



Commissioner McGrath
European Commission
Rue de la Loi 200
1049 Bruxelles, Belgium

9 July 2026

Subject: TACD deeply concerned about the EU-U.S. Data Privacy Framework

Dear Commissioner McGrath,

We, leading consumer and digital rights organisations in the U.S. and EU in the Transatlantic Consumer Dialogue (TACD), write today to express deep concerns regarding the continued evaluation of the United States as an “adequate” country for the protection of personal data in the EU - U.S. Data Privacy Framework.

TACD calls on the European Commission to take appropriate actions to ensure the protection of people’s personal data, and if necessary, revoke the adequacy decision if it finds that the U.S. does not have sufficiently independent oversight mechanisms to protect consumers’ personal data.

The U.S. Supreme Court ruling in the Trump v. Slaughter case means that the U.S. President has the unprecedented power to fire members of more than 20 independent federal agencies, including the Federal Trade Commission (FTC), without cause. TACD considers that this ruling ends the independence of nearly all federal agencies in the U.S. and compromises the political independence of the FTC.

The European Commission may adopt and maintain adequacy decisions only where third countries ensure a level of protection for personal data that is essentially equivalent to that guaranteed in the European Union. This reflects a constitutional principle of EU law, ensuring effective checks on executive power and safeguarding people’s fundamental rights. Thus, third countries must ensure that the authorities responsible for enforcing data protection rules remain genuinely independent from political influence.

The FTC’s independent role is crucial in ensuring that U.S. consumers are protected against unfair business practices. Its independence is also the cornerstone of the adequacy decision¹ that enables

¹ Statement by TACD on the announcement of a New EU-U.S. Personal Data Transfers Framework:
<https://tacd.org/wp-content/uploads/2022/10/20221007-TACD-Statement-on-the-New-Executive-Order.pdf>

people's personal data to flow safely between the EU and the U.S. The threat to the FTC's independence compounds the existing issues with the adequacy decision, such as the lack of effective redress mechanisms due to the Privacy and Civil Liberties Oversight Board not being fully staffed. Without an independent FTC, the adequacy decision cannot be maintained.

TACD welcomes the European Commission's announcement that it will assess the impact of these developments on the EU-U.S. Data Privacy Framework. Such reassessments are essential to maintaining the credibility of the adequacy framework, particularly when significant institutional or constitutional developments occur in a third country. They also highlight the importance of preserving strong adequacy mechanisms that both facilitate data flows and promote high standards of data protection on both sides of the Atlantic.

In addition, we encourage the Commission to prepare the necessary contingency measures, so businesses and individuals on both sides of the Atlantic could have better legal certainty. This could include a transparent plan should the conditions for adequacy no longer be met.

Sincerely,

Finn Lützow-Holm Myrstad

Director of Digital Policy, Norwegian Consumer Council
European Co-Chair of TACD Steering Committee

Susan Weinstock

President and CEO, Consumer Federation of America
U.S. Co-Chair of TACD Steering Committee

c/c:

- Irena Moozova, Deputy Director-General, International Dimension of Justice Policies, Rule of Law and Equality, DG JUST;
- Karolina Mojzesowicz, Acting Head of Unit, Data protection, DG JUST