOMACTech is a closed conference for US persons only. A USG Department or its agencies is the controller of the CUI information; therefore, a government person must review and approve the paper. If a CUI contract with the USG has

Controlled by: <Gov Agency> Controlled by: <Lower-level Gov Agency/Gov Department> CUI Category: CTI Distribution/Dissemination Control: FEDCON POC: <Gov PoC Name>, <Gov PoC Email>

completed or expired, any controlled work should still be coordinated with the government PoC.

Fig. 1 contains an example of the CUI designation indicator that must be placed in the lower righthand corner of the first page of any paper, abstract, presentation, or poster.

Fig. 1: Example CUI Designation Indicator [3][5]

The Designation Indicator identifies who is controlling the information, why it is controlled, and who it can be released to (provided there is a lawful government purpose to distribute the information and the recipient is able to receive it via a NIST 800-171 compliant IT system). This Designation Indicator includes the following categories:

- Controlled by:** Insert the name of the USG Component.
- Controlled by:** Insert the name of the USG Office.
- CUI Category:** See section III.B.2.
- Distribution/Dissemination Control:** Use “FEDCON”
- PoC:** Government point of contact for the information/contracted work. (It is good practice to ensure that the telephone number and mailbox address are valid in

Controlled by: <Gov Agency> Controlled by: <Lower-level Gov Agency/Gov Department> CUI Category: CTI Distribution Statement: C POC: <Gov PoC Name>, <Gov PoC Email>
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case of personnel turnover.)

It is also pointed out that GOMAC can accept CUI material marked in accordance with DoD Instruction 5230.24 which would appear as:

Fig. 2: Example DoD CUI Designation Indicator [4]

The only difference between the two CUI Dissemination Indicators found in Figs. 1 and 2 relates to the Distribution line and authorities used to determine work is CTI. However, since both “FEDCON” and “Distro C” allow release to “Government and Government Contractors” both are acceptable for use when marking GOMAC material and the selection between which marking to use should relate to the organization that provided a contract/agreement award under which the work was done (for contractors) and/or what government organization government authors are with (for government related submissions).

2. CUI Guidance

Following the CUI guidance from [1-8], GOMACTech recommends the following CUI dissemination controls [7]:

Limited Dissemination Control	Marking
Federal employees and contractors	FEDCON

For work performed under awards made outside of the DoW or

Distribution Statement	Marking
Distribution authorized to U.S. Government Agencies and their contractors	C

for work performed under awards made under the DoW.

While other CUI categories are possible, the most likely CUI categories to be encountered at GOMACTech are [8]:

CUI Category	Marking
Controlled Technical Information	CTI
Export Controlled Technologies	EXPT
Export Controlled Research	EXPTR

Headers and footers for CUI contain some particularities in their format of sections. CUI must be listed first, followed by the CUI category(ies), followed by the CUI dissemination control(s). Each section is separated by double forward slashes (//) and with one forward slash (/) within each section.

i.e. CUI//Category Marking A/Category Marking B//Limited Dissemination Control A/Limited Dissemination Control B

In this subsection, examples of CUI markings are provided that may be typical for GOMACTech.

a. Headers and Footers for most GOMACTech Papers:

For most CUI GOMACTech papers, the recommended labeling at the top **and** bottom of every page is to include either the “CUI” marking or the (favored) “CUI//CTI//Distro C” marking centered on the page.

b. Headers and Footers for GOMACTech Papers which include EAR or ITAR controlled information:

For papers that contain EAR or ITAR information, the recommended labeling the top and bottom of every page is to include the “CUI” marking or the (strongly recommended) “CUI//CTI//EXPT//Distro C” marking centered on the page. Note: EAR and ITAR information are not necessarily controlled by CUI (if work is performed by a contractor via internally funded work it is subject to EAR/ITAR but is not necessarily controlled by CUI); however, materials presented at GOMACTech are typically the result of USG-funded projects and efforts.

Additionally, the following warning statement needs to be included **verbatim** at the bottom of the first page of **any document containing EAR**:

WARNING - This information may be subject to the Export Administration Regulations (EAR) pursuant to 15 C.F.R. Parts 730-774. Transfer of this data by any means to a non-U.S. person, whether in the United States or abroad without the proper U.S. government authorization is strictly prohibited. Violations of the EAR may be subject to both criminal and administrative penalties under the Export Control reform Act of 2018 (50 U.S.C. Sec. 4801-4852).

Likewise, the following warning statement needs to be included **verbatim** at the bottom of the first page of **any document containing ITAR**:

WARNING - This document contains technical data whose export is restricted by the Arms Export Control Act (Title 22, U.S.C., Sec 2751, et seq.) or the Export Control Reform Act of 2018 (Title 50, U.S.C., Chapter 58, Sec. 4801-4852). Violations of these export laws are subject to severe criminal penalties. Disseminate in accordance with provisions of DoD Directive 5230.25.

