

# COUNTRY: UNITED STATES

**SCORE: 82.04 | RANK: 3/24**

The United States has comprehensive and up-to-date laws for e-commerce, electronic signatures, and cybercrime.

The United States has signed and implemented the Convention on Cybercrime and plays a leading role in the investigation of global cybercrimes.



Although there are no general privacy laws in place, the United States does have useful sectoral privacy laws and an active regulator. There is an ongoing debate in the US regarding the balance between national security surveillance and privacy protection. There are numerous, but inconsistent, state data breach notification laws in place in the United States.

The United States scores well in the intellectual property section of the report. The country has signed all of the relevant international agreements, and a strong intellectual property enforcement culture is in place.

The United States is an active participant in international standards development processes and an advocate of free trade and harmonization.

The United States has high levels of Internet use, but access to fast broadband remains patchy. The National Broadband Plan has a goal that by 2020 at least 100 million households will have download speeds of 100 Mbps and upload speeds of 50 Mbps. Not all parts of the plan have been adopted or fully funded; however, significant parts of the plan have been implemented.

The United States' position in the 2018 Scorecard rankings fell slightly — from second to third.

# UNITED STATES	RESPONSE	EXPLANATORY TEXT
<b>DATA PRIVACY (SCORE: 8.3/12.5   RANK: 13/24)</b>		
1. Is a data protection law or regulation in place?		There is no single federal privacy law in the United States. A range of specific, sectoral laws impose privacy obligations in specific circumstances, along with state laws and regulations. Privacy protection in the health sector and the financial services sector are both strong.
2. What is the scope and coverage of the data protection law or regulation?	Sectoral	Current key sectoral privacy laws include: <ul style="list-style-type: none"> <li>• The Federal Trade Commission Act — prohibits unfair or deceptive practices and this requirement has been applied to company privacy policies in several prominent cases;</li> <li>• The Electronic Communications Privacy Act — protects consumers against interception of their electronic communication;</li> <li>• The Health Insurance Portability and Accountability Act (HIPAA) — contains privacy rules applying to certain categories of health and medical research data;</li> <li>• The Fair Credit Reporting Act — includes privacy rules for credit reporting and consumer reports;</li> <li>• The Telephone Consumer Protection Act — regulates telemarketing and text message marketing;</li> <li>• The Gramm–Leach–Bliley Act (GLBA), also known as the Financial Services Modernization Act of 1999 — regulates financial services privacy.</li> </ul>
3. Is a data protection authority in place?		A number of organizations have a limited privacy oversight role, including the Federal Trade Commission (FTC) <www.ftc.gov> and some specific federal and state sectoral regulators. No single organization has an over-arching privacy regulatory role.
4. What is the nature of the data protection authority?	Other government official	A wide variety of regulators are in place, including independent agencies, and most are appointed government officials.

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5. Is the data protection authority enforcing the data protection law or regulation in an effective and transparent manner?	✓	In recent years, US regulators (particularly the Federal Trade Commission (FTC) < <a href="http://www.ftc.gov">www.ftc.gov</a> >) have undertaken significant enforcement action in relation to privacy breaches. These high-profile cases and campaigns help to strengthen overall privacy protection in the United States.  In addition, state Attorneys General, either working alone or in partnership with their peers, have taken enforcement action on privacy issues that have a direct effect on consumers, often resulting in large penalties and/or compensation.  Some gaps and overlaps in coverage reduce the effectiveness of regulation in the United States.
6. Is the data protection law or regulation compatible with globally recognized frameworks that facilitate international data transfers?	APEC framework	The United States approach to privacy law is different from the EU approach.  Privacy protection in the health sector and financial services sector is governed by strong sectoral laws that provide a level of protection similar to that available in Europe.  United States organizations also have a range of voluntary options available to ensure that their data protection practices are compatible with the principles in the EU Directive (such as membership of the EU-US Privacy Shield < <a href="http://www.privacyshield.gov">www.privacyshield.gov</a> >).  The patchwork of United States privacy laws is compatible with the Asia Pacific Economic Cooperation (APEC) Privacy Framework. However, for the many companies that are not covered by sectoral laws and that have not opted into self-regulatory schemes, APEC compliance is limited.  The US participates in the voluntary APEC Cross-border Privacy Rules system (the APEC CBPRs) and a small number of companies have been certified under that scheme < <a href="http://www.cbprs.org">www.cbprs.org</a> >.
7. Are data controllers free from registration requirements?	✓	There are no general registration requirements in place in the United States.
8. Are there cross-border data transfer requirements in place?	No requirements	There are no requirements in the United States relating to cross-border transfers of data to other countries. However, organizations that wish to be members of some self-regulatory schemes that promote cross-border transfers (e.g., the APEC Cross-border Privacy Rules scheme < <a href="http://www.cbprs.org">www.cbprs.org</a> > and the EU-US Privacy Shield < <a href="http://www.privacyshield.gov">www.privacyshield.gov</a> >) are required to undergo annual registration and sometimes complex certification procedures, including some restrictions on the onward transfer of data.
9. Are cross-border data transfers free from arbitrary, unjustifiable, or disproportionate restrictions, such as national or sector-specific data or server localization requirements?	✓	Cross-border data transfer requirements are extremely rare in the United States. They only apply (in the form of onward transfer requirements) to organizations that have voluntarily joined specific self-regulatory schemes. In the limited circumstances where they do apply, they follow international best practice.
10. Is there a personal data breach notification law or regulation?	✓	There are numerous state data breach notification laws in place in the United States (although there is no general requirement at the federal level). Some sector specific breach notification requirements do apply at the federal level (e.g., in the financial services, health, and telecommunications sectors).  Several attempts to introduce a national data breach notification requirement or to consolidate existing requirements into a single unified requirement, have failed.
11. Are personal data breach notification requirements transparent, risk-based, and not overly prescriptive?	ⓘ	There are numerous, but inconsistent, state data breach notification laws in place in the United States. Typically these require notification both to an appropriate regulator (e.g., the relevant state Attorney General) and to the affected consumers. Compliance with these requirements for large, national organizations is considered to be expensive and cumbersome.
12. Is an independent private right of action available for breaches of data privacy?	✓	There is no specific right to privacy in the United States Constitution. However, various Supreme Court cases have found that a limited constitutional right of privacy exists, based on a combination of provisions in the Bill of Rights and subsequent amendments. See for example: Katz v. US, 386 US 954 (1967) < <a href="http://findlaw.com/US/386/954.html">findlaw.com/US/386/954.html</a> >. Individual actions and class actions are very common, usually based on a mix of constitutional rights and consumer laws.
<b>SECURITY (SCORE: 10.5/12.5   RANK: 5/24)</b>		
1. Is there a national cybersecurity strategy in place?	✓	In May 2017, a Presidential Executive Order on Strengthening the Cybersecurity of Federal Networks and Critical Infrastructure came into effect < <a href="http://www.whitehouse.gov/the-press-office/2017/05/11/presidential-executive-order-strengthening-cybersecurity-federal">www.whitehouse.gov/the-press-office/2017/05/11/presidential-executive-order-strengthening-cybersecurity-federal</a> >.  The 2017 Executive Order complements the 2015 Department of Defense Cyber Strategy < <a href="http://www.defense.gov/News/Special-Reports/0415_Cyber-Strategy">www.defense.gov/News/Special-Reports/0415_Cyber-Strategy</a> >. The former 2016 Cybersecurity National Action Plan (CNAP) < <a href="http://obamawhitehouse.archives.gov/the-press-office/2016/02/09/fact-sheet-cybersecurity-national-action-plan">obamawhitehouse.archives.gov/the-press-office/2016/02/09/fact-sheet-cybersecurity-national-action-plan</a> > also played a role in promoting cybersecurity.

