



COUNCIL OF THE EUROPEAN UNION

Brussels, 23 July 2007

FULL POWERS

THE PRESIDENT OF THE COUNCIL OF THE EUROPEAN UNION

has decided by these presents to confer full powers on

Luis AMADO

Minister of State
Minister for Foreign Affairs of the Portuguese Republic,
President of the Council of the European Union,

to sign and provisionally apply, on behalf of the European Union, the 2007 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).

The Council, upon completion of the internal procedures necessary for the conclusion of the Agreement, reserves the right to approve the instruments signed by its Plenipotentiary in pursuance of the full powers conferred by these presents.

**The President of the Council
of the European Union**



**COUNCIL OF
THE EUROPEAN UNION**

The Presidency

Brussels, 23 July 2007

Secretary Michael Chertoff
U.S. Department for Homeland Security
Washington DC 20528

Dear Secretary,

Thank you very much for your letter to the Council Presidency and the Commission explaining how DHS handles PNR data.

The assurances explained in your letter provided to the European Union allow the European Union to deem, for the purposes of the international agreement signed between the United States and European Union on the processing and transfer of PNR in July 2007 that DHS ensures an adequate level of data protection.

Based on this finding, the EU will take all necessary steps to discourage international organisations or third countries from interfering with any transfers of EU PNR to the United States. The EU and its Member States will also encourage their competent authorities to provide analytical information flowing from PNR data to DHS and other US authorities concerned.

We look forward to working with you and the aviation industry to ensure that passengers are informed about how governments may use their information.

Yours sincerely,

Luis Amado
President of the Council

**DECLARATION ON BEHALF OF THE EUROPEAN UNION TO
THE 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)
(2007 PNR AGREEMENT)**

"This Agreement, while not derogating from or amending legislation of the EU or its Member States, will, pending its entry into force, be implemented provisionally by Member States in good faith, in the framework of their existing national laws."