



**UNITED STATES GOVERNMENT**  
**NATIONAL LABOR RELATIONS BOARD**  
**OFFICE OF THE CHIEF INFORMATION OFFICER**  
Washington, D.C. 20570

**FROM:** Prem Aburvasamy, Chief Information Officer, National Labor Relations Board (NLRB)

**SUBJECT:** National Labor Relations Board (NLRB) Controlled Unclassified Information (CUI) Limited CUI Marking Waiver within the Agency

Executive Order (EO) 13556, Controlled Unclassified Information (CUI), 75 Fed. Reg. 68,675 (Nov. 9, 2010), establishes a program for managing CUI across the executive branch. The National Archives and Records Administration (NARA) is responsible for implementing the Executive Order. To effectuate the requirements of NARA regulations, the National Labor Relations Board (“NLRB” or “Agency”) has established a CUI Program. The Agency’s Chief Information Officer serves as its CUI Senior Agency Official (SAO).

CUI generally is information that requires safeguarding or dissemination controls pursuant to and consistent with applicable law, regulations, and government-wide policies but is not classified under Executive Order 13526. In general, at the NLRB, all agency records constitute CUI because 29 CFR 102.118(a) places such controls on those records.

NARA regulations provide that when an agency designates information as CUI but determines that marking it as CUI is excessively burdensome, an agency's CUI SAO may approve waivers of all or some of the CUI marking requirements while that CUI remains within agency control. 32 CFR 2002.38(a). Further, NARA regulations require that agencies notify authorized recipients and the public of such waivers. 32 CFR 2002.38(e).

Pursuant to this framework, the NLRB’s CUI SAO has determined that marking all documents within the Agency would be excessively burdensome, since generally all Agency records constitute CUI. Therefore, the NLRB hereby issues this limited CUI marking waiver, pursuant to 32 CFR 2002.38(a), waiving the requirement to mark CUI within the Agency; NLRB CUI will be marked only when disseminated outside the Agency. Further, pursuant to 32 CFR 2002.38(e), the Agency hereby notifies authorized recipients and the public of this waiver.

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