

~~CONFIDENTIAL~~

469.2

JOINT STATEMENT
OF
THE EUROPEAN UNION AND UNITED STATES OF AMERICA
REGARDING PASSENGER NAME RECORD (PNR) DATA

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Derived: Schneider 1/12
Declass: 31 Dec 2017

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ELEMENTS OF A COOPERATIVE SYSTEM FOR COLLECTING AND USING
PNR DATA

Collection and Use of Passenger Name Record (PNR)

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Mod 3.

Protection of PNR Data

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Mod 5.

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Mod 6.

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Mod 7.

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Mod 8.

International Cooperation

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Paul Rosenzweig

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Paul Rosenzweig

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Period: Schneider MFR
Revised: 12/2022

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DRAFT 08/29/06

Passenger Name Record (PNR):
Response to EU Draft Interim Agreement

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Possible Timeline for Engagement with the EU

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SESSION DOCUMENT
U.S. Assessment of the "b5" 2004 Undertakings
adopted by U.S. Customs and Border Protection
U.S. Department of Homeland Security

September 21, 2006

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Pursuant to the conclusions of the September 19, 2006 EU-U.S. negotiating session on a replacement PNR agreement, the United States offers the following

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See [redacted] b5 The Undertakings generally prohibit CBP from doing an automated pull earlier than 72 hours before the flight and limit the number of pulls to four for any given flight, unless CBP obtains advance information that persons of concern may be traveling.

[b5 b2(High) b7E]

b5 The Undertakings limit the retention of PNR to 2.5 years (11.5 if it has since been manually accessed and then only in a "deleted items" folder).

b5 b2(High) b7E

Under records retention schedules

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approved by U.S. federal records authorities, longer periods are generally applied for data with national security applications. For example, FBI national security case records are held for 30 years after the case is closed. Treasury Enforcement Communications System data (TECS) records are retained for 40, and Terrorist Screening Center and FBI fingerprint cards are held for 99 years

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DISCUSSION DOCUMENT

U.S. Assessment of the [b5] 2004 "Undertakings"
Adopted by U.S. Customs and Border Protection
U.S. Department of Homeland Security

CONFIDENTIAL

Pursuant to the conclusions of the September 15, 2006 EU-U.S. negotiating session
on a replacement PNR agreement, the United States offers the following [

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- [b5] the Undertakings generally prohibit CBP from doing an automated pull earlier than 72 hours before the flight and limit the number of pulls to four for any given flight. [

b5 b2(High) b7E

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- [b5] The Undertakings limit the retention of PNR to 15 years (1) 5 If it has since been manually accessed due to the identification of a high risk individual and then only in a "related items" context. [

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[b5 b2(High) b7E]

records retention schedules approved by U.S. Federal records authorities, longer periods are used for data with national security applications. For example, FBI national security case records are held for 99 years after the case is closed. Treasury Enforcement Communications System data (TECS) records are retained for 99, and Terrorist Screening Center and FBI fingerprint cards are held for 99 years.

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[b5 b2(High) b7E]

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DISCUSSION DOCUMENT
U.S. Assessment of the [b5] 2004 "Undertakings"
adopted by U.S. Customs and Border Protection
U.S. Department of Homeland Security

[b2]

Pursuant to the conclusions of the September 18, 2006 EU-U.S. negotiating session on a replacement PNR agreement, the United States offers the following [

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- [b5] the Undertakings generally prohibit CBP from doing an automated pull earlier than 72 hours before the flight and limit the number of pulls to four for any given flight. [

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- [b5] The Undertakings limit the retention of PNR to 39 years (11.5 if it has since been manually accessed due to the identification of a high risk individual and then only in a "deleted items" folder). [

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[b5 b2 (HSL) b7E

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records retention schedules approved by U.S. federal records authorities, longer periods are used for data with national security applications. For example, FBI national security case records are held for 30 years after the case is closed. Treasury Enforcement Communications System data (TECS) records are retained for 40, and Terrorist Screening Center and FBI fingerprint cards are held for 99 years.

