CFIUS Case Management System
Frequently Asked Questions

Why is CFIUS implementing the Case Management System (CMS)?
CFIUS implemented the CMS to allow parties to submit all transaction-related information through a single portal in a standard and secure manner. As of June 1, the CMS must be used to file any written notice or any declaration pursuant to 31 C.F.R. part 800 or 31 C.F.R. part 802.

USING THE CMS

How will I know that my submission of information to CFIUS through the CMS was successful?
After submitting information through the CMS, you will receive a confirmation email. Active cases will also display on the dashboard module for easier management and additional submission confirmation.

What should I do if I have a question regarding the CMS?
Please first read the User Manual located here. If the User Manual does not address your issue, or if you are encountering technical issues, contact CFIUS.itsupport@treasury.gov. For technical issues related to ID.me, click here. For questions about the CFIUS process as it relates to the CMS or to provide feedback regarding the CMS, contact CFIUS.cms@treasury.gov.

Do I submit responses to CFIUS information requests through the CMS?
Yes. Both responses to CFIUS requests for information regarding a draft or formal filing and responses to questions regarding a case under review or investigation should be submitted through the CMS. Parties will receive an information request from CFIUS via an email from Treasury staff, sent via the CMS. To make requested edits to a filing, please return to the CMS portal and edit your submission there. To submit responses to questions regarding a case under review or investigation, please return to the CMS, click the dropdown for "Submissions" at the top of the page, select "My Questions," and submit responses on that page.

Do I need to submit draft notices through the CMS?
Yes. Parties that choose to submit draft notices must do so through the CMS portal. Submission of a draft notice aids the Committee's understanding of the transaction and provide an opportunity for the Committee to request additional information to be included in the notice, if necessary.

How is a filing fee submitted with a notice through the CMS?
Beginning on August 9, 2020, filing fees must be submitted through Pay.gov via the CMS portal. The CFIUS Filing Fees page contains information on filing fees and submission instructions. In addition, the CMS User Guide on the CMS page and the Payment Instructions document contain detailed information on how to submit a filing fee through the CMS portal. Because filing fees are submitted directly through the CMS portal, users do not need to include a receipt with their formal filing; however, CFIUS recommends that users retain a copy of the receipt for recordkeeping purposes. CFIUS cannot deem a formal filing complete until it has received the filing fee payment.

Is an ID.me account needed to submit a filing fee?
Yes. An ID.me account is necessary to access the CMS portal and pay the filing fee. Instructions to create an ID.me account are found on the CMS page on the CFIUS website. For the Privacy Act Statement related to information you share with ID.me, a contractor of the Department of the Treasury, please click here.

How will I know if my submission of a filing fee is successful?
Once a user submits a filing fee through the CMS portal, they will be taken to a “CFIUS – Payment Success” page. If a payment is successfully submitted to Pay.gov, the payment status will say “Payment Submitted – Pending Receipt.” Once the payment has cleared, the payment status will say “Payment Received,” indicating that the Pay.gov system has received the filing fee payment. If a payment is not successful, the payment status will say “Payment Failed.”

What should I do if the payment status says “Payment Failed”?
Users should contact Pay.gov at https://www.pay.gov/public/home/contact.

UPLOADING INFORMATION THROUGH THE CMS

How do restricted uploads work?
Documents, such as personal identifier information, that are not to be accessed by other individuals on a filing must be uploaded as a “Restricted Document.” If you upload a Restricted Document, then the uploader and CFIUS will be the only ones with access to the Restricted Document; no other individuals will be able to see the title of the Restricted Document.

Are there limits on file sizes?
Yes. The CMS accepts individual files up to 20 megabytes in size.

Can I upload a document instead of filling out a portion of the web form?
While certain fields of the web form require data for saving, processing, and submission, in order to streamline the efficiency of the CMS, parties are encouraged to upload Excel files for large spreadsheets. In addition, parties may upload confidential responses as a separate document and enter “see Exhibit #” in the web form.

What file formats can the CMS accept?
The CMS accepts Excel, Word, and PDF files.

Will CFIUS begin to review the information saved in the form before it is submitted?
Information saved prior to submission is stored in the CMS web platform hosted by the Department of the Treasury. However, a CFIUS case officer will not begin review of the information until the draft or formal written notice has been submitted through the CMS.

PARTY ADMINISTRATION

What is a Filing Admin?
A filing admin is a user on a filing with permission to add or remove other users on the filing. A filing admin may add new users either as additional filing admins or as a non-admin user. Non-admin users can view all non-restricted uploads and submit the filing but cannot add or remove other users. The initial creator of a submission will always be a filing admin.

What is a Payor?
“Payor” is the designation given to a CMS user that only has permission to pay a filing fee. CMS users that are listed as contacts in a filing may designate a payor in instances when a person does not have a need to access the rest of the information contained in the CMS portal in connection with the filing of a notice. Contacts listed in a notice filing who are not designated as “Payors” may also submit the filing fee.

How do I remove someone from a filing in the CMS?
Individuals added to a filing through the CMS are given broad permissions, including the ability to view or edit most documents and submit the filing to CFIUS. If they are added as filing admins, they can also remove other users from a filing or add new users as filing admins. For this reason, please use discretion when determining which individuals to add and at what level of permission. You can remove yourself by going to the Participant Administration tab, finding your email address, clicking on the dropdown arrow, and selecting 'Delete.' A filing admin may also remove other users on the Participant Admin tab. If neither of these methods are available to you, email the designated case officer and CFIUS@treasury.gov to request assistance.

PRE-FIRRMA TRANSACTIONS

Certain aspects of my transaction occurred prior to February 13, 2020, according to the applicability rule at 31 C.F.R. § 800.104 or 31 C.F.R. § 802.104. Do I need to submit information to CFIUS through the CMS?
Yes. Parties who believe their transaction should be submitted to CFIUS under the pre-FIRRMA regulations according to the applicability rule should still submit their transaction through the CMS. This includes transactions submitted under the critical technology pilot program regulations at 31 C.F.R. part 801. There is no need to fill out the fields in the Case Management System for pre-FIRRMA transactions. Instead, parties should upload the declaration or notice and any other files using the "Upload Documents" function in the Case Management System. To submit a draft filing, no further action is needed, simply click "Submit Draft." To submit a formal filing under the pre-FIRRMA regulations, please attach certifications to your filing and click the "Submit Draft" button. Then email your case officer and CFIUS@treasury.gov stating that you are submitting a formal filing and would like an override of the required fields. Your case officer will change the status of your filing to "Formal" for you.

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