

**Subject:** RE: TR: Message du site [www.cnpd.public.lu](http://www.cnpd.public.lu)  
**From:** JEITZ Danielle <Danielle.Jeitz@cnpd.lu>  
**Date:** 07/07/2017 09:26 AM  
**To:** "ractack@mail.com" <ractack@mail.com>

Dear Ms. Tackett,

Reference is made to your e-mail dated 4th of July 2017.

Please note that the current Luxembourgish legislation does not (yet) provide for a "Freedom of Information Act" (contrary to the United Kingdom for example).

In addition, please note that all the members of the National Commission, as well as any other person who carries out duties on behalf of the National Commission, have to comply with a professional secrecy obligation as provided under article 24 of the Luxembourgish amended Act of 2 August 2002 on the Protection of Persons with regard to the Processing of Personal Data. A violation thereto is subject to criminal penalties as set out in article 458 of the Luxembourgish Criminal Code.

The respect of said professional secrecy obligations therefore does not allow us to answer your questions.

We remain of course at your disposal for all further questions.

Sincerely,



**Dani JEITZ**  
SERVICE JURIDIQUE

**Commission nationale pour la protection des données**

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**De :** [info@cnpd.public.lu](mailto:info@cnpd.public.lu) [<mailto:info@cnpd.public.lu>]

**Envoyé :** Tuesday, July 4, 2017 1:43 AM

**À :** [info@cnpd.public.lu](mailto:info@cnpd.public.lu)

**Objet :** Message du site [www.cnpd.public.lu](http://www.cnpd.public.lu)

Message du site [www.cnpd.public.lu](http://www.cnpd.public.lu)

**Genre**

Mademoiselle / Madame

**Nom :**

Rachael

**Prénom :**

Tackett

**Organisation :**

Pirate Times

**Fonction :**

Writer

**Pays :**

États-Unis

**Adresse e-mail :**

[ractack@mail.com](mailto:ractack@mail.com)

**Votre message :**

Dear Data Protection Authority of Luxembourg,

I am writing an article about the EU-US Privacy Shield. The Privacy Shield was originally known as the "new Safe Harbor" (also spelled "new Safe Harbour"). The article will be published by the Pirate Times at [piratetimes.net](http://piratetimes.net). There is evidence to suggest that the US embassy contacted and visited Data Protection Authorities in EU member states.

- 1) Did the US embassy ever send you (the Data Protection Authority) emails or letters about the new Safe Harbor or Privacy Shield after October 2015?
- 2) Will you (the Data Protection Authority) publicly release these emails and letters? If you will not publicly release these emails and letters, what is the reason why?
- 3) Between December 2015 and January 2016, did the US embassy send you an email asking you to urge EU Commissioner Vera Jourova to reach an agreement on the new Safe Harbor framework? Did this email also mention that failure to reach an agreement could risk harm to economic growth and job creation?
- 4) Between March and April 2016, did the US embassy send you an email urging EU member states to support the "Umbrella Agreement" (also known as the Data Privacy and Protection Agreement)?
- 5) Between June and July 2016, did the US embassy send you an email urging that your country's representative to the Article 31 Committee vote to approve the Privacy Shield agreement?

Please feel free to include any additional comments.

Thank you,

Rachael Tackett

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