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2. Is the national cybersecurity strategy current, comprehensive, and inclusive?	✓	<p>The 2017 Presidential Executive Order on Strengthening the Cybersecurity of Federal Networks and Critical Infrastructure holds agency heads accountable for effective cybersecurity risk management, including maintenance and planning. Agency heads are required to use the Framework for Improving Critical Infrastructure Cybersecurity developed by the National Institute of Standards and Technology, or any successor document, to manage the agency's cybersecurity risk. The Order also outlines measures to support the cybersecurity risk management efforts of the owners and operators of the nation's critical infrastructure and calls for development of the cybersecurity workforce.</p> <p>If taken together, the 2017 Executive Order, the 2015 Department of Defense Cyber Strategy, and the 2016 Cybersecurity National Action Plan (CNAP) constitute a national cybersecurity strategy that is comprehensive.</p>
3. Are there laws or appropriate guidance containing general security requirements for cloud service providers?	ⓘ	<p>There is no general security requirement in United States law. However, there are numerous sectoral security requirements, especially in relation to financial services and health data. Some of these requirements can be very specific, including requirements to encrypt data and take steps to identify identity fraud. One state (California) imposes stronger security requirements (including encryption) for most databases containing personal information.</p> <p>In addition, the Federal Trade Commission (FTC) has taken enforcement action in relation to failures to implement reasonable security practices. The FTC document Start with Security: A Guide for Business provides an overview of requirements and lessons learned from the FTC's enforcement actions &lt;<a href="http://www.ftc.gov/datasecurity">www.ftc.gov/datasecurity</a>&gt;.</p>
4. Are laws or guidance on security requirements transparent, risk-based, and not overly prescriptive?	ⓘ	<p>Security requirements in the United States are scattered across multiple documents and regulators, and are not always consistent. In addition, there has been considerable controversy over the role of the FTC in enforcing security requirements. The latest FTC guidance on security (2017) appears to soften their overall approach.</p>
5. Are there laws or appropriate guidance containing specific security audit requirements for cloud service providers that take account of international practice?	ⓘ	<p>There are no specific enforceable security audit requirements in place in the United States. In the absence of security requirements in general privacy legislation (which the United States does not have), most security requirements stem from consumer law. For example, a company that hosts data and claims to hold the data securely, may face consequences for misleading consumers about that claim. The Federal Trade Commission (FTC) &lt;<a href="http://www.ftc.gov">www.ftc.gov</a>&gt; occasionally takes action against online businesses that have poor security audit practices. Private actions and class actions for security breaches are also common in the United States, and this litigation tends to act as a default security audit requirement.</p> <p>Additional security standards are in place in sectoral laws and guidelines. For example, the Health Insurance Portability and Accountability Act (HIPAA) of 1996 (P.L.104-191) security requirements in the health sector, the Payment Card Industry Data Security Standard (PCI DSS) &lt;<a href="http://www.pcisecuritystandards.org">www.pcisecuritystandards.org</a>&gt; in the payments industry sector, and security audit requirements in relevant credit reporting legislation.</p>
6. Are international security standards, certification, and testing recognized as meeting local requirements?	✓	<p>The United States is the world's most active user of security certifications for technology products, and implements the international Common Criteria program in most domestic IT procurement rules.</p> <p>The United States is a Certificate Authorizing Member (the highest level) of the Common Criteria Recognition Arrangement (CCRA) &lt;<a href="http://www.commoncriteriaportal.org">www.commoncriteriaportal.org</a>&gt;.</p>
<b>CYBERCRIME (SCORE: 11.5/12.5   RANK: 5/24)</b>		
1. Are cybercrime laws or regulations in place?	✓	<p>There are several relevant statutes in the United States. The key cybercrime provisions are contained in the Federal Computer Fraud and Abuse Act (CFAA), 18 USC 1030.</p>
2. Are cybercrime laws or regulations consistent with the Budapest Convention on Cybercrime?	✓	<p>US law is compatible with the Council of Europe Convention on Cybercrime. The United States ratified the Cybercrime Convention in 2006.</p>

