

Administration of Joseph R. Biden, Jr., 2022

Joint Statement by the United States and the European Commission on Trans-Atlantic Data Privacy Framework

March 25, 2022

The United States and the European Commission announce that we have agreed in principle on a new Trans-Atlantic Data Privacy Framework, which will foster trans-Atlantic data flows and address the concerns raised by the Court of Justice of the European Union in the Schrems II decision of July 2020.

The new Framework marks an unprecedented commitment on the U.S. side to implement reforms that will strengthen the privacy and civil liberties protections applicable to U.S. signals intelligence activities. Under the Trans-Atlantic Data Privacy Framework, the United States is put in place new safeguards to ensure that signals surveillance activities are necessary and proportionate in the pursuit of defined national security objectives, establish a two-level independent redress mechanism with binding authority to direct remedial measures, and enhance rigorous and layered oversight of signals intelligence activities to ensure compliance with limitations on surveillance activities.

The Trans-Atlantic Data Privacy Framework reflects more than a year of detailed negotiations between the U.S. and E.U. led by Secretary of Commerce Gina Raimondo and Commissioner for Justice Didier Reynders. It will provide a durable basis for trans-Atlantic data flows, which are critical to protecting citizens' rights and enabling trans-Atlantic commerce in all sectors of the economy, including for small and medium enterprises. By advancing cross-border data flows, the new framework will promote an inclusive digital economy in which all people can participate and in which companies of all sizes from all of our countries can thrive.

The announcement is another demonstration of the strength of the U.S.-EU relationship, in that we continue to deepen our partnership as a community of democracies to ensure both security and respect for privacy and to enable economic opportunities for our companies and citizens. The new Framework will facilitate further U.S.-EU cooperation, including through the Trade and Technology Council and through multilateral fora, such as the Organization for Economic Cooperation and Development, on digital policies.

The teams of the U.S. Government and the European Commission will now continue their cooperation with a view to translate this arrangement into legal documents that will need to be adopted on both sides to put in place this new Trans-Atlantic Data Privacy Framework. For that purpose, these U.S. commitments will be included in an Executive Order that will form the basis of the Commission's assessment in its future adequacy decision.

NOTE: An original was not available for verification of the content of this joint statement.

Categories: Joint Statements : European Commission :: Trans-Atlantic data privacy framework.

Names: Raimondo, Gina M.; Reynders, Didier.

Subjects: Business and industry : Consumer data security, strengthening efforts; Commerce, Department of : Secretary; Defense and national security : Cybersecurity :: Strengthening efforts; Defense and national security : Intelligence; Europe : European Union :: Commissioner for Justice ; Europe : European Union :: Data security and privacy, cooperation with U.S.

DCPD Number: DCPD202200204.