

Many scholars regard the GDPR as the world's most comprehensive data protection law, due to its emphasis on user rights and corporate accountability. This degree of consumer protection is unparalleled globally. In contrast, the United States, despite being one of the world's most developed nations and largest data producers, faces significant challenges regarding data protection. Unlike the EU, the US does not possess a unifying law when it comes to data protection, relying rather on local laws to protect its consumers, such as the California Consumer Privacy Act or the Colorado Privacy Act.

These laws differ fundamentally from the GDPR, including in their core definitions. For example, U.S. statutes typically refer to individuals as "consumers," whereas the GDPR employs the term "data subject." This difference leads to a narrower scope of protection under U.S. regulations. The criteria for what constitutes personal data or information also diverge between these frameworks. The GDPR defines personal data as "any information relating to an identified or identifiable natural person" (Regulation (EU) 2016/679, Article 4), thus broadening the range of protected data. By contrast, U.S. regulations generally provide less comprehensive coverage, limiting protection based on consumer connection.

There are also significant differences regarding the treatment of publicly available information, revenue thresholds—which in some U.S. jurisdictions determine the level of consumer protection—a processing threshold based on the number of consumers that dictates compliance requirements, and broker thresholds.

Given these distinctions, there is a clear need to enhance consumer protection in the United States. Although various organizations have expressed a willingness to collaborate on this issue, it remains imperative that the federal government take decisive action to establish comprehensive protections for its citizens.

## References

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