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DISCUSSION DOCUMENT

U.S. assessment of the [b5] 2004 "Undertakings"
adopted by U.S. Customs and Border Protection
U.S. Department of Homeland Security

[b2]

Pursuant to the conclusions of the September 18, 2006 EU-U.S. negotiating session
on a replacement PNR agreement, the United States offers the following [

5 b5 b2 (High) b7E

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- [b5] the Undertakings generally prohibit CBP from doing an automated pull earlier than 72 hours before the flight and limit the number of pulls to four for any given flight. [

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- [b5] the Undertakings limit the retention of PNR to 36 months (11 S if it has since been manually accessed due to the identification of a high risk individual and then only in a "deleted items" folder) [

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[b5 b2(H)(4) b7E] Under records retention schedules approved by U.S. federal records authorities, longer periods are used for data with national security applications. For example, FBI national security case records are held for 30 years after the case is closed. Treasury Enforcement Communications System data (TECS) records are retained for 40, and Terrorist Screening Center and FBI fingerprint cards are held for 99 years.

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[b5 b2(H)(4) b7E]

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DISCUSSION DOCUMENT

Assessment of the [b5] 2005 "Undertakings"
adopted by U.S. Customs and Border Protection
U.S. Department of Homeland Security

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Pursuant to the conclusions of the September 15, 2005 PNR negotiating session
on a replacement PNR agreement, the United States offers the following [

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- [b5] the Undertakings generally prohibit CBP from doing an automated pull earlier than 72 hours before the flight and limit the number of pulls to four for any given flight. [

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- [b5] The Undertakings limit the retention of PNR to 3.5 years (11.5 if it has since been manually accessed) [

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9 Sep 2006 000280

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[b5 b2(HqsL) b7E]

Records retention schedules apply to all records maintained by the agency. Records are retained for a period of time. For example, FBI national security case records are held for 75 years after the case is closed. Treasury Enforcement Communications System Data (TECS) records are retained for 40, and Terrorist Screening Center and FBI fingerprint cards are held for 99 years.

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[b5 b2(HqsL) b7E]

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DISCUSSION DOCUMENT

Classification: [b5] [226 Undertakings]
Adapted by U.S. Customs and Border Protection
U.S. Department of Homeland Security

[b2]

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Pursuant to the conclusions of the September 18, 2006 EU-U.S. negotiating session on a replacement PNR agreement, the United States offers the following [

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- [b5] [the Undertakings generally prohibit CBP from doing an automated pull earlier than 72 hours before the flight and limit the number of pulls to four for any given flight.]

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b5 b2(Hyd) b7E

- [b5] [The Undertakings limit the retention of PNR to 3.5 years (11.5 if it has since been manually accessed due to the identification of a high risk individual and then only in a "deleted items" folder.] [b5]

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b5 b2(HYSK) b7E

↳ Under

records retention schedules approved by U.S. federal records authorities, longer periods are used for data with national security applications. For example, FBI national security case records are held for 30 years after the case is closed. Treasury Enforcement Communications System data (TECS) records are retained for 40, and Terrorist Screening Center and FBI fingerprint cards are held for 99 years.

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(U) [b5 b2(HYSK) b7E]

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DISCUSSION DOCUMENT

U.S. Assessment of the [b5] 2004 "Undertakings"
adopted by U.S. Customs and Border Protection
U.S. Department of Homeland Security

September 21, 2006

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Pursuant to the conclusions of the September 18, 2006 EU-U.S. negotiating session on a replacement PNR agreement, the United States offers the following [

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2 [b5] The Undertakings generally prohibit CBP from doing an automated pull earlier than 72 hours before the flight and limit the number of pulls to four for any given flight, unless CBP obtains advance information that persons of concern may be traveling. [

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(U) [initials]

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3 [b5] The Undertakings limit the retention of PNR to 3.5 years (11.5 if it has since been manually accessed and then only in a "deleted items" folder). [

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] Under records retention schedules

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Declassification: 21 Sept. 2021

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[initials]

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approved by U.S. federal records authorities, longer periods are generally applied for data with national security applications. For example, FBI national security case records are held for 30 years after the case is closed, Treasury Enforcement Communications System data (TECS) records are retained for 40, and Terrorist Screening Center and FBI fingerprint cards are held for 99 years.

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DISCUSSION DOCUMENT

U.S. Assessment of the [b5] 2004 Undertakings
adopted by U.S. Customs and Border Protection
U.S. Department of Homeland Security

[b2]

Pursuant to the conclusions of the September 18, 2006 EU-U.S. negotiating session
on a replacement PNR agreement, the United States offers the following [

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- [b5] the Undertakings generally prohibit CBP from doing an automated pull earlier than 72 hours before the flight and limit the number of pulls to four for any given flight. [

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- [b5] The Undertakings limit the retention of PNR to 3.5 years (11.5 if it has since been manually accessed due to the identification of a high risk individual and then only in a "deleted items" folder). [

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Derived from: Schneider 11.25
Declassify on: 31 Dec 2011

☐ b5 b2(High) b7E ☐ Under records retention schedules approved by U.S. federal records authorities, longer periods are used for data with national security applications. For example, FBI national security case records are held for 30 years after the case is closed. Treasury Enforcement Communications System data (TECS) records are retained for 40, and Terrorist Screening Center and FBI fingerprint cards are held for 99 years.