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3. Do local laws and policies on law enforcement access to data avoid technology-specific mandates or other barriers to the supply of security products and services?	✓	<p>The law on access to encrypted data was tested by the court case, US v. Fricosu (2011) No. 10-cr-00509-REB-02, which resulted in the judgment that the United States Constitution's Fifth Amendment, which protects a citizen's right to remain silent in some circumstances, does not protect accused parties from having to reveal encrypted data. The application of this test to data held by third parties remains uncertain.</p> <p>From 2015 to 2017, there have been numerous proposals from law enforcement agencies that have raised the need for greater access to encrypted data and for access to encryption keys for national security related investigations and surveillance. This issue is the subject of ongoing debate in the United States, with many companies and industry associations expressing serious opposition to the proposals.</p>
4. Are arrangements in place for the cross-border exchange of data for law enforcement purposes that are transparent and fair?	✓	<p>The United States has entered into numerous Mutual Legal Assistance Treaties (MLATs) and is a committed user of international arrangements for the exchange of data. The United States also uses (and encourages others to use) the mutual assistance provisions in the Cybercrime Convention, and has signed additional agreements with Europe and other key trading partners on specific law enforcement data sharing arrangements for financial data and passenger information.</p> <p>Despite these arrangements, there have been some cases where individual agencies or courts have sought to access data directly from United States headquartered companies, even where the data is located overseas. For example, in the ongoing case of Microsoft Corp. v. United States (also known as the Microsoft Ireland case), the company has resisted requests for direct access by United States law enforcement to data held in Ireland, in circumstances where the data could potentially be accessed via a mutual legal assistance request. In the latest decision in the case (November 2016), the courts have sided with Microsoft, but the US Government continues to seek leave to appeal the case.</p> <p>The United States is also notable for regularly resisting mutual assistance requests in cases where the request appears to be heavily politicized, and this has helped to maintain integrity in the system.</p>
<b>INTELLECTUAL PROPERTY RIGHTS (SCORE: 11/12.5   RANK: 3/24)</b>		
1. Are copyright laws or regulations in place that are consistent with international standards to protect cloud service providers?	✓	<p>The Digital Millennium Copyright Act implements international standards for intellectual property in the US.</p> <p>Copyright "safe harbor" protection for intermediaries such as cloud service providers is contained in the Digital Millennium Copyright Act of 1998 (DMCA) 17 U.S.C. Section 512(c) provides a safe harbor for online intermediaries.</p>
2. Are copyright laws or regulations effectively enforced and implemented?	✓	<p>Enforcement of copyright law in the United States is common, and the availability of significant penalties acts as a deterrent to copyright breaches.</p> <p>An effective intellectual property "safe harbor" has been implemented for cloud service providers.</p>
3. Is there clear legal protection against misappropriation of trade secrets?	✓	<p>Comprehensive protection against misappropriation of trade secrets is provided for by the combination of the Defend Trade Secrets Act 2016 (which provides a federal cause of action for trade secret misappropriation) and the Uniform Trade Secrets Act 1979 (which provides a cause of action in 48 states). The definitions and provisions of the two laws are similar. The Economic Espionage Act 1996 also provides a criminal offense for the theft of certain trade secrets.</p>
4. Is the law or regulation on trade secrets effectively enforced?	✓	<p>Prior to the introduction of the Defend Trade Secrets Act 2016, there were some problems with enforcement of trade secrets provisions. Companies had to rely on state courts and this often resulted in delays. Also, despite its title, the Uniform Trade Secrets Act 1979 had resulted in some state inconsistency. For example, requirements that trade secret plaintiffs describe their trade secrets in great detail were in place in several states. These requirements have been removed in the federal law.</p> <p>Companies are now free to select either the state or federal law in pursuing trade secrets cases, and this should lead to faster and more effective enforcement.</p>
5. Is there clear legal protection against the circumvention of Technological Protection Measures?	✓	<p>The Digital Millennium Copyright Act 1998 (DMCA) has detailed provisions regarding the circumvention of some technological barriers to copying intellectual property. The restriction on circumventing copyright controls is slightly weaker than the provision relating to access controls, but the overall effect is a relatively strong prohibition on some acts of circumvention, and all acts of trafficking or distributing circumvention devices.</p>



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6. Are laws or regulations on the circumvention of Technological Protection Measures effectively enforced?	🔵	The anti-circumvention provisions of the Digital Millennium Copyright Act 1998 (DMCA) are the subject of regular court cases, including several high-profile challenges to the provisions on the grounds that they are overly broad and/or breach the Constitution on First Amendment grounds. There is therefore some ongoing uncertainty about the effectiveness of the provisions in the United States market, and enforcement of the provisions is rare.
7. Are there clear legal protections in place for software-implemented inventions?	✅	In the United States, software-based inventions are patentable. Courts are still developing doctrines to separate patentable software-based inventions from abstract business methods, and the US Patent and Trademark Office is updating its guidelines on an ongoing basis as the case law develops.
8. Are laws or regulations on the protection of software-implemented inventions effectively implemented?	🔵	Although software-implemented inventions are patentable, the United States courts have provided inconsistent guidance, and many practitioners view the outcome of a patent application as unpredictable. This area of law remains complex (and expensive) in the United States.
<b>STANDARDS AND INTERNATIONAL HARMONIZATION (SCORE: 12.5/12.5   RANK: 1/24)</b>		
1. Is there a regulatory body responsible for standards development for the country?	✅	The American National Standards Institute (ANSI) <www.ansi.org> is a non-profit organization that represents the United States in international standards development processes. ANSI itself does not develop standards, it oversees the development and use of standards by accrediting the procedures of standards developing organizations.  The National Institute of Standards and Technology (NIST) <www.nist.gov> is the relevant standards-setting body for the digital economy and cloud computing.
2. Are international standards favored over domestic standards?	✅	Most relevant standards in the United States have been developed through international cooperation, and these standards either reflect international standards or are themselves adopted as international standards.
3. Does the government participate in international standards setting process?	✅	Both ANSI and NIST participate in relevant international standards setting processes. The United States is a participant in the top-level ICT standards committee (JTC-1) <www.iso.org/isoiec-jtc-1.html>. The United States also provides the current chair of the JTC-1.
4. Are e-commerce laws or regulations in place?	✅	The Uniform Electronic Transactions Act (UETA) has helped to implement consistent e-commerce laws in 47 United States jurisdictions.
5. What international instruments are the e-commerce laws or regulations based on?	Other	United States legislation, including separate digital signature and e-commerce legislation, is unique and is not based on any international instrument. However, the core rules are similar to the UNCITRAL Model Law on E-Commerce.
6. Is there a law or regulation that gives electronic signatures clear legal weight?	✅	The Uniform Electronic Transactions Act 1999 establishes the legal equivalence of electronic records and signatures with paper writings and manually signed signatures, removing barriers to electronic commerce.  The Electronic Signatures in Global and National Commerce Act 2000 (the E-SIGN Act) provides a more detailed legal framework for recognizing electronic signatures.
7. Are cloud service providers free from mandatory filtering or censoring?	✅	The courts have regularly upheld the First Amendment right to free speech in the United States Constitution and struck down laws intended to regulate access to Internet content. No current filtering or censorship is in place in the United States. Section 230 of the Communications Act provides liability protections for service providers based on third-party content.
<b>PROMOTING FREE TRADE (SCORE: 10.3/12.5   RANK: 3/24)</b>		
1. Is a national strategy or platform in place to promote the development of cloud services and products?	🔵	The United States Government was expected to announce a broad "cyber policy" in 2017. It is unclear whether this policy will promote cloud services and products. Some limited promotion of cloud services for government activity is coordinated by the official cloud.gov platform.
2. Are there any laws or policies in place that implement technology neutrality in government?	✅	The United States Government previously had a formal policy in place: White House Memorandum on Technology Neutrality, January 2011 <obamawhitehouse.archives.gov/blog/2011/01/07/making-technology-neutral-it-procurement-decisions>.  As of June 2017, the new government is yet to announce a formal policy on technology neutrality. It is likely that agencies are following the previous guidance.
3. Are cloud computing services able to operate free from laws or policies that either mandate or give preference to the use of certain products, services, standards, or technologies?	✅	There are no relevant mandatory requirements or preferences to use specific products in the United States.

