

**Question for written answer E-004907/2021  
to the Commission**  
Rule 138  
**Christophe Hansen (PPE)**

**Subject:** Revision of international agreements involving the transfer of personal data to third countries in connection with the US Foreign Account Tax Compliance Act (FATCA)

FATCA provides for the automatic exchange of information between national tax authorities and the US tax authority. It often entails burdensome tax and banking obligations for US citizens living abroad, especially for 'accidental Americans'.

The act, which stems from bilateral agreements concluded by Member States and whose application is the responsibility of national data protection authorities, has been repeatedly criticised, in particular because it does not comply with personal data protection provisions such as Regulation (EU) 2016/679 and Directive (EU) 2016/68.

In this connection:

1. What is the state of play of European-level discussions on the possible implications of data protection rules for existing agreements on the exchange of information for tax purposes?
2. Is the Commission in discussions with the US on possible amendments to FATCA?
3. Does the Commission envisage concluding a new agreement with the US that would repeal FATCA and be placed under the responsibility of the European Data Protection Board?