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DISCUSSION DOCUMENT

U.S. Assessment of the [b5] 2004 "Undertakings"
adopted by U.S. Customs and Border Protection
U.S. Department of Homeland Security

[b2]

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Pursuant to the conclusions of the September 18, 2006 EU-U.S. negotiating session on a replacement PNR agreement, the United States offers the following [

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- [b5] the Undertakings generally prohibit CBP from doing an automated pull earlier than 72 hours before the flight and limit the number of pulls to four for any given flight. [b5 b2(High) b7E]

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Reviewed: Schrage MFR
Declass. (S)
31 Dec 2008

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NOTE

[b5 b2(High) b7E]

- [b5] The Undertakings limit the retention of PNR to 35 years (11.5 if it has since been manually accessed due to the identification of a high risk individual and then only in a "deleted items" folder). [

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b5 b2(High) b7E

under these rules, FBI national security case records are held for 30 years after the case is closed. Treasury Enforcement Communications System data (TECS) records are retained for 40, and Terrorist Screening Center and FBI fingerprint cards are held for 99 years.

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[b5 b2(High) b7E]

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DISCUSSION DOCUMENT

U.S. Assessment of the [b5] 2004 "Undertakings"
adopted by U.S. Customs and Border Protection
U.S. Department of Homeland Security

[b2]

Pursuant to the conclusions of the September 18, 2006 EU-U.S. negotiating session on a replacement PNR agreement, the United States offers the following [

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- [b5] the Undertakings generally prohibit CBP from doing an automated pull earlier than 72 hours before the flight and limit the number of pulls to four for any given flight. [

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b5 b2 (High) b7E

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- [b5] The Undertakings limit the retention of PNR to 3.5 years (11.5 if it has since been manually accessed due to the identification of a high risk individual and then only in a "deleted items" folder). [

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b5 b2 (High) b7E

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Derived from: Schneider MFR
Reclassification: 31
Dec 2009 (31)

~~CONFIDENTIAL~~

[b5 b2(High) b7E] Under records retention schedules approved by U.S. federal records authorities, longer periods are used for data with national security applications. For example, FBI national security case records are held for 30 years after the case is closed. Treasury Enforcement Communications System data (TECS) records are retained for 40, and Terrorist Screening Center and FBI fingerprint cards are held for 99 years.

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b5 b2(High) b7E

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DISCUSSION DOCUMENT

U.S. Assessment of the [b5] 2004 "Undertakings"
adopted by U.S. Customs and Border Protection
U.S. Department of Homeland Security

[b2]

Pursuant to the conclusions of the September 18, 2006 EU-U.S. negotiating session
on a replacement PNR agreement, the United States offers the following [

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- [b5] the Undertakings generally prohibit CBP from doing an automated pull earlier than 72 hours before the flight and limit the number of pulls to four for any given flight. [

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b5 b2(Hrth) b7E

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- [b5] The Undertakings limit the retention of PNR to 3.5 years (11.5 if it has since been manually accessed due to the identification of a high risk individual and then only in a "deleted items" folder). [

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Derived from: Schreiber 11/7/06
Declassify on: 13 Sept 2065

[b5 b2(High) b7E] Under records retention schedules approved by U. S. federal records authorities, longer periods are used for data with national security applications. For example, FBI national security case records are held for 30 years after the case is closed. Treasury Enforcement Communications System data (TECS) records are retained for 40, and Terrorist Screening Center and FBI fingerprint cards are held for 99 years.

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b5 b2(High) b7E

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DISCUSSION DOCUMENT

U.S. Assessment of the [b5] 2004 "Undertakings"
adopted by U.S. Customs and Border Protection
U.S. Department of Homeland Security

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(U) Pursuant to the conclusions of the September 18, 2006 EU-U.S. negotiating session on a replacement PNR agreement, the United States offers the following [

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(U) 2. [b5] The Undertakings generally prohibit CBP from doing an automated pull earlier than 72 hours before the flight and limit the number of pulls to four for any given flight, unless CBP obtains advance information that persons of concern may be traveling.

