

2019-2020

Procedure Report

**Compliance Activities &
Casework Conducted by
BBB EU Privacy Shield**

*from August 1, 2019
through July 31, 2020*

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Executive Summary

The period covered by this report, August 1, 2019 through July 31, 2020, constituted the fourth year of BBB EU Privacy Shield (BBB EUPS) operations.

The program was launched in 2016 as an Independent Recourse Mechanism supporting the Privacy Shield Frameworks. This program provides both independent dispute resolution and compliance assistance to participating businesses.

Key program activities during this review period included:

- ◆ Continuing to assist participants and new applicants in aligning their privacy policies and self-certifications with the requirements of Privacy Shield
- ◆ Participating as one of two Independent Recourse Mechanisms invited to address the Third Annual Review of Privacy Shield regarding program casework 2018-2019
- ◆ Educating participants on the outcomes of the Third Annual Review, including updates to the U.S. Department of Commerce's administrative guidance and Federal Trade Commission enforcement actions
- ◆ Handling eligible complaints received by the program under Privacy Shield

Year in Review

Participation

BBB EUPS increased enrollment during the review period to more than 1,150 self-certified participants as of July 31, 2020.

Outreach

BBB EUPS publishes periodic participant newsletters and online Privacy Shield compliance guidance for program applicants and participating businesses. Members of program staff also speak and write routinely on privacy topics, including Privacy Shield. BBB EUPS also produces podcasts for those in the business audience who prefer to receive compliance guidance in audio form.

Though BBB EUPS does not provide individualized compliance assistance beyond our Privacy Shield services, the program is making ongoing efforts to provide our applicants and participants with accurate information about the changes in EU privacy law brought about by GDPR. We post updated guidance at bbbprograms.org/Data-Privacy along with links to external resources, and we continue to discuss GDPR and other privacy topics in ongoing blog posts and in our periodical newsletter for participants.

Compliance Activities

BBB EUPS continues to provide all program applicants with privacy policy guidance and assists as needed with self-certification and recertification. The program also monitors participants' online privacy policies and Privacy Shield self-certifications on an ongoing basis for changes that may affect compliance and provides automatic reminders to businesses before their self-certifications are due for renewal.

Complaint Handling

The program received 867 submissions from individual consumers worldwide, including 244 from the EU and Switzerland, through the BBB EUPS online complaint form. Following a review of each complaint by program staff, all but seven complaints were determined to be ineligible for resolution by the program for one or more of the following reasons:

- ◆ They concerned businesses not enrolled in BBB EUPS
- ◆ They did not involve data collection in the EU or Switzerland
- ◆ They were unrelated to privacy (i.e., product or service complaints)
- ◆ They failed to state a complaint

Of the remaining complaints, four were dropped by complainants before eligibility could be established. A total of two complaints were resolved through the BBB EUPS conciliation process. The single complaint reported as “still pending” in the 2018-2019 Procedure Report also was resolved through the Data Privacy Review process during the current review period.

1,150+
*self-certified participants as of
July 31, 2020*

867
*complaints received from
individuals worldwide*

244
*complaints received
from individuals in the
EU and Switzerland*

3
*eligible
complaints
resolved*

About the Privacy Shield Frameworks

This co-regulatory program ensures that participating U.S. businesses embrace accountable data protection practices and that EU & Swiss consumers receive expeditious and fair recourse for their privacy concerns.

On July 12, 2016, the U.S. Department of Commerce and the European Commission announced the launch of the EU-U.S. Privacy Shield Framework for transatlantic data flows to replace the U.S.-EU Safe Harbor, which was invalidated by a decision of the European Court of Justice in October 2015. While retaining many elements of Safe Harbor, Privacy Shield includes enhanced consumer privacy protections for EU individuals, promotes greater transparency around data collection, use, and sharing, and helps U.S. businesses demonstrate that their privacy practices meet EU data protection requirements.¹

On January 12, 2017, the Swiss Government approved the Swiss-U.S. Privacy Shield Framework as a valid legal mechanism for U.S. organizations to comply with Swiss data protection requirements when transferring personal data from Switzerland to the United States. The U.S. Department of Commerce began accepting self-certifications for this Framework on April 12, 2017.

