

**LAW ENFORCEMENT**

**Information Exchange**

**Agreement Between the  
UNITED STATES OF AMERICA  
and UNITED KINGDOM**

Effectuated by Exchange of Notes at London July 21, 2022

Entered into force July 21, 2022



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89—497, approved July 8, 1966  
(80 Stat. 271; 1 U.S.C. 113)—

“ . . .the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”



N. 244/2022

The Embassy of the United States of America presents its compliments to the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland (“United Kingdom”) and has the honor to refer to the beneficial ongoing law-enforcement cooperation between the Government of the United States of America and the Government of the United Kingdom. Further, the Embassy has the honor to refer to the Agreement between the United States of America and the European Union on the Protection of Personal Information relating to the Prevention, Investigation, Detection, and Prosecution of Criminal Offenses, done at Amsterdam on June 2, 2016 (“U.S.-EU Data Protection and Privacy Agreement” or “U.S.-EU DPPA”), and the U.S. Note Verbale to the EU dated January 16, 2017, regarding entry into force of the U.S.-EU DPPA, copies of which are enclosed. Recognizing that the United Kingdom ceased to be a Member State of the European Union on January 31, 2020, and that the transition period concluded on December 31, 2020, in order to promote legal certainty regarding the safeguards that are applied by the Government of the United States and the Government of the United Kingdom (the “Parties”) with respect to personal information transferred for law enforcement purposes, the Embassy proposes the following:

Without prejudice to other agreements between the United States and the United Kingdom that incorporate the U.S.-EU DPPA *mutatis mutandis*, the Government of the United States of America and the Government of the United Kingdom shall apply the U.S.-EU DPPA *mutatis*

**DIPLOMATIC NOTE**

*mutandis* to all personal information transferred between the Competent Authorities of one Party and the Competent Authorities of the other Party, or otherwise transferred in accordance with an agreement concluded between the Parties, for the prevention, detection, investigation, and prosecution of criminal offences, including terrorism. Additionally, the Government of the United States and the Government of the United Kingdom intend to apply to this Agreement the understanding reflected in the January 16, 2017 U.S. Note Verbale regarding U.S. law-enforcement agencies considered Competent Authorities for purposes of the U.S.-EU DPPA. For the avoidance of doubt, Article 29(1) of the U.S.-EU DPPA shall not be incorporated into this Agreement.

If the foregoing is acceptable to the Government of the United Kingdom, the Embassy of the United States of America has the honor to propose that this Note and your Note in reply shall constitute an agreement between our two Governments that shall enter into force on the date of your Note in reply.


The Embassy of the United States of America avails itself of this opportunity to renew to the Foreign, Commonwealth and Development Office of the United Kingdom assurances of its highest consideration.

Embassy of the United States of America

London, July 21, 2022



THE ATTACHED IS A TRUE AND ACCURATE  
COPY OF THE SIGNED ORIGINAL.

  
ERIC ADLER / ECONOMIC OFFICER

DATE JULY 21, 2022



Note Verbale Number: 018/2022

The National Security Directorate of the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland has the honour to acknowledge receipt of the Note from the Embassy of the United States of America, dated 21 July 2022, concerning the Agreement between the United States of America and the European Union on the Protection of Personal Information relating to the Prevention, Investigation, Detection, and Prosecution of Criminal Offenses, done at Amsterdam on 2 June 2016. The Embassy's Note states as follows:

The Embassy of the United States of America ("Embassy") presents its compliments to the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland ("United Kingdom") and has the honor to refer to the beneficial ongoing law-enforcement cooperation between the Government of the United States of America and the Government of the United Kingdom. Further, the Embassy has the honor to refer to the Agreement between the United States of America and the European Union on the Protection of Personal Information relating to the Prevention, Investigation, Detection, and Prosecution of Criminal Offenses, done at Amsterdam on June 2, 2016 ("U.S.-EU Data Protection and Privacy Agreement" or "U.S.-EU DPPA"), and the U.S. Note Verbale to the EU dated January 16, 2017, regarding entry into force of the U.S.-EU DPPA, copies of which are enclosed. Recognizing that

the United Kingdom ceased to be a Member State of the European Union on January 31, 2020, and that the transition period concluded on December 31, 2020, in order to promote legal certainty regarding the safeguards that are applied by the Government of the United States and the Government of the United Kingdom (the "Parties") with respect to personal information transferred for law enforcement purposes, the Embassy proposes the following:

Without prejudice to other agreements between the United States and the United Kingdom that incorporate the U.S.-EU DPPA *mutatis mutandis*, the Government of the United States of America and the Government of the United Kingdom shall apply the U.S.-EU DPPA *mutatis mutandis* to all personal information transferred between the Competent Authorities of one Party and the Competent Authorities of the other Party, or otherwise transferred in accordance with an agreement concluded between the Parties, for the prevention, detection, investigation, and prosecution of criminal offences, including terrorism. Additionally, the Government of the United States and the Government of the United Kingdom intend to apply to this Agreement the understanding reflected in the January 16, 2017 U.S. Note Verbale regarding U.S. law-enforcement agencies considered Competent Authorities for purposes of the U.S.-EU DPPA. For the avoidance of doubt, Article 29(1) of the U.S.-EU DPPA shall not be incorporated into this Agreement.

If the foregoing is acceptable to the Government of the United Kingdom, the Embassy of the United States of America has the honor to propose that this Note and your Note in reply shall constitute an agreement between our two Governments that shall enter into force on the date of your Note in reply.

~~The Embassy of the United States of America~~ avails itself of this opportunity to reiterate to the ~~Foreign, Commonwealth and Development Office~~ of the United Kingdom assurances of its highest consideration.

The National Security Directorate of the Foreign, Commonwealth and Development Office has the honour to inform the Embassy of the United States of America that it agrees with the proposal set forth in the Embassy's Note and that the Embassy's Note, together with this Note in reply, shall constitute an agreement that shall enter into force on the date of this Note.

The National Security Directorate of the Foreign, Commonwealth and Development Office avails itself of this opportunity to reiterate to the Embassy of the United States of America assurances of its highest consideration.



FOREIGN, COMMONWEALTH AND DEVELOPMENT OFFICE

LONDON

21 July 2022