

Source dossier

The harness moved house - OpenAI's Agents API is US-only, and the sandbox you host does not move it

Edition 2026-09-16 · narrative: who holds the control plane · compiled 2026-09-16

Claims index

Claim	Statement	Status	Sources
CLAIM-2026-09-16-01	OpenAI put the Agents API into public beta on 10 September 2026, exposing the Codex harness behind a single API call with durable sessions, orchestration, automatic context compaction, recovery and subagents, at no additional fee beyond tokens and tools.	verified	openai2026introduci
CLAIM-2026-09-16-02	Code called through the Agents API executes in an OpenAI-hosted sandbox, on self-hosted infrastructure, or in one of nine named partner sandbox environments: Blaxel, Cloudflare, Daytona, DigitalOcean, E2B, Modal, Oracle, Runloop and Vercel.	verified	openai2026introduci
CLAIM-2026-09-16-03	OpenAI's Agents API guide states that the Agents API currently supports data residency only in the United States and does not support Zero Data Retention.	verified	openaidevel2026agents, openaidevel2026your
CLAIM-2026-09-16-04	OpenAI's Agents API guide states that choosing a self-hosted sandbox does not make the Agents API ZDR-eligible.	verified	openaidevel2026agents
CLAIM-2026-09-16-05	OpenAI's data controls documentation lists /v1/responses and /v1/chat/completions among the Zero Data Retention eligible endpoints and lists /v1/agents, alongside /v1/assistants and /v1/threads, among endpoints that retain application state regardless of ZDR settings; the EU region eu.api.openai.com offers in-region storage and processing.	verified	openaidevel2026your
CLAIM-2026-09-16-06	OpenAI states that API requests initiated through European-region Projects are handled in-region with zero data retention, and that European residency can only be configured for new Projects because existing Projects cannot be updated after creation.	verified	openai2025introducin
CLAIM-2026-09-16-07	The Supreme Court of the United States decided Trump v. Slaughter, No. 25-332, on 29 June 2026, holding 6-3 that statutory restrictions on the President's power to remove Commissioners of the Federal Trade Commission are unconstitutional.	verified	supremecour2026trump

Claim	Statement	Status	Sources
CLAIM-2026-09-16-08	The European Data Protection Board wrote to the European Commission on 31 July 2026 asking it to closely assess the impact of Trump v. Slaughter on the FTC's ability to uphold its Data Privacy Framework commitments; Commission Implementing Decision (EU) 2023/1795 remains in force, no repeal or annulment being recorded as at 16 September 2026.	verified	iapp2026edpb, publication2023commisi

Only claims marked **verified** may carry a post. **single-source** may appear as hedged context; **disputed** must not be published at all.

Introducing the Agents API

PRIMARY

Publisher	OpenAI
Published	2026-09-10
Retrieved	2026-09-16
Cite key	openai2026introduci
URL	https://openai.com/index/introducing-the-agents-api/

Claims drawn from this source. CLAIM-2026-09-16-01, CLAIM-2026-09-16-02

Extracted passages (WebFetch, 2026-09-16)

The Agents API lets developers "create a production-ready agent in a single API call by specifying the task, model, tools, and environment."

Sessions and orchestration. The service provides a "durable session and orchestration layer" with "context management that helps agents carry relevant information across longer sessions."

Context compaction. "The Agents API automatically compacts earlier context as a session approaches its context limit, preserving information the agent needs to continue."

Subagents. With "multi-agent support, the Agents API can break complex tasks into independent pieces and delegate them to subagents that work in parallel."

Execution environments. Code executes in an OpenAI-managed sandbox, on self-hosted infrastructure, or in a sandbox partner environment. OpenAI is "partnering with ecosystem providers, including Blaxel, Cloudflare, Daytona, DigitalOcean, E2B, Modal, Oracle, Runloop, and Vercel, to provide first-class integrations for a range of needs." The OpenAI-hosted sandboxes use "the same sandboxing infrastructure that powers Codex and ChatGPT."

Tools. The platform "supports MCP, custom functions, and built-in tools like web search."

Availability and pricing. The Agents API is "available in public beta today to all developers. There are no additional fees for using the Agents API - you simply pay for the tokens and tools your agents use."

Absent. The announcement page carries no statement on data residency, regions, retention, logging or compliance. The model shown in the code examples is gpt-6-astra.

Agents API guide - overview

PRIMARY

Publisher	OpenAI Developers Documentation
Published	2026-09-10
Retrieved	2026-09-16
Cite key	openaidevel2026agents
URL	https://developers.openai.com/api/docs/guides/agents-api/overview

Claims drawn from this source. CLAIM-2026-09-16-03, CLAIM-2026-09-16-04

Extracted passages (WebFetch, 2026-09-16)

Data residency. "The Agents API currently supports data residency only in the United States."

Zero Data Retention. The guide states that the Agents API "does not support Zero Data Retention (ZDR)".

The self-hosting carve-out. "Choosing a self-hosted sandbox does not make the Agents API ZDR-eligible." Selecting a self-hosted sandbox environment does not change the residency or retention position; the service remains subject to the platform's standard data storage and retention policies.

Pointer. The guide directs readers to "Data controls in the OpenAI platform" for per-endpoint storage and retention detail.

Note for the archive: this page, not the launch announcement, is the only place either statement appears. The announcement is silent on both.