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(U) 3. [b5] The Undertakings limit the retention of PNR to 3.5 years (11.5 if it has since been manually accessed and then only in a "deleted items" folder). [

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] Under records retention schedules

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Declass: 21 SEPT 2001

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approved by U.S. federal records authorities, longer periods are generally applied for data with national security applications. For example, FBI national security case records are held for 75 years after the case is closed. Treasury Enforcement Communications System data (ECS) records are retained for 40, and Terrorist Screening Center and FBI fingerprint cards are held for 99 years.

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b5 b2(H) b7E

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DISCUSSION DOCUMENT

U.S. Assessment of the [b5] 2004 "Undertakings"
adopted by U.S. Customs and Border Protection
U.S. Department of Homeland Security

[b2]

(u) Pursuant to the conclusions of the September 18, 2006 I-U-U.S. negotiating session on a replacement PNR agreement, the United States offers the following [

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[b5 b2(High) b7E]

(u) • [b5] the Undertakings generally prohibit CBP from doing an automated pull earlier than 72 hours before the flight and limit the number of pulls to four for any given flight [

b5 b2(High) b7E]

Derived: Schneider MFR

Declass: 30 July 2021

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[b5 b2(High) b7E]

- (u) c b5 ↳ The Undertakings limit the retention of PNR to 3.5 years (11.5 if it has since been manually accessed due to the identification of a high risk individual and then only in a "deleted items" folder). ⌞

b5 b2(High) b7E

↳ under these rules, FBI national security case records are held for 30 years after the case is closed, Treasury Enforcement Communications System data (TECS) records are retained for 40, and Terrorist Screening Center and FBI fingerprint cards are held for 99 years.

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[b5 b2(High) b7E]

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DISCUSSION DOCUMENT

U.S. Assessment of the [b5] 2004 "Undertakings"
adopted by U.S. Customs and Border Protection
U.S. Department of Homeland Security

[b2]

(U) Pursuant to the conclusions of the September 18, 2006 EU-U.S. negotiating session on a replacement PNR agreement, the United States offers the following [

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(U) • [b5] the Undertakings generally prohibit CBP from doing an automated pull earlier than 72 hours before the flight and limit the number of pulls to four for any given flight. [

b5 b2(High) b7E

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(U) • [b5] The Undertakings limit the retention of PNR to 35 years (11.5 if it has since been manually accessed due to the identification of a high risk individual and then only in a "deleted items" folder) [

b5 b2(High) b7E

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DERIVED: Schwieder MFR
Declass: 30 July, 2021

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2. b5 b2 (HPL) b7E Under records retention schedules approved by U.S. federal records authorities, longer periods are used for data with national security applications. For example, FBI national security case records are held for 30 years after the case is closed, Treasury Enforcement Communications System data (TECS) records are retained for 40, and Terrorist Screening Center and FBI fingerprint cards are held for 99 years.

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b5 b2 (HPL) b7E

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DISCUSSION DOCUMENT

U.S. Assessment of the [b5] 2004 "Undertakings"
adopted by U.S. Customs and Border Protection
U.S. Department of Homeland Security

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(U) Pursuant to the conclusions of the September 18, 2006 EU-U.S. negotiating session on a replacement PNR agreement, the United States offers the following [

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(U) • [b5] the Undertakings generally prohibit CBP from doing an automated pull earlier than 72 hours before the flight and limit the number of pulls to four for any given flight. [

b5 b2(High) b7E

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(U) • [b5] The Undertakings limit the retention of PNR to 3.5 years (11.5 if it has since been manually accessed due to the identification of a high risk individual and then only in a "deleted items" folder) [

b5 b2(High) b7E

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Derived: SCHNEIDER MFR
Declass: 19 Aug 2021

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Under records retention schedules approved by U.S. federal records authorities, longer periods are used for data with national security applications. For example, FBI national security case records are held for 50 years after the case is closed. Treasury Enforcement Communications System data (TECS) records are retained for 40, and Terrorist Screening Center and FBI fingerprint cards are held for 99 years.

