



Safeguarding Sensitive But Unclassified (SBU) Information

(U) WSIC Non-Disclosure Agreement: Safeguarding Sensitive but Unclassified (SBU) Information

(U) Unclassified

(U) Unclassified is the marking used by the Wisconsin Statewide Information Center (WSIC) and other federal, state, and local agencies to identify information intended for widest dissemination. This information can be distributed without restriction, subject to copyright controls. Unclassified (U) information is distributed by WSIC with a black banner and an "Unclassified" marking. Unclassified (U) information does not have safeguarding Sensitive but Unclassified (SBU) restrictions.

(U) Unclassified/For Official Use Only

(U) Unclassified/For Official Use Only (U//FOUO) is the marking used by the WSIC and other federal, state, and local agencies to identify Sensitive but Unclassified information (SBU). Unauthorized disclosure of SBU information could adversely impact a person's privacy or welfare, the conduct of local, state, and/or federal programs, or other operations essential to the national interest (and that is not otherwise covered by a statute or regulation). Unclassified/For Official Use Only information is distributed by WSIC with a green banner and an "Unclassified// For Official Use Only" marking.

(U) Unclassified/Law Enforcement Sensitive

(U) Unclassified/Law Enforcement Sensitive (U//LES) is another SBU marking used by the WSIC and other federal, state, and local law enforcement agencies. It indicates that the information was compiled for law enforcement purposes and should be afforded additional security in order to protect certain legitimate government interests, including the protection of:

1. Enforcement proceedings.
2. The right of a person to a fair trial or an impartial adjudication
3. Grand jury information.
4. Personal privacy, including records about individuals requiring protection in accordance with the Privacy Act of 1974, as amended.
5. The identity of a confidential source, including a State, local, or foreign agency or authority or any private institution that furnished information on a confidential basis.
6. Information furnished by a confidential source.
7. Proprietary information.
8. Techniques and procedures for law enforcement investigations or prosecutions; guidelines for law enforcement investigations when disclosure of such guidelines could reasonably be expected to risk circumvention of the law, or jeopardize the life or physical safety of any individual, including the lives and safety of law enforcement personnel.

(U) Unclassified/Law Enforcement Sensitive information is distributed by WSIC with a red banner and an "Unclassified//Law Enforcement Sensitive" marking.

(U) Access and Dissemination

(U) Access to U//FOUO and U//LES information is based on a “need-to-know¹” as determined by the WSIC and/or other agencies partners. Where there is uncertainty as to a person’s need-to-know, the holder should request dissemination instructions from the WSIC.

(U) U//FOUO and U//LES information may be transmitted only over official e-mail channels. It shall not be transmitted over personal e-mail accounts such as Gmail, Hotmail, or Yahoo accounts.

(U) Do not enter or post any U//FOUO or U//LES information on any public website.

(U) U//FOUO information may only be distributed to law enforcement agencies, first responders (i.e. emergency response providers²), defense, government officials, emergency management professionals, critical infrastructure partners, and individuals with a need to know.

(U) U//LES information **may only be distributed to law enforcement agencies³**, unless prior approval from the WSIC is obtained.

(U) Products can contain U.S. person (USPER) information that is deemed necessary for the intended recipient to understand, assess, or act on the information provided. This information will be highlighted in the document with the label USPER and should be handled in accordance with the WSIC privacy policy.

(U) Storage

(U) When unattended, U//FOUO and U//LES information shall be stored in a locked filing cabinet, locked desk drawer, or other locked storage compartment.

(U) Destruction

(U) Hard copy U//FOUO and U//LES materials will be destroyed by cross-cut shredding, burning, or pulping, sufficient to assure destruction beyond recognition and reconstruction. After destruction, materials may be disposed of with normal waste. Electronic storage media shall be sanitized appropriately by overwriting. Paper products or electronic media containing U//FOUO or U//LES information will not be disposed of in regular trash or recycling receptacles unless the materials have been destroyed as specified above.

(U) Incident Reporting

(U) Compromise, suspected compromise, suspicious, and/or inappropriate requests for U//FOUO and/or U//LES information shall be reported to the WSIC or the originator of the information

(U) Reporting Notice: The public should contact law enforcement via 9-1-1 when an immediate response is needed regarding suspicious activity for any type of crime, including terrorism. To report suspicious or criminal activity that does not pose an immediate threat to public safety, citizens can contact law enforcement using a non-emergency number, call 1-877-WIWATCH (1-877-949-2824), or go to www.wiwatch.org and submit an online report.

¹ **Need-to-know:** The determination made by an authorized holder of information that a prospective recipient requires access to specific information in order to perform or assist in lawful and authorized governmental function, i.e., access is required for the performance of official duties.

² 6 USC 101(2)(6): The term “emergency response providers” includes Federal, State, and local emergency public safety, law enforcement, emergency response, emergency medical (including hospital emergency facilities), and related personnel, agencies, and authorities.

³ A law enforcement agency means a unit of one or more persons employed by the federal, state, local, tribal, or territorial government for the purpose of preventing and detecting crime and enforcing federal/state laws or local ordinances, employees of which unit are authorized to make arrests for crimes while acting within the scope of their authority. (Wisconsin Legislature 165.72(1)(c))