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4. Are cloud computing services able to operate free from laws, procurement policies, or licensing rules that discriminate based on the nationality of the vendor, developer, or service provider?	✓	<p>In April 2017, the White House issued an executive order announcing a policy of maximizing the federal government's procurement of goods, products, and materials produced in the United States, as well as "rigorously" enforcing laws pertaining to the entry of foreign workers. The executive order also requires federal agencies to evaluate their existing Buy American compliance programs and undertake additional efforts consistent with this policy &lt;<a href="http://www.whitehouse.gov/the-press-office/2017/04/18/presidential-executive-order-buy-american-and-hire-american">www.whitehouse.gov/the-press-office/2017/04/18/presidential-executive-order-buy-american-and-hire-american</a>&gt;.</p> <p>Existing Buy America laws contain a broad exemption for ICT products and services. It is expected that this exemption will continue to apply, although there has been some concern expressed regarding the new approach to "hiring American" and the potential effect of these requirements on cloud service providers.</p>
5. Has the country signed and implemented international agreements that ensure the procurement of cloud services is free from discrimination?	📌	<p>The United States is a full member of the World Trade Organization (WTO) plurilateral Agreement on Government Procurement &lt;<a href="http://www.wto.org/english/tratop_e/gproc_e/gp_gpa_e.htm">www.wto.org/english/tratop_e/gproc_e/gp_gpa_e.htm</a>&gt;.</p>
6. Are services delivered by cloud providers free from tariffs and other trade barriers?	✓	<p>There are no relevant tariffs or trade barriers in the United States that have an effect on cloud products and services.</p>
7. Are cloud computing services able to operate free from laws or policies that impose data localization requirements?	✓	<p>Cloud services are generally not subject to data localization requirements in the United States.</p> <p>A very limited restriction applies to cloud services that are specifically used for network testing services provided to the Department of Defense, Defense Federal Acquisition Regulation Supplement: Network Penetration Reporting and Contracting for Cloud Services (DFARS Case 2013-D018).</p>
<b>IT READINESS, BROADBAND DEPLOYMENT (SCORE: 18/25   RANK: 6/24)</b>		
1. Is there a National Broadband Plan?	<p>By 2020:</p> <ul style="list-style-type: none"> <li>At least 100 million homes to have affordable access to download speeds of 100 Mbps and upload speeds of 50 Mbps</li> <li>Every household to have access to download speeds of 4 Mbps and upload speeds of 1 Mbps</li> </ul>	<p>In 2010 the United States Federal Communications Commission unveiled the National Broadband Plan, Connecting America &lt;<a href="http://www.fcc.gov/general/national-broadband-plan">www.fcc.gov/general/national-broadband-plan</a>&gt;.</p> <p>The National Broadband Plan sets a number of goals:</p> <ul style="list-style-type: none"> <li>By 2020 at least 100 million households to have download speeds of 100 Mbps and upload speeds of 50 Mbps</li> <li>By 2020, every community should have affordable access of at least 1 Gbps to anchor institutions (schools, hospitals, and government buildings)</li> </ul> <p>Not all parts of the plan have been adopted or fully funded; however, significant parts of the plan have been implemented, including the roll-out of the Connect America Fund in 2012, which addresses broadband coverage in rural areas.</p>
2. Is the National Broadband Plan being effectively implemented?	📌	<p>The National Broadband Plan &lt;<a href="http://www.fcc.gov/general/national-broadband-plan">www.fcc.gov/general/national-broadband-plan</a>&gt; is somewhat dated and its status is now uncertain. It was released by the FCC on March 17, 2010. It sets out a roadmap for initiatives to stimulate economic growth, spur job creation, and boost America's capabilities in education, healthcare, homeland security, and more. The plan includes sections focusing on economic opportunity, education, healthcare, energy and the environment, government performance, civic engagement, and public safety.</p> <p>Key elements of the plan, such as improved coverage in underserved and rural areas, have continued to be implemented by the Federal Communications Commission (FCC) &lt;<a href="http://www.fcc.gov">www.fcc.gov</a>&gt;. Some other elements of the National Broadband Plan, such as a national broadband map &lt;<a href="http://www.broadbandmap.gov">www.broadbandmap.gov</a>&gt; to assist consumer choice, have not proceeded to full implementation due to lack of funding.</p>

