

Joint Press Statement from Commissioner Věra Jourová and Secretary of Commerce Wilbur Ross on the Second Annual EU-U.S. Privacy Shield Review

Senior officials from the United States Government, the European Commission, and European Data Protection Authorities are meeting in Brussels this week to conduct the second annual review of the EU-U.S. Privacy Shield framework. The two days of detailed discussions are addressing all aspects of the functioning of the Privacy Shield. The review benefited greatly from industry and civil society input.

Since the inception of the Privacy Shield program in 2016, nearly 4,000 companies have made legally enforceable commitments to comply with the Privacy Shield framework. The significant growth of the program last year highlights Privacy Shield's vital importance to transatlantic data protection and commerce.

The U.S. and EU took note that since the last annual review, the President nominated, and the Senate confirmed, three new members to the independent Privacy and Civil Liberties Oversight Board (PCLOB) to restore a chair and a quorum. The PCLOB also declassified its report on a presidential directive that extended certain signals intelligence privacy protections to foreign citizens.

Review participants are discussing the functioning of the Privacy Shield Ombudsperson Mechanism, including President Trump's recent decision to name a senior, politically appointed State Department official as Ombudsperson. Nonetheless, both sides recognize the need for prompt progress on nominating a permanent Under Secretary. This process is well underway and the U.S. will be in close contact with the EU on this important matter.

In addition, in the wake of recent privacy incidents involving the personal data of Europeans and Americans, the U.S. and EU reaffirm the need for strong privacy enforcement to protect our citizens and ensure trust in the digital economy. Among other things, the Commerce Department will revoke the certification of companies that do not comply with Privacy Shield's vigorous data protection requirements.

U.S. and EU officials will continue to work closely together to ensure the framework functions as intended, including on commercial and national-security related matters. Before the end of the year, the Commission will publish a report containing its findings on the functioning of the Privacy

Shield.

Background

The Commissioner for Justice, Consumers and Gender Equality Věra Jourová, launched with the US Secretary of Commerce Wilbur Ross and launch the discussions to review the [EU-U.S. Privacy Shield](#) on 18 October. Operational since 1 August 2016, this framework protects personal data transferred from the EU to the U.S. for commercial purposes. It brings also legal clarity for businesses relying on the transmission of personal data across the Atlantic.