Organizations participating in either Privacy Shield Framework must submit a self-certification application to the Department of Commerce, stating their adherence to the Privacy Shield Principles for personal data they receive from the EU or Switzerland. Participating businesses are required to maintain a current self-certification on the official EU-U.S. or Swiss-U.S. Privacy Shield Lists maintained by the U.S. Department of Commerce. Each participating business must also contribute to the Arbitral Fund, which supports the operation of the Annex I arbitration mechanism for residual complaints that remain unresolved by multiple redress mechanisms.

Participants must also verify on an annual basis that their public attestations regarding their Privacy Shield privacy practices are accurate, through self-assessment or outside compliance reviews; and must designate an independent dispute resolution option—also called an Independent Recourse Mechanism or IRM—to handle privacy complaints from EU and Swiss individuals whose personal data they process.

1. The Commission Decision on the adequacy of the protection provided by the EU-U.S. Privacy Shield applied to the 27 EU member states, and to Iceland, Liechtenstein, and Norway. Under the EU-UK Withdrawal Agreement, EU data protection law continues to apply to and in the United Kingdom during the Transition Period from January 31, 2020, until December 31, 2020. Thus, references in this report to the European Union (EU) should be read as including Iceland, Liechtenstein, Norway, and the United Kingdom.

About BBB EU Privacy Shield

In its fourth full year of operating under the Privacy Shield Frameworks, BBB EUPS provided services to more than 1,200 businesses.

BBB EU Privacy Shield (BBB EUPS) was established in 2016 as a successor program to BBB EU Safe Harbor, which had operated as an Independent Recourse Mechanism since 2000. The program provides compliance assistance for U.S. businesses preparing for self-certification under the EU-U.S. and Swiss-U.S. Privacy Shield Frameworks, as well as ongoing review of the Privacy Shield statements and certifications of the program's participating businesses and up-to-date guidance on privacy compliance. At its core, BBB EUPS operates an independent third-party dispute resolution mechanism enabling European Union and Swiss individuals to resolve Privacy Shield complaints against participating businesses. The objectives of this co-regulatory program are to ensure that privacy concerns of individual complainants are addressed expeditiously and fairly and to promote privacy accountability among participating businesses.

In its fourth full year of operating under the Privacy Shield Frameworks, BBB EUPS provided services to more than 1,200 businesses.

This annual report summarizes the ongoing compliance activities and casework of the BBB EUPS program spanning August 1, 2019 through July 31, 2020.

BBB EU Privacy Shield Core Requirements

Each U.S. business that applies to join BBB EUPS provides the program with a draft copy of the consumer-facing Privacy Shield-compliant privacy policy that it will post on its public website once it is self-certified under Privacy Shield. BBB EUPS staff reviews the privacy policy for basic compliance with Notice Principle requirements. Notably, BBB EUPS staff ensures that the draft privacy policy includes clear instructions for EU and Swiss individuals who wish to contact the business with Privacy Shield complaints and inquiries, as well as a hyperlink to the BBB EUPS consumer information webpage and online complaint form.

Participation Requirements

Each BBB EUPS participant is required to:

- ◆ Upload the privacy policy approved by BBB EUPS to the U.S. Department of Commerce website during the self-certification process and, following approval, to post and maintain the privacy policy on all business websites to be covered by Privacy Shield;
- ◆ Notify BBB EUPS of all changes to the approved policy, including any changes required during the self-certification process, and to provide BBB EUPS a copy of the updated and posted policy;
- ◆ Apply promptly for self-certification with the U.S. Department of Commerce following acceptance into the BBB EUPS program, and to maintain a current self-certification for the duration of its participation in BBB EUPS;
- ◆ Cooperate with BBB EUPS staff to respond to privacy complaints in accordance with the BBB Procedure Rules;
- ◆ Accept the Panelist's final decision in cases sent to a Data Privacy Review before an independent Data Privacy Panelist; and
- ◆ Implement any corrective action agreed to as part of a settlement or mandated by a Panelist's decision.

Each participant executes a Participation Agreement that is renewable annually following a BBB EUPS staff review of the business's online Privacy Shield privacy policy and self-certification listing to ensure that the business remains in compliance with all program requirements.