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3. Are there laws or policies that regulate "net neutrality"?	Limited regulation	<p>Net neutrality is a high profile and controversial issue in the United States. There is no specific net neutrality legislation in place at a federal level, although there have been rules that support net neutrality adopted by the Federal Communications Commission (FCC), the independent government regulator of interstate communications. The FCC approved the net neutrality rules in February 2015. The rules prohibited mobile and fixed broadband service providers from blocking, throttling, or prioritizing Internet traffic for commercial purposes &lt;<a href="http://www.fcc.gov/general/open-Internet">www.fcc.gov/general/open-Internet</a>&gt;.</p> <p>The rules, which came into effect in June 2015, were subject to a number of lawsuits and proposals to have them repealed. In April 2017, the FCC announced that the net neutrality rules would be "rolled back" as part of a broader package of reforms titled Restoring Internet Freedom &lt;<a href="http://apps.fcc.gov/edocs_public/attachmatch/DOC-344614A1.pdf">apps.fcc.gov/edocs_public/attachmatch/DOC-344614A1.pdf</a>&gt;. These proposals are the subject of a public comment period.</p> <p>As of June 2017, the FCC is still consulting on the proposal.</p>
4. Base Indicators		
4.1. Population (millions) (2015) • Total for all countries in this scorecard: 4,700 million	325	<p>In 2015, the population of the United States increased by 0.8%.</p> <p>[International Telecommunication Union (ITU), World Telecommunication/ICT Indicators Database (Dec. 2016) &lt;<a href="http://www.itu.int/en/ITU-D/Statistics/Pages/publications/wtid.aspx">www.itu.int/en/ITU-D/Statistics/Pages/publications/wtid.aspx</a>&gt;]</p>
4.2. Urban Population (%) (2015) • Average for all countries in this scorecard: 73%	82%	<p>In 2015, the urban population of the United States increased by 0.2%.</p> <p>[World Bank, Data Catalog, Indicators, Urban Population (Jan. 2017) &lt;<a href="http://data.worldbank.org/indicator/SP.URB.TOTL.IN.ZS">data.worldbank.org/indicator/SP.URB.TOTL.IN.ZS</a>&gt;]</p>
4.3. Number of Households (millions) (2015) • Total for all countries in this scorecard: 1,249 million	123	<p>In 2015, the number of households in the United States increased by 0.8%.</p> <p>[International Telecommunication Union (ITU), World Telecommunication/ICT Indicators Database (Dec. 2016) &lt;<a href="http://www.itu.int/en/ITU-D/Statistics/Pages/publications/wtid.aspx">www.itu.int/en/ITU-D/Statistics/Pages/publications/wtid.aspx</a>&gt;]</p>
4.4. Population Density (people per square km) (2015) • Average for all countries in this scorecard: 471	35	<p>In 2015, the population density of the United States increased by 0.8%.</p> <p>[World Bank, Data Catalog, Indicators, Population Density (Jan. 2017) &lt;<a href="http://data.worldbank.org/indicator/EN.POP.DNST">data.worldbank.org/indicator/EN.POP.DNST</a>&gt;]</p>
4.5. Per Capita GDP (US\$ 2015) • Average for all countries in this scorecard: US\$ 22,649	\$56,116	<p>In 2015, the per capita GDP for the United States increased by 2.6% to US\$ 56,116. This was below the five-year compound annual growth rate (CAGR) from 2010–2015 of 3%.</p> <p>This ranks the United States 2nd for value of per capita GDP and 6th for growth (CAGR) for this indicator in this scorecard.</p> <p>[World Bank, Data Catalog, Indicators: GDP Per Capita, Current US\$ (Jan. 2017) &lt;<a href="http://data.worldbank.org/indicator/NY.GDP.PCAP.CD">data.worldbank.org/indicator/NY.GDP.PCAP.CD</a>&gt; and GDP Growth, Annual % (Jan. 2017) &lt;<a href="http://data.worldbank.org/indicator/NY.GDP.MKTP.KD.ZG">data.worldbank.org/indicator/NY.GDP.MKTP.KD.ZG</a>&gt;]</p>
4.6. ICT Service Exports (billions of US\$) (2015) • Total for all countries in this scorecard: US\$ 978 billion	\$171	<p>In 2015, the value of ICT service exports for the United States increased by 4.1% to US\$ 170.54 billion. This was below the five-year compound annual growth rate (CAGR) from 2010–2015 of 6.2%.</p> <p>This ranks the United States 1st for value of ICT service exports and 6th for growth (CAGR) for this indicator in this scorecard.</p> <p>[World Bank, Data Catalog, Indicators: ICT Service Exports US\$ (Jan. 2017) &lt;<a href="http://data.worldbank.org/indicator/BX.GSR.CCIS.CD">data.worldbank.org/indicator/BX.GSR.CCIS.CD</a>&gt;]</p>
4.7. Personal Computers (% of households) (2015) • Average for all countries in this scorecard: 63%	87%	<p>In 2015, 86.8% of households in the United States had personal computers. This is an increase of 1.9% since 2014 and ranks the United States 20th out of 236 countries surveyed. The growth from 2014 is below the five-year compound annual growth rate (CAGR) from 2010 to 2015 of 2.8%.</p> <p>This ranks the United States 4th for the number of personal computers (as a % of households) and 11th for growth (CAGR) for this indicator in this scorecard.</p> <p>[International Telecommunication Union (ITU), World Telecommunication/ICT Indicators Database (Dec. 2016) &lt;<a href="http://www.itu.int/en/ITU-D/Statistics/Pages/publications/wtid.aspx">www.itu.int/en/ITU-D/Statistics/Pages/publications/wtid.aspx</a>&gt;]</p>

