

EN

E-000520/2025

E-000540/2025

Answer given by Mr McGrath
on behalf of the European Commission
(14.4.2025)

The Commission's adequacy decision on the European Union-United States Data Privacy Framework¹ is based on Executive Order 14086 (EO 14086) adopted by the President of the United States². This Order introduced safeguards to ensure that the collection and use of personal data of Europeans by United States intelligence agencies is limited to what is necessary and proportionate in pursuit of defined national security objectives. Moreover, the Order established a Data Protection Review Court, with binding investigatory and remedial powers, to which European Union citizens have access. EO 14086 continues to be in place and to provide key safeguards to data transferred from the European Union³.

The Commission is closely following the developments concerning the Privacy and Civil Liberties Oversight Board, to which the Honorable Members refer in their questions. The Board has been established by a law adopted by Congress providing that it is composed of five members appointed by the President and confirmed by the Senate⁴. It also requires bi-partisan membership as no more than three members can be of the same political party.

The Commission will continue to monitor relevant developments and assess their potential impact. As for any adequacy decision, the Commission has the power to propose its suspension, amendment or repeal if it concludes that the required level of protection is no longer ensured.

¹ https://commission.europa.eu/document/fa09cbad-dd7d-4684-ae60-be03fcb0fddf_en

² Executive Order 14086 on 'Enhancing Safeguards for United States Signals Intelligence Activities'.

³ Its requirements and safeguards have also been recently assessed in the Commission's report of 9 October 2024 to the European Parliament and the Council on the first periodic review of the functioning of the adequacy decision on the European Union-United States Data Privacy Framework COM(2024) 451 final:
https://commission.europa.eu/document/25695177-8073-4ce3-bf81-eb816dc6b468_en

⁴ <https://www.pclob.gov/OversightProjects>