Your data - data controls in the OpenAI platform

PRIMARY

Publisher OpenAI Developers Documentation

Published

Retrieved 2026-09-16

Cite key openaidevel2026your

URL <https://developers.openai.com/api/docs/guides/your-data>

Claims drawn from this source. CLAIM-2026-09-16-03, CLAIM-2026-09-16-05

Extracted passages (WebFetch, 2026-09-16)

Default retention. "Abuse monitoring logs are generated for all API feature usage and retained for up to 30 days, unless longer retention is required by law."

ZDR-eligible endpoints. /v1/chat/completions, /v1/responses, /v1/images/generations, /v1/images/edits, /v1/embeddings, /v1/audio/transcriptions, /v1/audio/translations, /v1/audio/speech, /v1/completions, /v1/realtime, /v1/live/sessions, /v1/moderations.

Endpoints that retain application state regardless of ZDR settings. /v1/conversations, /v1/chatkit/threads, /v1/agents, /v1/assistants, /v1/threads, /v1/vector_stores, /v1/files, /v1/fine_tuning/jobs, /v1/evals, /v1/batches, /v1/videos.

Regions. The EU region (eu.api.openai.com) offers both storage and processing, subject to approval for Zero Data Retention, Modified Abuse Monitoring, Eyes Off or Safety Retention. Additional regions - Australia, Canada, Japan, India, Singapore, South Korea and the United Kingdom - provide storage only.

Note for the archive: /v1/agents appearing on the non-eligible list is independent corroboration of the Agents API guide's own ZDR statement. The two pages agree.

Introducing data residency in Europe

PRIMARY

Publisher	OpenAI
Published	2025-02-05
Retrieved	2026-09-16
Cite key	openai2025introduci
URL	https://openai.com/index/introducing-data-residency-in-europe/

Claims drawn from this source. CLAIM-2026-09-16-06

Extracted passages (WebFetch, 2026-09-16)

"We're announcing data residency in Europe for ChatGPT Enterprise, ChatGPT Edu, and the API Platform."

API. "Eligible customers can enable European data residency by creating a new Project in the API Platform dashboard and selecting Europe as the region." "API requests initiated through these Projects will be handled in-region by OpenAI with zero data retention, meaning model requests and responses are not stored at rest on our servers."

ChatGPT. "New ChatGPT workspaces can be set up with data residency in Europe, allowing customer content to be stored at rest in the region."

The limit that matters. "European residency can only be configured for new Projects - existing Projects cannot be updated to have European data residency after creation."

Note for the archive: this is the source of the Project-level, creation-time nature of residency. It is a 2025 page and predates the Agents API; it is cited for the Project mechanic, not for Agents API coverage.

Trump v. Slaughter, No. 25-332, slip opinion

PRIMARY

Publisher	Supreme Court of the United States
Published	2026-06-29
Retrieved	2026-09-16
Cite key	supremecour2026trump
URL	https://www.supremecourt.gov/opinions/25pdf/25-332_qn12.pdf

Claims drawn from this source. CLAIM-2026-09-16-07

Record (2026-09-16)

Trump v. Slaughter, No. 25-332, decided 29 June 2026. The Court held 6-3, in an opinion by Chief Justice Roberts, that statutory restrictions on the President's power to remove Commissioners of the Federal Trade Commission are contrary to the Constitution, overruling *Humphrey's Executor v. United States*.

Cited here only for the holding and its date. The archive carries the slip opinion URL; the full opinion text is not reproduced.

Commission Implementing Decision (EU) 2023-1795 - EU-US Data Privacy Framework adequacy

PRIMARY

Publisher	Publications Office of the European Union
Published	2023-07-10
Retrieved	2026-09-16
Cite key	publication2023commissio
URL	https://eur-lex.europa.eu/eli/dec_impl/2023/1795/oj

Claims drawn from this source. CLAIM-2026-09-16-08

Record (2026-09-16)

Commission Implementing Decision (EU) 2023/1795 of 10 July 2023 pursuant to Regulation (EU) 2016/679 on the adequate level of protection of personal data under the EU-US Data Privacy Framework.

Cited as the instrument on which transfers to a US-only endpoint rest. It remains in force unless repealed by the Commission or annulled by the Union courts; no repeal or annulment is recorded as at 16 September 2026.

EDPB requests review of EU-US Data Privacy Framework following Trump v. Slaughter

SECONDARY

Publisher	IAPP
Published	2026-08-03
Retrieved	2026-09-16
Cite key	iapp2026edpb
URL	https://iapp.org/news/a/edpb-requests-review-of-eu-us-data-privacy-framework-following-trump-v-slaughter

Claims drawn from this source. CLAIM-2026-09-16-08

Extracted passages (WebFetch, 2026-09-16)

On 31 July 2026 the European Data Protection Board sent a letter to the European Commission requesting it to "closely assess" how the Trump v. Slaughter ruling might affect the FTC's ability to uphold its Data Privacy Framework commitments.

EDPB Chair Anu Talus: "The existence and effective functioning of one or more independent supervisory authorities in the third country ... is one of the key elements to be taken into account when assessing the adequacy of the level of protection in a third country."

noyb Honorary Chair Max Schrems said the framework "is done", citing a constitutional-level conflict with the Charter of Fundamental Rights, and said noyb is "actively working on a lawsuit to put the matter back before the" Court of Justice of the European Union.

The article notes the Commission had not responded to the EDPB's request as at publication, and that standard contractual clauses and binding corporate rules remain available as alternative transfer mechanisms.

Note for the archive: secondary. Used for the existence and date of the EDPB letter and for the Talus quotation. The EDPB's own letter was not retrievable during this run.