Review of Privacy Policies and Practices

BBB EUPS staff examines each applicant's draft public privacy policy for inclusion of all elements required by the Privacy Shield Notice Principle and for consistency with the rest of the Privacy Shield Frameworks. In addition, staff reviews any other relevant published policies or referenced terms and conditions for consistency.

Applicant businesses can access detailed resources about the Privacy Shield Principles and the self-certification process at bbbprograms.org/EUPS. We provide additional privacy policy guidance and tips for our participating businesses during the application process.

This guidance helps each participating business to:

- ◆ Ensure that the Privacy Shield notice in its privacy policy is clearly written and is readily accessible on the business's public website.
- ◆ Ensure that it clearly identifies the corporate entity or entities processing EU or Swiss personal data pursuant to Privacy Shield.
 - ◆ If a brand name or d/b/a is used on the business's public website(s), the business's legal name should also appear in the policy, in its self-certification, and in the BBB EUPS Participation Agreement. This information can facilitate a consumer's search for the appropriate business on the official U.S. Department of Commerce Privacy Shield List and in the BBB EUPS complaints system.
- ◆ Ensure that all covered websites include the approved Privacy Shield notice, including an active hyperlink to the BBB EUPS consumer pages and complaint system.

Compliance Activities & Key Issues 2019-2020

Organizations enrolling in BBB EUPS during the period of review ranged from large multinational corporations to small and mid-sized businesses across multiple industry sectors. Applicants seeking self-certification assistance from BBB EUPS were closely engaged in adapting their public and internal privacy policies and practices to meet new transparency and compliance obligations, and, in many cases, seeking to align their policies and practices with GDPR requirements.

BBB EUPS continues to work closely with new program applicants to help them comply with all current requirements of the Privacy Shield self-certification process. Through our routine review process following self-certification, we alert our participating businesses about upcoming deadlines for re-certification, request clarification when inconsistencies are found, and follow up through all available means of communication when lapses occur. We routinely provide updated guidance about changes to the certification process to the business community on our program website and to our participants and applicants in newsletters, service messages, and one-on-one consultations.



In its third year, Privacy Shield, which at the time of the annual review meeting had more than 5,000 participating companies, has moved from the inception phase to a more operational phase.”

European Commission Report on the Third Annual Review

Third Annual Review Outcomes

BBB EUPS continues to educate participants on outcomes of the Annual Review process, as reflected in European Commission Reports and updates to the U.S. Department of Commerce’s administrative compliance guidance.

The European Commission’s Report on the Third Annual Review recognized that, in its third year, Privacy Shield has “moved from the inception phase to a more operational phase.” The report focused on the effectiveness of the “tools, mechanisms, and procedures in practice,” using information gleaned from Review participants—including trade associations, NGOs, self-certified businesses, and IRMs such as BBB EUPS—regarding recertification, ongoing compliance monitoring, and enforcement.

We advised our participants through newsletters and written guidance on the topics addressed and Review outcomes including:

- ◆ The report’s observations that “an increasing number of EU data subjects are making use of their rights under the Privacy Shield,” while noting that “the relevant redress mechanisms”—including IRMs such as BBB EUPS—“function well.”
- ◆ Streamlining of the U.S. Department of Commerce’s recertification process;
- ◆ The Federal Trade Commission’s seven concluded enforcement actions involving false claims related to lapsed self-certifications.



The Commission positively noted that an increasing number of EU data subjects are making use of their rights under the Privacy Shield and that the relevant redress mechanisms function well. The number of complaints submitted to independent recourse mechanisms increased and were resolved to the satisfaction of the EU individuals concerned. Moreover, requests from EU individuals were appropriately handled by participating companies.”

European Commission Report on the Third Annual Review

The United Kingdom

Following ratification of the Withdrawal Agreement regarding the departure of the United Kingdom from the European Union, effective January 31, 2020, and during the Transition Period ending December 31, 2020, BBB EUPS has been assisting applicants and participating businesses in updating their privacy policies and public commitments with respect to UK-U.S. data transfers under Privacy Shield.