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(u) [b5 b2(HyL) b7E]

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DISCUSSION DER UNTERNAHMEN
U.S. Assessment of the [b5] 2004 "Undertakings"
adopted by U.S. Customs and Border Protection
U.S. Department of Homeland Security

September 18, 2006

Pursuant to the conclusions of the September 18, 2006 F.O. - U.S. negotiating session
on a replacement PNR agreement, the United States offers the following [

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- [b5] the Undertakings generally prohibit CBP from doing an automated
pull earlier than 72 hours before the flight and limit the number of pulls to four for
any given flight. [

b5 b2(High) b7E

- [b5] the Undertakings prohibit removal of PNR data
years (1) if it has since been manually accessed due to the identification of a
high risk individual and then only in a "select later" folder [

b5 b2(High) b7E

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[b5 b2 (Hush) b7E]

Retention schedule approved by U.S. Federal Records Administration. Longer periods are used for data with national security applications. For example, FBI national security case records are held for 30 years after the case is closed. Treasury Enforcement Communications System data (ECS) records are retained for 40, and Terrorist Screening Center and FBI fingerprint cards are held for 99 years.

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[b5 b2 (Hush) b7E]

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Options for PNR Negotiations with the EU
7/28/06

~~CONFIDENTIAL~~

Background: [b5

an international agreement was struck between DHS and the EU in 2004 governing CBP's access to PNR from the EU. The agreement was quickly challenged in court by the European Parliament. On 5/30/05 the European Court of Justice ruled that the EU inappropriately entered into this agreement on the grounds that the 1995 Directive did not apply [b5

On 7/3/06, the Finnish Presidency and the Commission terminated the agreement effective 9/30/06. The Finnish Presidency also received a mandate from the European Council to negotiate a replacement agreement by 9/30. The Commission presented the USG with a proposed text on 7/16.

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¹ European Parliament. Joint Motion for a Resolution on the interception of bank transfer data from the SWIFT system by the US secret services. 7/5/2006

Law Enforcement Sensitive

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Options for PNR Negotiations with the EU
7/28/06

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EDPS Press Release, May 30, 2006

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Options for PNR Negotiations with the EU
7/28/06

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Options for PNR Negotiations with the EU
7/28/06

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Options for PNR Negotiations with the EU
7/28/06

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Options for PNR Negotiations with the EU
7/28/06

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Law Enforcement Sensitive

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U. S. Department of Homeland Security
Washington, DC 20528



Homeland Security

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INFORMATION

Deleted: June 12, 2006

Deleted: June 11, 2006

MEMORANDUM FOR: Stewart Baker, Assistant Secretary for Policy

THROUGH: Paul Rosenzweig, Acting Assistant Secretary for Policy Development and Counselor to the Assistant Secretary for Policy

FROM: Michael Scardaville, Special Assistant and International Policy Advisor, PDEV

SUBJECT: Assessment of the Commission's proposed resolution of the PNR situation and recommended short term actions (U)

Purpose

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Background: The Commission's Proposal

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~~2-4-03/1.42~~

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This concern is consistent with Executive Order 13388 and the President's Memorandum issued on December 16, 2006 to Heads of Executive Departments and Agencies on "Guidelines and Requirements in Support of the Information Sharing Environment" (ISA)

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U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

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INFORMATION

MEMORANDUM FOR: Frances Fragos Townsend, Assistant to the President for Homeland Security and Counterterrorism

FROM: Stewart Baker, Assistant Secretary for Policy

SUBJECT: The European Commission's proposed resolution of the PNR situation (U)

Background: The Commission's Proposal

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Derived: SCHNEIDER MFR
Declass: 13 Sept 2022

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Time Constraints:

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cc: [b6]

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Homeland Security

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Deleted: June 7, 2006

ACTION

MEMORANDUM FOR: Frances Fragos Townsend, Assistant to the President for Homeland Security and Counterterrorism

FROM: Stewart Baker, Assistant Secretary for Policy

SUBJECT: Assessment of the Commission's proposed resolution of the PNR situation

Background: The Commission's Proposal

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DERIVED: SCHNEIDER MFR
Declass: 13 Sept 2022

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(C) At the same time that the Council Decision is being finalized, but definitely by June 30, 2006, the Commission intends to notify DHS of its intent to terminate the agreement under the provisions of Article 7 of the Agreement. This is necessary to comply with the Court's decision to preserve the effect of the Commission's adequacy finding until September 30, 2006.

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DHS Interests.

