



Department of Energy

Washington, DC 20585

June 10, 2025

MEMORANDUM FOR ALL HEADS DEPARTMENTAL ELEMENTS

THROUGH: Dawn Zimmer **DAWN ZIMMER** Digitally signed by DAWN ZIMMER
Date: 2025.06.11 11:58:59 -04'00'
Principal Deputy Chief Information Officer
Senior Agency Official for CUI
Office of the Chief Information Officer

FROM: April Woodfork **APRIL WOODFORK** Digitally signed by APRIL WOODFORK
Date: 2025.06.10 10:45:52 -04'00'
Department of Energy Controlled Unclassified Information
Program Manager

SUBJECT: Waiver of Controlled Unclassified Information Marking
Requirements for Legacy Information and Data

With the implementation of the Department of Energy (DOE) Controlled Unclassified Information (CUI) program, unclassified information that requires safeguarding or dissemination control under law, regulation, or Government-wide policy is subject to CUI marking paradigm. This marking requirement extends to information that was previously marked as Official Use Only, or otherwise controlled, ("legacy information") before the CUI program went into effect. Pursuant to 32 CFR § 2002.38(b), in situations where an agency has a substantial amount of information with legacy markings and remarking it as CUI would be overly burdensome, the Senior Agency Official for CUI (SAOCUI) may approve a waiver of these requirements.

Pursuant to 32 CFR § 2002, all federal agencies are required to apply controlled unclassified information (CUI) markings uniformly and conspicuously to all documents and information containing CUI. On February 3, 2022, the Department of Energy (DOE) Order 471.7, Controlled Unclassified Information (CUI) (DOE O 471.7) was published which established the DOE CUI Program and marked the start date of the Departments implementation of new CUI markings as required by 32 CFR § 2002. DOE O 471.7 documents the Departments policy for designating and handling information that qualifies as CUI which requires that appropriate marking, safeguarding, or dissemination controls be applied only as required or permitted by a law, regulation, or Government-wide policy.

The digital and physical information assets of DOE are vast and applying the requirement to re-mark legacy information would be extremely burdensome in time and require significant financial resources. Therefore, under my authority as SAOCUI under 32 § 2002.38, and as reflected in DOE Order 471.7, Controlled Unclassified Information, I hereby waive this marking requirement for legacy information from the date of this memo. Under this waiver, the Department is not required to remove legacy markings, and designate or re-mark it as CUI, as long as the information is not reused by the Department and remains under Departmental

control. When the agency reuses any legacy information that qualifies as CUI, whether the information has obsolete control markings or not, the agency must designate the reproduced information as CUI and mark it accordingly.

Please direct any questions about this waiver or CUI safeguarding requirements to the DOE CUI Program Manager April Woodfork at (202) 586-9439, april.woodfork@hq.doe.gov and/or doecui@hq.doe.gov.

cc: April Woodfork, DOE CUI Program Manager