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5. IT and Network Readiness Indicators		
5.1. ITU ICT Development Index (IDI) (2016) (score is out of 10 and covers 175 countries) • Average for all countries in this scorecard: 6.58	8.17	The United States ITU ICT Development Index (IDI) for 2016 is 8.17 (out of 10), resulting in a rank of 15th (out of 175 economies). The 2016 IDI for the United States increased by 1.4%, and the IDI ranking has remained the same since 2015.  This ranks the United States 6th in the ITU ICT Development Index and 19th for growth (CAGR) for this indicator in this scorecard.  [International Telecommunication Union (ITU), Measuring the Information Society (Dec. 2016) < <a href="http://www.itu.int/net4/ITU-D/idi/2016">www.itu.int/net4/ITU-D/idi/2016</a> >]
5.2. World Economic Forum Networked Readiness Index (NRI) (2016) (score is out of 7 and covers 139 countries) • Average for all countries in this scorecard: 4.77	5.82	The United States has a Networked Readiness Index (NRI) score of 5.82 (out of 7), resulting in a rank of 5th (out of 139 economies) and a rank of 4th (out of 32) in the High income: OECD grouping of economies. The 2016 NRI for the United States increased by 3.2% and improved by 2 places from a rank of 7th since 2015.  This ranks the United States 2nd in the ITU ICT Development Index and 23rd for growth (CAGR) for this indicator in this scorecard.  [World Economic Forum, Global Information Technology Report (2016) < <a href="http://reports.weforum.org/global-information-technology-report-2016">reports.weforum.org/global-information-technology-report-2016</a> >]
6. Internet Users and International Bandwidth		
6.1. Internet Users (millions) (2015) • Total for all countries in this scorecard: 2,330 million	242	[International Telecommunication Union (ITU), World Telecommunication/ ICT Indicators Database (Dec. 2016) < <a href="http://www.itu.int/en/ITU-D/Statistics/Pages/publications/wtid.aspx">www.itu.int/en/ITU-D/Statistics/Pages/publications/wtid.aspx</a> >]
6.2. Internet Users (% of population) (2015) • Average for all countries in this scorecard: 67%	74%	In 2015, 74% of the population in the United States used the Internet, resulting in a ranking of 49th out of 236 countries surveyed by the ITU. This is an increase of 2% since 2014 and is above the five-year compound annual growth rate (CAGR) from 2010–2015 of 0.8%.  This ranks the United States 10th in the proportion of the population using the Internet and 24th for growth (CAGR) for this indicator in this scorecard.  [International Telecommunication Union (ITU), World Telecommunication/ ICT Indicators Database (Dec. 2016) < <a href="http://www.itu.int/en/ITU-D/Statistics/Pages/publications/wtid.aspx">www.itu.int/en/ITU-D/Statistics/Pages/publications/wtid.aspx</a> >]  Note: There may be some variations as to how countries calculate this. Some countries base this upon all or part of the population — such as between 16 and 72 years of age.
6.3. International Internet Bandwidth (total gigabits per second (Gbps) per country) (2015) • Total for all countries in this scorecard: 117,736 Gbps	24,000	The United States has increased its international Internet bandwidth by 20% since 2014 to 24,000 Gbps and is ranked 2 out of 236 countries surveyed by the ITU. The growth from 2014 is below the five-year compound annual growth rate (CAGR) from 2009–2014 of 21.7%.  This ranks the United States 1st for total international Internet bandwidth and 15th for growth (CAGR) for this indicator in this scorecard.  [International Telecommunication Union (ITU), World Telecommunication/ ICT Indicators Database (Dec. 2016) < <a href="http://www.itu.int/en/ITU-D/Statistics/Pages/publications/wtid.aspx">www.itu.int/en/ITU-D/Statistics/Pages/publications/wtid.aspx</a> >]
6.4. International Internet Bandwidth (bits per second (bps) per Internet user) (2015) • Average for all countries in this scorecard: 97,747 bps	99,147	The international Internet bandwidth (per Internet user) of the United States has increased by 17% since 2014. The growth from 2014 is below the five-year compound annual growth rate (CAGR) from 2010–2015 of 19.8%.  This ranks the United States 8th for international Internet bandwidth per user and 14th for growth (CAGR) for this indicator in this scorecard.  [International Telecommunication Union (ITU), World Telecommunication/ ICT Indicators Database (Dec. 2016) < <a href="http://www.itu.int/en/ITU-D/Statistics/Pages/publications/wtid.aspx">www.itu.int/en/ITU-D/Statistics/Pages/publications/wtid.aspx</a> >]
7. Fixed Broadband		
7.1. Fixed Broadband Subscriptions (millions) (2015) • Total for all countries in this scorecard: 697 million	101	United States has increased the number of fixed broadband subscribers by 3% since 2014 to 100.87 million, and is ranked 2nd out of 236 countries surveyed by the ITU. The growth from 2014 is close to the five-year compound annual growth rate (CAGR) from 2010–2015 of 3.6%.  This ranks the United States 2nd for the number of fixed broadband subscriptions and 19th for growth (CAGR) for this indicator in this scorecard.  [International Telecommunication Union (ITU), World Telecommunication/ ICT Indicators Database (Dec. 2016) < <a href="http://www.itu.int/en/ITU-D/Statistics/Pages/publications/wtid.aspx">www.itu.int/en/ITU-D/Statistics/Pages/publications/wtid.aspx</a> >]



