

Ms. Gina M. Raimondo
U.S. Secretary of Commerce

Mr. Didier Reynders
European Commissioner for Justice

July 14, 2021

Re: Transatlantic industry urge swift agreement on EU-U.S. personal data flows

Dear Commissioner Reynders,
Dear Secretary Raimondo,

We, the undersigned associations, represent a variety of sectors of the transatlantic business community. We welcome and appreciate your ongoing efforts to agree on a new, strengthened EU-U.S. framework for the transfer of personal information across the Atlantic. We were encouraged by the recent EU-U.S. Summit commitment to “work together to ensure safe, secure, and trusted cross-border data flows that protect consumers and enhance privacy protections, while enabling Transatlantic commerce” and to “strengthen legal certainty in Transatlantic flows of personal data.”¹ At the same time, many were hopeful for further announcements on the progress and timeline for a new data transfer agreement.

This week marks the anniversary of the Court of Justice of the European Union’s judgement which, among other things, invalidated the EU-U.S. Privacy Shield Framework. One year on, thousands of EU and U.S. companies continue to be impacted by the resulting legal uncertainty for transatlantic data transfers, restrictive interpretations of the ruling risk triggering additional compliance and operational challenges. They also restrict the opportunities for EU businesses to grow and innovate internationally, rely on the technology and services of their choosing, and to perform routine commercial data transfers.

¹ EU-U.S. Summit Statement, “Towards a Renewed Transatlantic Partnership” (15 June, 2021) <https://www.consilium.europa.eu/media/50758/eu-us-summit-joint-statement-15-june-final-final.pdf>; <https://www.whitehouse.gov/briefing-room/statements-releases/2021/06/15/u-s-eu-summit-statement>.

We urge the U.S. and the EU to swiftly ensure an agreement for secure transatlantic data flows that in turn will strengthen trade, investment, technological cooperation, and reinvigorate the transatlantic partnership. It is the ideal time to forge a new sustainable data transfer framework and we hope to hear from the U.S. government and European Commission on the completion of an agreement soon.

Sincerely,

ACT | The App Alliance

Allied for Startups

Associação para a Promoção e Desenvolvimento da Sociedade da Informação (APDSI)

Centre for Information Policy Leadership (CIPL)

Computer & Communications Industry Association (CCIA)

Developers Alliance

DOT Europe

eco – Association of the Internet Industry

Ecommerce Europe

EuroCommerce

EuroISPA

European Games Developer Federation (EGDF)

European Payment Institutions Federation (EPIF)

European Services Forum (ESF)

Federation of European Data and Marketing (FEDMA)

Global Data and Marketing Alliance (GDMA)

Interactive Software Federation of Europe (ISFE)

Internet Association

ITI – Information Technology Industry Council

National Association of Manufacturers

TechNet

United States Council for International Business (USCIB)

U.S. Chamber of Commerce