3. Password Protection of all CUI Material !!

It is your obligation to appropriately safeguard information and data. For abstracts and papers that are not approved for public release, please password protect your *.pdf or *.docx files with AES-128-bit or higher encryption prior to submission and provide your chosen encryption password only to the GOMACTech TPC Chair and Publications Chair. These individuals will use CUI compliant IT systems to coordinate any subsequent dissemination IAW the limited dissemination markings and the CUI program.

IV. CONCLUSIONS

This guide is offered to the community to help protect Government information and attempts to provide repeatable, executable examples following multitudes of CUI guidance. The guidance is continually being updated; therefore, please provide any feedback you may have to help GOMACTech stay up to

date. Please reach out to the current GOMACTech Publications Chair.

REFERENCES

- [1] Executive Order 13556, “Controlled Unclassified Information,” (the order). November 10, 2010. Available: <https://obamawhitehouse.archives.gov/the-press-office/2010/11/04/executive-order-13556-controlled-unclassified-information>. (accessed Dec. 5, 2023).
- [2] 32 CFR Part 2002. “Controlled Unclassified Information,” (the Directive) September 14, 2016. [Online]. Available: <https://www.ecfr.gov/current/title-32/subtitle-B/chapter-XX/part-2002> (accessed Dec. 5, 2023).
- [3] Department of Defense, DoD Instruction 5200.48, Under Secretary of Defense (AT&L), Washington, DC, 2020. [Online]. Available: <https://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/520048p.PDF>. (accessed Dec. 5, 2023).
- [4] Department of Defense, DoD Instruction 5230.24, Under Secretary of Defense (R&E), Washington, DC, 2023. [Online]. Available: <https://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/523024p.pdf>. (accessed Dec. 5, 2023).
- [5] J. Department of Defense, DoD Directive 5230.25, “Withholding of Unclassified Technical Data from Public Disclosure,” October 15, 2018, as amended. Available: <https://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodd/523025p.pdf> (accessed Dec. 5, 2023).
- [6] National Archives, “Controlled Unclassified Information (CUI).” [archives.gov](https://www.archives.gov/cui). <https://www.archives.gov/cui> (accessed Dec. 5, 2023).
- [7] National Archives, “CUI Registry: Limited Dissemination Controls.” [archives.gov](https://www.archives.gov/cui/registry/limited-dissemination). <https://www.archives.gov/cui/registry/limited-dissemination> (accessed Dec. 5, 2023).
- [8] National Archives, “CUI Categories.” [archives.gov](https://www.archives.gov/cui/registry/category-list). <https://www.archives.gov/cui/registry/category-list> (accessed Dec. 5, 2023).
- [9] DoD CUI Program, “Export Controlled.” [dodcui.mil](https://www.dodcui.mil/Export-Control/Export-Controlled/). <https://www.dodcui.mil/Export-Control/Export-Controlled/> (accessed Dec. 6, 2023).
- [10] Compliance Forge, “Cybersecurity Requirements: ITAR vs EAR vs FAR vs DFARS.” [complianceforge.com](https://complianceforge.com/nist-800-171/itar-vs-ear-vs-far-vs-dfars-cui-cmmc/). <https://complianceforge.com/nist-800-171/itar-vs-ear-vs-far-vs-dfars-cui-cmmc/> (accessed Dec. 5, 2023).

Regulation	Authority	Stakeholder	Primary Focus	Specifies
International Traffic in Arms (ITAR)	22 CFR Parts 120-130	U.S. Department of State (DDTC)	United States Munitions List (USML)	Protection of defense-related articles and services
Export Administration Regulations (EAR)	15 CFR Parts 730-774	U.S. Department of Commerce (BIS)	Commerce Control List (CCL)	Protection of commercial and dual-use items, information, and technology
Controlled Unclassified Information (CUI) Program	EO 13556	U.S. National Archives (NARA)	Controlled Unclassified Information (CUI)	CUI categories and protection requirements
Federal Acquisitions Regulations (FAR)	52.204-21	General Services Administration (GSA) U.S. Department of Defense (DoD) National Aeronautics and Space Administration (NASA)	Federal Contract Information (FCI)	15 basic cybersecurity requirements
Defense Federal Acquisition Regulation Supplement (DFARS)	252.204-7012 252.204-7021	U.S. Department of Defense (DoD)	Controlled Unclassified Information (CUI)	NIST SP 800-171 implementation Cybersecurity Maturity Model Certification (CMMC)