# UNITED STATES	RESPONSE	EXPLANATORY TEXT
7.2. Fixed Broadband Subscriptions (% of households) (2015) <ul style="list-style-type: none"> <li>Average for all countries in this scorecard: 63%</li> </ul>	82%	<p>[International Telecommunication Union (ITU), World Telecommunication/ ICT Indicators Database (Dec. 2016) &lt;<a href="http://www.itu.int/en/ITU-D/Statistics/Pages/publications/wtid.aspx">www.itu.int/en/ITU-D/Statistics/Pages/publications/wtid.aspx</a>&gt;]</p> <p>Note: This may be skewed by business usage in some countries.</p>
7.3. Fixed Broadband Subscriptions (% of population) (2015) <ul style="list-style-type: none"> <li>Average for all countries in this scorecard: 21%</li> </ul>	31%	<p>The United States has increased its fixed broadband subscriptions (as a % of the population) by 2.3% since 2014, which is below the five-year compound annual growth rate (CAGR) from 2010–2015 of 2.8%. This ranks the United States 31st out of 236 countries surveyed by the ITU.</p> <p>This ranks the United States 6th for the number of fixed broadband subscriptions (as a % of the population) and 19th for growth (CAGR) for this indicator in this scorecard.</p> <p>[International Telecommunication Union (ITU), World Telecommunication/ ICT Indicators Database (Dec. 2016) &lt;<a href="http://www.itu.int/en/ITU-D/Statistics/Pages/publications/wtid.aspx">www.itu.int/en/ITU-D/Statistics/Pages/publications/wtid.aspx</a>&gt;]</p> <p>The Organisation for Economic Co-operation and Development (OECD) figures below present a breakdown of the type of fixed broadband connections in the United States as of June 2016.</p> <p>In the OECD, the United States was ranked 15th (out of 35) for fixed broadband subscribers as a percentage of population [OECD Broadband Subscribers (Feb. 2017) &lt;<a href="http://www.oecd.org/sti/broadband">www.oecd.org/sti/broadband</a>&gt;]</p> <ul style="list-style-type: none"> <li>DSL: 8.7%</li> <li>Cable: 19.1%</li> <li>Fiber/LAN: 3.5%</li> <li>Satellite: 0.7%</li> <li>Fixed wireless: 0.3%</li> <li>Other: 0.2%</li> </ul> <p>Total: 32.5% (105 million subscriptions). The OECD average total for June 2016 was 29.8%.</p> <p>This reflects a decrease in DSL subscriptions and consequential increase in cable and fiber connections.</p> <p>The fixed broadband growth for the June 2015–2016 period was 3.55% (ranked 13 out of 35 for growth), just above the OECD average growth of 3.42%.</p> <p>In the United States, fiber makes up 10.7% of fixed broadband subscriptions (ranked 24 out of 35), below the OECD average of 20.1%. The growth in fiber subscriptions for the June 2015–2016 period was 16.05% (ranking United States 21 out of 35 for growth) and just above the OECD average of 15.94%.</p> <p>Note: The OECD data for the United States for June 2016 is an estimate.</p> <p>Note: From July 2015 OECD adjusted its definitions of fixed and mobile broadband by transferring the categories Satellite and Fixed Wireless from Mobile to Fixed Broadband.</p> <p>Note: Fiber subscriptions data includes FttH, FttP, and FttB, and excludes FTTC.</p> <p>Note: There may be minor variations in the ITU and OECD subscriber totals due to definition or timing differences.</p>
7.4. Fixed Broadband Subscriptions (% of Internet users) (2015) Average for all countries in this scorecard: 29%	42%	<p>[International Telecommunication Union (ITU), World Telecommunication/ ICT Indicators Database (Dec. 2016) &lt;<a href="http://www.itu.int/en/ITU-D/Statistics/Pages/publications/wtid.aspx">www.itu.int/en/ITU-D/Statistics/Pages/publications/wtid.aspx</a>&gt;]</p>
7.5. Average Broadband Data Connection Speed (total megabits per second (Mbps) per country) (Q1 2017) <ul style="list-style-type: none"> <li>Average for all countries in this scorecard: 12 Mbps</li> <li>Average peak for all countries in this scorecard: 70 Mbps</li> </ul>	19	<p>In the United States the Q1 2017 average broadband data connection speed was 18.75 Mbps and is ranked 11th out of 239 countries measured by Akamai.</p> <p>This ranks the United States 4th for average broadband data connection speed in this scorecard.</p> <p>Additional connection metrics for Q1 2017 in The United States include:</p> <ul style="list-style-type: none"> <li>Average peak broadband connection speed: 86.55 Mbps (ranked 18th globally and 5th in this scorecard)</li> <li>Above 4 Mbps: 90% (ranked 42nd globally and 9th in this scorecard)</li> <li>Above 10 Mbps: 67% (ranked 14th globally and 5th in this scorecard)</li> <li>Above 15 Mbps: 48% (ranked 9th globally and 4th in this scorecard)</li> <li>Above 25 Mbps: 21% (ranked 12th globally and 4th in this scorecard)</li> </ul> <p>[Akamai, The State of the Internet (1st Quarter, 2017) &lt;<a href="http://www.akamai.com/us/en/about/our-thinking/state-of-the-internet-report/">www.akamai.com/us/en/about/our-thinking/state-of-the-internet-report/</a>&gt;]</p>

