

EU/USA agreement: processing and transfer of passenger name record (PNR) data by air carriers (2007 PNR agreement)

2009/0187(NLE) - 01/02/2010 - Legislative proposal

PURPOSE: to conclude the Agreement between the EU and the USA on the processing and transfer of Passenger Name Record (PNR) data by air carriers to the United States Department of Homeland Security (DHS) (2007 PNR agreement).

PROPOSED ACT: Council Decision.

CONTENT: on 22 February 2007, the Council authorised the Presidency, assisted by the Commission, to open negotiations for a long-term agreement between the European Union and the United States of America on the processing and transfer of Passenger Name Record (PNR) data by air carriers to the United States Department of Homeland Security (DHS).

In accordance with Council Decision 2007/551/CFSP/JHA of 23 July 2007, the Agreement was signed on 23 and 26 July 2007, subject to its conclusion.

The Agreement has been applied provisionally since the date of its signature.

The Agreement has not yet been concluded. With the entry into force of the Treaty of Lisbon on 1 December 2009, the procedures to be followed by the Union in order to conclude the Agreement are governed by Article 218 of the Treaty on the Functioning of the European Union which states that the Council shall adopt a decision concluding the agreement, **after obtaining the consent of the European Parliament.**

The proposed decision aims to approve the Agreement between the EU and the USA on the processing and transfer of Passenger Name Record (PNR) data by air carriers to the United States Department of Homeland Security (DHS), together with the accompanying letter from the DHS and the letter from the Union in reply.