Dispute Resolution & Enforcement

BBB EUPS's dispute resolution procedures are designed with two primary goals in mind. First, to ensure that the privacy concerns of individual complainants concerning data collected in the EU or Switzerland are addressed speedily and impartially. Second, to promote privacy accountability among U.S. businesses participating in the program.

BBB EUPS provides a secure, accessible online mechanism for handling privacy complaints under the Privacy Shield Principles by individuals against participating U.S. businesses.

The service is provided free of charge to individuals, who can readily access the BBB EUPS online complaint form through a live hyperlink each participating business must include in the privacy policy posted on its public website.

The dedicated link first takes the site visitor to BBB EUPS's consumer-facing web page entitled "For EU, UK, and Swiss Consumers: Dispute Resolution Process" which describes the program's role as an IRM and our complaint process.² From this page, the site visitor clicks a prominent "File a Complaint" button to gain direct access to the BBB EUPS complaint form. Site visitors can also find a mailing address to communicate with the program by postal mail on this page.

Complaint Handling Rules and Procedures

As provided in the program's Procedure Rules,³ BBB EUPS engages in a multi-step process through which we determine complaint eligibility and then resolve complaints against participating businesses through our dispute resolution procedures. Language translation services are available as needed to facilitate any or all stages of the complaint review and dispute resolution process.

2. See <https://bbbprograms.org/programs/all-programs/bbb-eu-privacy-shield-consumers/ProcessForConsumers>. While the program welcomes complaints from individuals in the U.S. or in other countries who claim that their data was collected in the EU or Switzerland and transferred to the United States pursuant to Privacy Shield, we pay particular attention to ensuring access by EU and Swiss data subjects.

3. <https://bbbprograms.org/programs/all-programs/bbb-eu-privacy-shield/ProcedureRules>.

Primary Dispute Resolution Goals

1

Ensure that the privacy concerns of individual complainants concerning data collected in the EU or Switzerland are addressed speedily and impartially.

2

Promote privacy accountability among U.S. businesses participating in the program.

Initial Eligibility Review

BBB EUPS staff reviews each incoming complaint to determine whether, on its face, the complaint is eligible for resolution under the program. During this step of the process, complaints are closed if they (A) do not identify a BBB EUPS participating business or (B) do not originate from an individual in the EU or Switzerland and do not otherwise allege data collection in the EU or Switzerland. When a complaint is closed for one of these reasons, the complainant is provided with instructions to pursue relevant alternative redress options. If the complaint concerns an organization self-certified under Privacy Shield, we provide a link to the organization's public certification page. If the complaint concerns a U.S. business not participating in Privacy Shield, we direct the complainant to the appropriate local BBB. If the complaint concerns an organization in the EU, we provide the complainant with information on contacting the EU Data Protection Authorities.

In addition, complaints are closed at this stage if they (C) do not state a complaint of any kind (e.g., unintelligible submissions) or (D) are entirely unrelated to data protection concerns (e.g., product or service complaints). When a complaint is closed for one of these reasons, the complainant is encouraged to contact BBB EUPS with additional information if they believe their complaint is in fact eligible for resolution.

Verifying Eligibility

When a complaint appears to be potentially eligible for the program, but lacks important information, BBB EUPS contacts the complainant to confirm that the complaint meets Privacy Shield eligibility criteria before opening a case. This process may entail requesting information from the complainant such as the location of the data collection, the complainant's identity, the nature of the personal data at issue, or the nature of the complaint itself. It also may be necessary to confirm that the complainant has made a good faith effort to contact the relevant participating business about their complaint.

Conciliation

When a complaint is found eligible, BBB EUPS opens a formal case and works with the complainant and the participating business to develop the facts and to facilitate a mutually agreeable settlement of the complaint in a process known as conciliation. BBB EUPS and its predecessor privacy programs have resolved many of the privacy complaints received through conciliation and settlement by the parties.