# UNITED STATES	RESPONSE	EXPLANATORY TEXT
<b>8. Fiber-to-the-home/building (FttX)</b>		
8.1. Fiber-to-the-home/building (FttX) Internet Subscriptions (millions) (2015) • Total for all countries in this scorecard: 258 million	11.1	United States has increased the number of FttX subscribers by 24% since 2014 to 11.057 million, and is ranked 5th out of 236 countries surveyed by the ITU.  This ranks the United States 5th for the number of FttX subscriptions and 13th for growth (from 2014) for this indicator in this scorecard.  [International Telecommunication Union (ITU), World Telecommunication/ ICT Indicators Database (Dec. 2016) < <a href="http://www.itu.int/en/ITU-D/Statistics/Pages/publications/wtid.aspx">www.itu.int/en/ITU-D/Statistics/Pages/publications/wtid.aspx</a> >]
8.2. Proportion of Fiber-to-the-home/building (FttX) Internet Subscriptions (% of households) (2015) • Average for all countries in this scorecard: 18%	9.0%	United States has increased the proportion of FttX subscribers to households by 24% (since 2014) to 8.97%.  This ranks the United States 10th for the proportion of FttX subscriptions to households and 13th for growth (from 2014) for this indicator in this scorecard.  [International Telecommunication Union (ITU), World Telecommunication/ ICT Indicators Database (Dec. 2016) < <a href="http://www.itu.int/en/ITU-D/Statistics/Pages/publications/wtid.aspx">www.itu.int/en/ITU-D/Statistics/Pages/publications/wtid.aspx</a> >]  Note: This may be skewed by business usage in some countries.
8.3. Proportion of Fiber-to-the-home/building (FttX) Internet Subscriptions (% of fixed broadband subscriptions) (2015) • Average for all countries in this scorecard: 23%	11.0%	United States has increased the proportion of FttX subscribers to fixed broadband subscribers by 24% (since 2014) to 10.96%.  This ranks the United States 11th for the proportion of FttX subscriptions to fixed broadband subscriptions and 13th for growth (from 2014) for this indicator in this scorecard.  [International Telecommunication Union (ITU), World Telecommunication/ ICT Indicators Database (Dec. 2016) < <a href="http://www.itu.int/en/ITU-D/Statistics/Pages/publications/wtid.aspx">www.itu.int/en/ITU-D/Statistics/Pages/publications/wtid.aspx</a> >]
<b>9. Mobile Broadband</b>		
9.1. Mobile Cellular Subscriptions (millions) (2015) • Total for all countries in this scorecard: 4,823 million	382	In 2015, the United States increased the number of mobile cellular subscriptions by 7.5% since 2014, which is above the five-year compound annual growth rate (CAGR) from 2010–2015 of 6%. the United States is ranked 3rd out of 236 countries surveyed by the ITU. The number of subscriptions account for 118% of the population.  This ranks the United States 3rd for the number of mobile cellular subscriptions and 6th for growth (CAGR) for this indicator in this scorecard.  [International Telecommunication Union (ITU), World Telecommunication/ ICT Indicators Database (Dec. 2016) < <a href="http://www.itu.int/en/ITU-D/Statistics/Pages/publications/wtid.aspx">www.itu.int/en/ITU-D/Statistics/Pages/publications/wtid.aspx</a> >]  Note: This figure may be inflated due to multiple subscriptions per head of population, but excludes dedicated mobile broadband devices (such as 3G data cards, tablets, etc.).
9.2. Number of Active Mobile Broadband Subscriptions (millions) (2015) • Total for all countries in this scorecard: 2,506 million	376	In 2015, the United States has increased the number of active mobile broadband subscriptions by 13%, which is below the five-year compound annual growth rate (CAGR) from 2010–2015 of 14.9%. the United States is ranked 2nd out of 236 countries surveyed by the ITU.  This ranks the United States 2nd for the number of active mobile broadband subscriptions and 20th for growth (CAGR) for this indicator in this scorecard.  [International Telecommunication Union (ITU), World Telecommunication/ ICT Indicators Database (Dec. 2016) < <a href="http://www.itu.int/en/ITU-D/Statistics/Pages/publications/wtid.aspx">www.itu.int/en/ITU-D/Statistics/Pages/publications/wtid.aspx</a> >]

# UNITED STATES	RESPONSE	EXPLANATORY TEXT
<p>9.3. Active Mobile Broadband Subscriptions (% of population) (2015)</p> <ul style="list-style-type: none"> <li>Average for all countries in this scorecard: 77%</li> </ul>	115%	<p>The United States has increased the number of active mobile broadband subscriptions (as a % of the population) by 12% since 2014, which is below the five-year compound annual growth rate (CAGR) from 2010–2015 of 14%. the United States is ranked 11th out of 236 countries surveyed by the ITU.</p> <p>This ranks the United States 3rd for the number of active mobile broadband subscriptions (as a % of the population) and 20th for growth (CAGR) for this indicator in this scorecard.</p> <p>[International Telecommunication Union (ITU), World Telecommunication/ ICT Indicators Database (Dec. 2016) &lt;<a href="http://www.itu.int/en/ITU-D/Statistics/Pages/publications/wtid.aspx">www.itu.int/en/ITU-D/Statistics/Pages/publications/wtid.aspx</a>&gt;]</p> <p>Note: This refers to the sum of standard mobile broadband and dedicated mobile broadband subscriptions to the public Internet. It covers actual subscribers, not potential subscribers, even though the latter may have broadband enabled-handsets.</p> <p>The OECD figures below present a breakdown of the type of mobile broadband connections in the United States as of June 2016.</p> <p>In the OECD, the United States was ranked 5th (out of 35) for mobile wireless broadband subscribers as a percentage of population [OECD Broadband Subscribers (Feb. 2017) &lt;<a href="http://www.oecd.org/sti/broadband">www.oecd.org/sti/broadband</a>&gt;]</p> <ul style="list-style-type: none"> <li>Total: 122.3% (393.43 million subscriptions and accounting for 32.4% of all OECD subscriptions of 1.21 billion). The OECD average total for June 2016 was 95.1%.</li> </ul> <p>Mobile broadband growth in the United States for the June 2015–2016 period was 9.9% (ranked 23 out of 35 for growth), below the OECD average growth of 10.7%.</p> <p>Note: The OECD data for the United States for June 2015 is an estimate.</p> <p>Note: From July 2015 OECD adjusted its definitions of fixed and mobile broadband by transferring the categories Satellite and Fixed Wireless from Mobile to Fixed Broadband.</p> <p>Note: The OECD wireless broadband figure includes both data and voice subscriptions (referred to as Standard Mobile Broadband) and data-only subscriptions (referred to as Dedicated Mobile Data)</p> <p>Note: The OECD figures include mobile data subscriptions, which are not as consistently reported in the ITU indicators.</p>
<p>9.4. Average Mobile Data Connection Speed (total megabits per second (Mbps) per country) (Q1 2017)</p> <ul style="list-style-type: none"> <li>Average for all countries in this scorecard: 11 Mbps</li> </ul>	11	<p>In the United States the Q1 2017 average mobile data connection speed was 10.7 Mbps and is ranked 31st out of 70 countries measured by Akamai.</p> <p>This ranks the United States 10th for average mobile data connection speed in this scorecard.</p> <p>[Akamai, The State of the Internet (1st Quarter, 2017) &lt;<a href="http://www.akamai.com/us/en/about/our-thinking/state-of-the-internet-report/">www.akamai.com/us/en/about/our-thinking/state-of-the-internet-report/</a>&gt;]</p>