



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

January 9, 2017

His Excellency
Johann N. Schneider-Ammann
Federal Councillor
The Federal Department of Economic Affairs, Education
and Research
Bundeshaus Ost
3003 Bern

Dear Federal Councillor Schneider-Ammann:

On behalf of the United States, I am pleased to transmit herewith a package of Swiss-U.S. Privacy Shield materials. The Swiss-U.S. Privacy Shield reflects our shared objective of enhancing privacy protection for our citizens and reinforcing legal certainty for firms in our countries.

It is our understanding that, on the basis of this package, along with other materials available from public sources, Switzerland intends to recognize the adequacy of protection provided by the Privacy Shield Principles as meeting the requirements of Article 6 of the Swiss Federal Act on Data Protection.

The Privacy Shield Package includes the Privacy Shield Principles, along with a letter, attached as Annex 1, from the International Trade Administration (ITA) of the Department of Commerce, which administers the program, describing the commitments that our Department has made to ensure that the Privacy Shield operates effectively. The Package also includes Annex 2, which includes other Department of Commerce commitments relating to the new arbitral model available under the Privacy Shield.

I have directed my staff to devote all necessary resources to implement the Privacy Shield Framework expeditiously and fully and to ensure that the commitments in Annex 1 and Annex 2 are met in a timely fashion.

The Privacy Shield Package also includes:

- A letter from the Federal Trade Commission (FTC) describing its enforcement of the Privacy Shield;
- A letter from the Department of Transportation describing its enforcement of the Privacy Shield; and

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- A letter from the Department of State and accompanying memorandum describing the Department's commitment to make available to Swiss individuals a Privacy Shield Ombudsperson Mechanism for submission of inquiries regarding United States' signals intelligence practices.

With respect to references to national security, law enforcement, and public interest purposes in the Privacy Shield Principles, I refer you to the following letters addressed to the Department of Commerce, which are publicly available at www.privacyshield.gov:

- Two letters prepared by the Office of the Director of National Intelligence (ODNI) regarding safeguards and limitations applicable to U.S. national security authorities; 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.

You can be assured that the United States takes these commitments seriously.

We look forward to working with you as the Privacy Shield is implemented and as we embark on the next phase of this process together.

Sincerely,



Penny Pritzker