Data Privacy Review

If conciliation efforts are unsuccessful, either the complainant or the participating business may request a Data Privacy Review, which takes the form of a decision by an independent panelist on EUPS's Data Privacy Board based on a review of the Case Record, including position statements submitted by each of the parties regarding the complaint. The panelist has discretion to seek additional written information from the parties and to convene a telephone hearing, if necessary, before issuing a final decision.⁴

Participating businesses that fail to comply with BBB EUPS Data Privacy Review procedures, including failing to take agreed upon action following a conciliated settlement, or failing to implement mandated corrective action following the final decision of the independent Data Privacy Board panelist, may be referred to the appropriate federal government agency—generally the Federal Trade Commission—and the referral will be reported to the Department of Commerce.

In such a case, the program is required to publish in its next Annual Procedure Report the name of the participating business and the fact of the referral, along with a summary report of the facts of the case and the Procedure's action in the matter.⁵

Compliance Verification and Additional Redress Options

BBB EUPS verifies each business's performance of corrective actions agreed to in a conciliated settlement or mandated by a Data Privacy Review, as applicable. This is a multi-step process that may add significant time to the full resolution of the case, depending on the nature of the corrective actions. Performance is verified through independent means, when possible, and through a formal certification by the business. Following verification, BBB EUPS seeks confirmation from the complainant that the matter has been resolved to their satisfaction. The case is then closed. However, each complainant is also advised that they are not bound by the outcome of the BBB EUPS dispute resolution procedure, and that they are free to pursue all additional redress options available under Privacy Shield, up to and including the binding arbitration procedures provided for in Annex 1.

4. See Part 4 of the Procedure Rules at <https://bbbprograms.org/programs/all-programs/bbb-eu-privacy-shield/ProcedureRules>.

5. See Section 8.8 of the Procedure Rules at <https://bbbprograms.org/programs/all-programs/bbb-eu-privacy-shield/ProcedureRules>.

2019-2020 BBB EU Privacy Shield Casework

During the period of review, BBB EUPS received 244 complaints from individuals in the European Union and Switzerland.

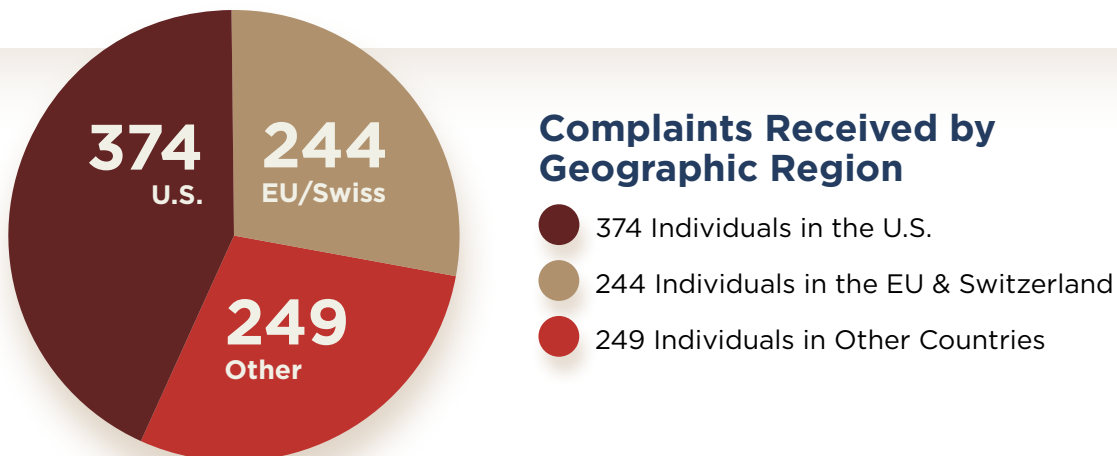
This report addresses complaints submitted directly to the program by mail or through the dedicated Privacy Shield online complaint form. Complaints are funneled to this form in most cases through a dedicated link in participating business privacy policies, through the “File a Complaint” link on our dedicated consumer-facing webpages, and in some cases, through the BBB Online Complaints System operated by our sister organization, the International Association of Better Business Bureaus.

During this review period, BBB EUPS received a total of 867 complaints.

