

Congress of the United States
Washington, DC 20515

August 5, 2020

The Honorable Wilbur Ross
Secretary
U.S. Department of Commerce
1401 Constitution Avenue NW
Washington, DC 20230

The Honorable Joseph J. Simons
Chairman
Federal Trade Commission
600 Pennsylvania Avenue NW
Washington, DC 20580

Dear Secretary Ross and Chairman Simons:

We write following the recent decision by the European Court of Justice (“ECJ”) that invalidated one of the key mechanisms for allowing the transfer of personal data from the European Union (“EU”) to the United States (“U.S.”), the EU-U.S. Privacy Shield Framework (“Privacy Shield”).

Since 2016, companies had relied on the Privacy Shield for transatlantic digital commerce. It enabled the transfer of data from the EU to the U.S. in compliance with EU law. In the wake of this decision, thousands of American businesses that relied on the Privacy Shield are left with few options for the processing of data from the EU. This decision may significantly disrupt their operations and the consumers who rely upon their services.

The Privacy Shield had been particularly important for the small and medium-sized businesses who need a framework for protecting consumer data while engaging with European customers.

Avoiding unnecessary disruptions to the businesses affected by the ECJ decision and the consumers they serve is critical. Accordingly, we encourage you to work closely and expeditiously with your European counterparts to issue interim guidance to make sure that consumer and business services are not unduly disrupted, and personal data is protected.

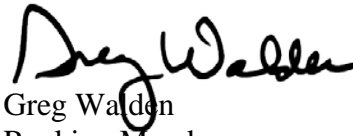
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Thank you for your attention to this matter.

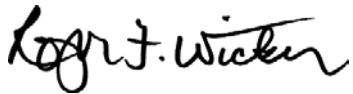
Sincerely,



Frank Pallone, Jr.
Chairman
Committee on Energy and Commerce



Greg Walden
Ranking Member
Committee on Energy and Commerce



Roger F. Wicker
Chairman
Committee on Commerce, Science,
and Transportation



Maria Cantwell
Ranking Member
Committee on Commerce, Science,
and Transportation