

## PROTECTIONS FOR COMMUNICATIONS RECORDS MUST BE PRESERVED

Congress and the public must consider how H.R. 2205—the Data Security Act of 2015—compares to protections under the Communications Act.

**This bill would not protect the same scope of information.**

Categories of Sensitive Communications Information	Currently Protected Under Communications Act?	Protected Under this Bill?
Location, time, duration, and destination/origin of calls	YES	NO
Location, time, and destination/origin of text messages	YES	NO
Other “information that relates to the quantity, technical configuration, type, destination, location, and amount of use of a telecommunications service . . . made available to the carrier . . . solely by virtue of the carrier-customer relationship”	YES	NO
“Information contained in the bills pertaining to telephone exchange service or telephone toll service”	YES	NO
Information about a customer’s use of broadband access service	YES	NO
Satellite customers’ viewing and order histories	YES	NO
Cable customers’ viewing and order histories	YES	NO

### Examples of sensitive information that could lose protections:

- A web history that reveals private interests and associations, such as visits to an addiction support forum, an online sports bookie, or a gun auction platform.
- A text message history that reveals every person a customer exchanges text messages with, how often, and at what hours of the day.
- A video on demand history that reveals a preference for gay romances, for political documentaries, or for adult films.

### No mechanism to expand coverage to additional types of information.

Not only would this bill eliminate crucial federal protections for the types of information outlined above, it includes no mechanism—through agency rulemaking or state legislation—to later extend protection to these and other types of sensitive information that fall outside the bill’s narrow definition of sensitive information.

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