



CUI Notice 2020-03: Non-Disclosure Agreement Template for CUI

June 3, 2020

Purpose

1. This Notice provides an optional Controlled Unclassified Information (CUI) non-disclosure agreement (NDA) template for executive branch agency use.
2. Executive branch agencies may use the attached template when they determine that a CUI NDA is appropriate. The attached template is optional, and agencies can modify it if needed.

Authorities

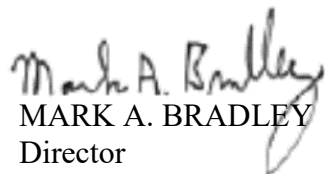
3. Executive Order 13556, *Controlled Unclassified Information* (“the Order”), November 4, 2010, and successive orders; and
4. 32 Code of Federal Regulations Part 2002, *Controlled Unclassified Information* (“the Directive”).
5. The Director of the Information Security Oversight Office (ISOO) exercises Executive Agent (EA) responsibilities for the CUI Program. The Directive implements the Order and establishes the CUI Program requirements for designating, safeguarding, disseminating, marking, decontrolling, and disposing of CUI.
6. This guidance document is binding on agency and Federal contractor actions as authorized under applicable statute, executive order, regulation, or similar authority. This guidance document does not have the force and effect of law on, and is not meant to bind, the public, except as authorized by law or regulation or as incorporated into a contract.
7. However, the disclaimer in section 6 above is about this Notice itself; it does not affect any NDA an agency might develop. When a person signs an NDA with an agency, the NDA itself is binding on the person signing it, to the extent authorized by law.

Non-Disclosure Agreement Template (NDA)

8. To support program implementation across executive branch agencies, the CUI EA continues to develop standardized forms and processes.
9. Although using the template is optional, ISOO strongly encourages agencies to make use of the form to increase standardization across the executive branch and in contracts.
10. ISOO will pursue developing a standard form or optional form to replace this template. We encourage you to provide us with samples of non-disclosure agreements your agency uses for CUI, feedback on aspects of the form that do not meet your agency’s needs, and any modified

language your agency may develop if it uses this form as a starting point. We will use this and other feedback to inform development of the formal form.

Please direct any questions regarding this notice to: CUI@nara.gov


MARK A. BRADLEY
Director

Attachment