Origin of All Complaints Received 2019-2020

The BBB EUPS dispute resolution service was accessed during the review period by complainants from a diverse group of countries, including many from the EU and Switzerland. Of 867 complaint submissions reviewed, 244 were submitted by individuals claiming to be in 27 EU countries plus Switzerland, 374 were submitted by individuals who provided a U.S. address, and 249 were received from individuals who appeared to be in other countries outside the EU.

The figure below shows the geographic distribution of complaints received.



Breakdown of EU and Swiss Complaints Received by Country

Austria	1	Finland	1	Latvia	1	Portugal	3
Belgium	5	France	18	Liechtenstein	0	Romania	6
Bulgaria	3	Germany	20	Lithuania	2	Slovakia	0
Croatia	3	Greece	6	Luxembourg	0	Slovenia	1
Cyprus	1	Hungary	3	Malta	1	Spain	5
Czech Republic	4	Iceland	0	Netherlands	17	Sweden	5
Denmark	1	Ireland	10	Norway	5	Switzerland	9
Estonia	3	Italy	10	Poland	5	United Kingdom	95

Fewer Complaints  →  More Complaints

Statistics and Analysis of Complaints Received 2019-2020

BBB EUPS received a total of 867 complaint submissions during the 2019-2020 reporting period.

A total of 244 complaints reviewed during this period originated in the EU and Switzerland. 235 of these complaints concerned businesses not currently participating in the BBB EUPS program.

Following an eligibility review of each complaint, which included requesting additional information from the complainant wherever appropriate, the total complaints received ultimately resulted in three cases that BBB EUPS processed during the review period.

Ineligible Complaints

Although most complaints received were found ineligible for resolution, BBB EUPS reviewed each complaint carefully, as described in the section titled “Initial Eligibility Review.” For complaints closed as ineligible, BBB EUPS sought to direct complainants to an alternative dispute resolution mechanism, where appropriate.

The table below represents the 867 complaints received during the reporting period that were closed after the initial eligibility review. 832 of these were found ineligible because they did not identify a business participating in the BBB EUPS program. BBB EUPS completed the initial eligibility review and responded to these complaints within an average of three days.

Breakdown of Ineligible Complaints, 2019-2020

	Region/Country of Origin				Total
	EU	Switzerland	U.S.	Other	
Not a Participating Business	226	9	363	234	832
Participating Business but non-complaint (e.g., comment, empty, spam)	3	0	3	12	18
Complaint, but not a privacy complaint (e.g., service issue)	0	0	0	0	0
Privacy complaint, but not subject to Privacy Shield			8	3	11

On average, BBB EUPS closed each ineligible complaint that identified a participating business within three days.

The remaining seven complaints were considered facially eligible for review through the BBB EUPS procedure.

Eligible Complaints

Complaints that appeared on their face to be eligible for resolution by BBB EUPS remained open after the initial eligibility review. At this stage, BBB EUPS reached out to each complainant for additional information needed to open a case, as described in the “Verifying Eligibility” section of this report. Of the six complaints potentially eligible for resolution by BBB EUPS, four were closed after 45 days when the complainants did not respond to staff requests for additional information required to proceed with each case. The remaining two eligible complaints were opened as cases in the BBB EUPS dispute resolution process.

Resolved Cases 2019-2020

During the review period, BBB EUPS opened two cases through the BBB EUPS dispute resolution process, both of which were resolved through conciliation. In addition, the case listed as pending in our prior annual report was resolved through a Data Privacy Review during the current review period.

Cases Resolved through Conciliation

The following cases were resolved by settlement following conciliation by BBB EUPS staff, and satisfactory performance of the settlement was verified with the business and the individual.

CASE 1

An individual requested that a participating business confirm its processing of personal data about them, alleging that a third-party business in the EU had received the information from the participating business. While denying that the personal data in question was received in the U.S. in reliance on Privacy Shield, the business agreed to honor the request and provide the individual with access to the information it held about them. The business also reported its efforts to update its internal business practices to improve customer support for future Privacy Shield complaints. Subsequently, at the individual's request and as a conciliatory gesture, the business agreed to confirm the source of the personal data at issue in the complaint, delete most of the personal data, and add any remaining identifiers about the individual to a suppression list so that personal data about them would no longer be collected or shared.

Time to resolution: Performance was certified 77 days after BBB EUPS confirmed complaint eligibility and opened the case.

