

**U.S. DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, DC 20250**

**SECRETARY'S MEMORANDUM 1077-006
November 2, 2022**

**Transfer of the Controlled Unclassified Information Function from the
Office of Homeland Security to the Office of the Chief Information Officer**

1. PURPOSE

The purpose of this Memorandum is to transfer responsibility for the U.S. Department of Agriculture's Controlled Unclassified Information (CUI) Program from the Assistant Secretary for Administration and the Director of the Office of Homeland Security to the Chief Information Officer (CIO). The CIO will assume the responsibility for the development and execution of Departmental CUI policies, plans, and procedures necessary to implement and manage a CUI Program that complies with [Executive Order \(EO\) 13556](#), *Controlled Unclassified Information*, and [Title 32 of the Code of Federal Regulations \(CFR\) Part 2002](#), *Controlled Unclassified Information (CUI)*. The CIO has the authority to influence the program implementation and to lead partners and programs essential to the program success (e.g., resources acquisition, contracting, *Freedom of Information Act*, privacy and information systems technology, and approval of policy and training).

2. AUTHORITY

This Memorandum uses the authority of the Secretary to reorganize the Department under Section 4(a) of *Reorganization Plan No. 2 of 1953* (5 United States Code (U.S.C.) App.; 7 U.S.C. § 2201 note).

3. ACTIONS ORDERED

- a. The Secretary delegates to the Chief Information Officer the following authority:
"Administer the Controlled Unclassified Information (CUI) Program for the Department pursuant to EO 13556, 'Controlled Unclassified Information' (75 FR 68675, 3 CFR, 2011 Comp., p. 267) and 32 CFR Part 2002."
- b. The delegations of authority to the Assistant Secretary for Administration at 7 CFR § 2.24(a)(8)(xi) and to the Director of the Office of Homeland Security at 7 CFR § 2.95(b)(11) related to the administration of the CUI Program are rescinded.

4. INCIDENTAL TRANSFERS

The Assistant Secretary for Administration, the Chief Financial Officer, and the Director, Office of Budget and Program Analysis, are authorized to approve such transfers of funds, personnel, employment authority, space, records, property, and incidentals as may be necessary to implement the provisions of this Memorandum.

5. EXISTING DIRECTIVES

Prior delegations of authority, administrative regulations, and other directives not inconsistent with the provisions of this Memorandum will remain in full force and effect. CUI Program related Departmental directives inconsistent with the provisions of this Memorandum, will be revised by the Office of the Chief Information Officer prior to the expiration of this Memorandum.

6. EFFECTIVE DATE AND TERMINATION

This Memorandum will take effect on November 6, 2022, and will remain in effect for 1 year from the effective date, or until such earlier time as the Department's published delegations of authority have been revised to incorporate the provisions of this Memorandum.

/s/ THOMAS J. VILSACK
SECRETARY OF AGRICULTURE