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Time Constraints:

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Critical Issues:

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Homeland Security

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MEMORANDUM FOR:

THROUGH:

FROM: Michael Scardaville, Special Assistant and International Policy Advisor, PDEV

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SUBJECT:

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Purpose

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Background: The Commission's Proposal

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(U) Around the same time that the Council Decision is being finalized, but definitely by June 30, 2006, the Commission intends to notify DHS of its intent to terminate the agreement under the provisions of Article 7 of the Agreement. This is necessary to comply with the Court's decision to

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Discussion

The Commission's Goal:

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DHS Interests:

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U.S. Department of Homeland Security
Washington, DC 20523



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MEMORANDUM FOR:

THROUGH:

FROM: Michael Scardaville, Special Assistant and International Policy
Advisor, PDEV

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SUBJECT:

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Purpose

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Background: The Commission's Proposal

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DERIVED : SCHNEIDER MFR
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(u) Around the same time that the Council Decision is being finalized, but definitely by June 30, 2006, the Commission intends to notify DHS of its intent to terminate the agreement under the provisions of Article 7 of the Agreement. This is necessary to comply with the Court's decision to

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Discussion

The Commission's Goal:

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Recommendations

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U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

Deleted: June 8, 2006
Deleted: June 7, 2006

ACTION

MEMORANDUM FOR: Stewart Baker, Assistant Secretary for Policy
THROUGH: Paul Rosenzweig, Acting Assistant Secretary for Policy Development
and Counselor to the Assistant Secretary for Policy
FROM: Michael Scardaville, Special Assistant and International Policy
Advisor, PDEV
SUBJECT: Assessment of the Commission's proposed resolution of the PNR situation and
recommended short term actions (c)

Purpose

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Background: The Commission's Proposal

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Discussion

The Commission's Goal

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DHS Interests

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Critical Issues

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Recommendations

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U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

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INFORMATION

Deleted: June 12, 2006
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MEMORANDUM FOR: Stewart Baker, Assistant Secretary for Policy
THROUGH: Paul Rosenzweig, Acting Assistant Secretary for Policy Development
and Counselor to the Assistant Secretary for Policy
FROM: Michael Scardaville, Special Assistant and International Policy
Advisor, PDEV
SUBJECT: Assessment of the Commission's proposed resolution of the PNR situation and
recommended short term actions (U)

Purpose

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Background: The Commission's Proposal

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Discussion

The Commission's Goal:

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DHS Interests:

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(U) This concern is consistent with Executive Order 13388 and the President's Memorandum issued on December 16, 2006 to Heads of Executive Departments and Agencies on "Guidelines and Requirements in Support of the Information Sharing Environment" (ISE)

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Time Constraints:

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Critical Issues:

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U.S. Department of Homeland Security
Washington, DC 20523



Homeland
Security

[b2]

INFORMATION

Deleted: June 12, 2006

Deleted: June 11, 2006

MEMORANDUM FOR: Stewart Baker, Assistant Secretary for Policy

THROUGH: Paul Rosenzweig, Acting Assistant Secretary for Policy Development
and Counselor to the Assistant Secretary for Policy

FROM: Michael Scardaville, Special Assistant and International Policy
Advisor, PDEV

SUBJECT: Assessment of the Commission's proposed resolution of the PNR situation and
recommended short term actions (v)

Purpose

(c)

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Background: The Commission's Proposal

(c)

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(c)

DERIVED: SCHNEIDER MFR
DECLASS: 23 August 2022

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Discussion

The Commission's Goal

(c)

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DHS Interests:

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(u) This concern is consistent with Executive Order 12888 and the President's Memorandum issued on December 16, 2006 to Heads of Executive Departments and Agencies on "Guidelines and Requirements in Support of the Information Sharing Environment" (ISA)

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Time Constraints:

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Critical Issues:

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U.S. Department of Homeland Security
Washington, DC 20528



Homeland Security

[b2]

Deleted: June 7, 2006

ACTION

MEMORANDUM FOR: Frances Fragos Townsend, Assistant to the President for Homeland Security and Counterterrorism
FROM: Stewart Baker, Assistant Secretary for Policy
SUBJECT: Assessment of the Commission's proposed resolution of the PNR situation (V)

Background: The Commission's Proposal

(c)

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DERIVED: SCHNEIDER MFR
DECLASS: 13 SEPT 2022

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(u) Around the same time that the Council Decision is being finalized, but definitely by June 30, 2006, the Commission intends to notify DHS of its intent to terminate the agreement under the provisions of Article 7 of the Agreement. This is necessary to comply with the Court's decision to preserve the effect of the Commission's adequacy finding until September 30, 2006.

(FBI - MOD)

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Discussion

The Commission's Goal:

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(c)

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DHS Interests:

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Time Constraints

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The Next Step.

(FGE-MOD)

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Critical Issues:

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cc: [b6]

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