



UNITED STATES DEPARTMENT OF COMMERCE
Secretary of Commerce
Washington, D.C. 20230

July 14, 2023

The Right Honorable Chloe Smith MP
Secretary of State
Department of Science, Innovation and Technology (DSIT)
100 Parliament Street
London
United Kingdom
SW1A 2BQ

Dear Secretary of State Smith:

On behalf of the United States, I am pleased to transmit herewith a package of the United Kingdom Extension to the EU-U.S. Data Privacy Framework (“UK Extension to the EU-U.S. DPF”) materials that, combined with Executive Order 14086, “Enhancing Safeguards for United States Signals Intelligence Activities” and 28 CFR part 201 amending Department of Justice regulations to establish the “Data Protection Review Court”, reflects important and detailed negotiations to strengthen privacy and civil liberties protections. These negotiations have resulted in new safeguards to ensure that U.S. signals intelligence activities are necessary and proportionate in the pursuit of defined national security objectives and a new mechanism for United Kingdom (“UK”) individuals to seek redress if they believe they are unlawfully targeted by signals intelligence activities, which together will ensure the privacy of UK personal data. The UK Extension to the EU-U.S. DPF will underpin an inclusive and competitive digital economy. We should both be proud of the improvements reflected in that mechanism, which will enhance the protection of privacy around the world. This package, along with the Executive Order, Regulations, and other materials available from public sources, provides a very strong basis for the United Kingdom to grant a data bridge to the United States for the UK Extension to the EU-U.S. DPF.¹

The following materials are attached:

- The EU-U.S. Data Privacy Framework Principles, including the Supplemental Principles (collectively “the Principles”) and Annex I of the Principles (*i.e.*, an annex providing the

¹ Under the UK Extension to the EU-U.S. DPF the safeguards, protections, and administration and supervision of the EU-U.S. Data Privacy Framework (“EU-U.S. DPF”) will extend to personal data transfers from the United Kingdom and Gibraltar to U.S. organizations that elect to participate in the UK Extension to the EU-U.S. DPF. Such safeguards, protections, and administration and supervision, including relevant enforcement will apply to those personal data transfers from the United Kingdom and Gibraltar in a manner that is consistent with their application to personal data transfers from the European Union to U.S. organizations that participate in the EU-U.S. DPF.

terms under which Data Privacy Framework organizations are obligated to arbitrate certain residual claims as to personal data covered by the Principles);

- A letter from the Department's International Trade Administration, which administers the Data Privacy Framework program, describing the commitments that our Department has made to ensure that the program operates effectively, including as relates to the UK Extension to the EU-U.S. DPF;
- A letter from the Federal Trade Commission describing its enforcement of the Principles, including as relates to the UK Extension to the EU-U.S. DPF;
- A letter from the Department of Transportation describing its enforcement of the Principles, including as relates to the UK Extension to the EU-U.S. DPF; and
- A letter prepared by the Department of Justice regarding safeguards and limitations on U.S. Government access for law enforcement and public interest purposes.

In addition, with respect to references to national security, I refer you to the letter of December 9, 2022 addressed to the Department and prepared by the Office of the Director of National Intelligence regarding safeguards and limitations applicable to U.S. national security authorities. That letter will be available on the Department's Data Privacy Framework website.

Effective as of July 17, 2023 U.S. organizations that wish to self-certify their compliance pursuant to the UK Extension to the EU-U.S. DPF may do so though personal data cannot be received from the United Kingdom in reliance on the UK Extension to the EU-U.S. DPF before the date that the adequacy regulations implementing the data bridge for the UK Extension to the EU-U.S. DPF enter into force. The full package of materials for the UK Extension to the EU-U.S. DPF will be published on the Department's Data Privacy Framework website together with relevant information with regard to the date of entry into force of the United Kingdom's adequacy regulations and their relevance for personal data received from the United Kingdom in reliance on the UK Extension to the EU-U.S. DPF.

You can be assured that the United States takes these commitments seriously. We look forward to working with you as the UK Extension to the EU-U.S. DPF is implemented and as we embark on the next phase of this process together.

Sincerely,



Gina M. Raimondo