CASE 2

An individual alleged that previously deleted personal information was still being processed by a participating business. The complaint was resolved following the business's certification, to the individual's satisfaction, that an additional system-wide deletion procedure had been completed and that all of the individual's data had been deleted from its systems, excepting suppression lists and legal records.

Time to resolution: Performance was certified 30 days after BBB EUPS confirmed complaint eligibility and opened the case.

Case Resolved through Data Privacy Review

An additional case, opened but not resolved during the prior period of review, was resolved through a Data Privacy Review at the request of the complainant when a conciliation agreement could not be reached.

CASE 3

An individual requested that all personal data about them held by a participating business be provided to them, along with a list of third-party businesses to which the data had been transferred. The business had previously confirmed its processing of the individual's personal data. The individual further requested that the business provide them an opportunity to opt out of the business's continued use of the data as well as its transfer to third parties. During conciliation, when agreement could not be reached on the proper scope of the business's corrective actions, the individual requested the matter be submitted to a Data Privacy Review, per the BBB EUPS Procedure Rules. Following submission of position statements by both parties, the independent panelist reached a determination on the matters at issue in the complaint. The business agreed to complete corrective actions consistent with the panelist's decision and subsequently certified to BBB EUPS that, as directed, it had deleted all personal data related to the individual in its possession or under its control.

Time to resolution: Performance was certified 108 days after BBB EUPS confirmed complaint eligibility and opened the case.

Observations

Privacy Shield provides EU and Swiss consumers who wish to exercise data protection rights with U.S. businesses a unique tool: expedient and effective third-party dispute resolution.

The Privacy Shield Frameworks have been unique among international data transfer mechanisms authorized under current European data protection law. Not only do the Privacy Shield Principles require participating U.S. businesses to publicly commit to align their practices with European standards, but they also provide for free, transparent, and expedited alternative dispute resolution for individual privacy inquiries and complaints. This mechanism enables EU and Swiss data subjects to readily exercise their data protection rights with respect to the commercial use of their personal data in the United States.

Since its launch on July 12, 2016, BBB EUPS has seen a sustained demand for its dispute resolution services from EU and Swiss individuals seeking to resolve privacy concerns raised by transatlantic transfers of their personal data. During the current period of review, the total number of complaints BBB EUPS received declined overall to 867 from the peak of 1,053 in the prior period. However, 245 of the current year's complaints originated in the European Union and Switzerland, the highest number received from this region in the four years of program operations.

While a majority of the European complaints received have been directed against companies not enrolled in BBB EUPS or not self-certified to Privacy Shield, the ongoing engagement of EU and Swiss individuals with our program suggests a continued desire for expedient and effective alternative dispute resolution options for commercial privacy concerns raised by cross-border data transfers.

The cases described in this report, and in our previous annual reports, highlight the importance of independent dispute resolution not only for the data subjects whose particular concerns were addressed, but also for participating businesses that seek to continuously evaluate and refine their data protection practices in alignment with developing global norms. These U.S. businesses demonstrate their commitment to respect their customers and business partners by using a data transfer mechanism that incorporates both transparency and accountability.

About BBB EU Privacy Shield

BBB EU Privacy Shield, a division of BBB National Programs, is a vital component of the co-regulatory Privacy Shield Frameworks, enabling U.S. businesses to demonstrate that their privacy practices are aligned with European data protection standards. As a trusted Independent Recourse Mechanism, BBB EU Privacy Shield assists consumers with resolving privacy complaints against participating businesses through a free, accessible, and transparent dispute resolution process.

About BBB National Programs

BBB National Programs is where businesses turn to enhance consumer trust and consumers are heard. The non-profit organization creates a fairer playing field for businesses and a better experience for consumers through the development and delivery of effective third-party accountability and dispute resolution programs. Embracing its role as an independent organization since the restructuring of the Council of Better Business Bureaus in June 2019, BBB National Programs today oversees more than a dozen leading national industry self-regulation programs, and continues to evolve its work and grow its impact by providing business guidance and fostering best practices in arenas such as advertising, child-directed marketing, and privacy. To learn more, visit bbbprograms.org.