

## **MEETING WITH JASON OXMAN, President and CEO of the Information Technology Industry Council (ITI)**

### **Scene setter**

You met Jason Oxman, CEO of the Information Technology Industry Council (ITI) several times, last time in March 2021. ITI is a global association representing the technology industry (currently 75 leading companies, including internet companies, hardware and networking equipment manufacturers, software developers, cloud service providers and other tech-enabled multinational organizations). Mr. Oxman asked for this meeting to discuss the negotiations with the US on a Privacy Shield successor arrangement.

You may therefore want to:

- Recall that an agreement was reached on the key elements of a new framework, but that the details still need to be finalised and translated into legal texts.
- Signal that we are currently waiting to receive draft texts from the US for a new Executive Order and implementing regulations implementing the US commitments.
- Stress that further discussions on these drafts may be needed, to make sure that they fully reflect what we have agreed on.
- Explain that the Commission will only be able to propose a draft adequacy decision when the text of these legal instruments will have been agreed.
- Mention that, taking into account the different procedural steps (opinion of the EDPB, green light from the Member States in comitology), a final adequacy decision could at the earliest be adopted by the end of this year.

### **Lines to take**

- On 25 March, President von der Leyen and President Biden announced an agreement in principle for a new transatlantic data transfer framework to replace the Privacy Shield.
- This is certainly an important step, but the work continues.
- We now need to finalise the details and translate them into legal texts.

- As a first step, the US commitments have to be included in a new Executive Order to be adopted by the US President and implementing regulations.
- I understand that our US counterparts are currently working on drafts of these different legal instruments.
- We will then look together at these drafts to make sure they fully reflect what we have agreed on. I cannot exclude that this might involve some further discussions on the details of these legal texts.
- Our objective is to make sure that we have a solid foundation for a future adequacy decision.
- Because that will be the next step: once we will have agreed on the text of these legal instruments, the Commission will be able to propose a draft adequacy decision on that basis.
- To adopt the final decision, we will need to go through a multi-step process that involves an opinion from the European Data Protection Board, a vote of our Member States and scrutiny by the European Parliament.

- Because of the work that remains to be done and the different procedural steps we need to go through, it is difficult to give a precise timeline at this stage.
- However, based on our experience with previous adequacy decisions, it is unrealistic to expect that we could adopt the adequacy decision before the end of this year.

26 April 2022

## BACKGROUND

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED] [REDACTED] [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

---

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

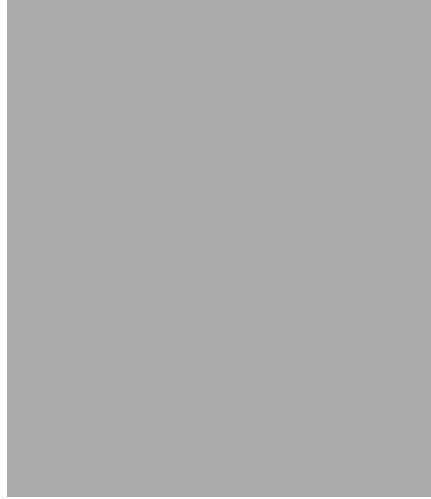
[REDACTED]

[REDACTED]

[REDACTED]

26 April 2022

**CV OF INTERLOCUTOR**



[Redacted text block]

[Redacted text block]

[Redacted text block]