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February 11, 2015

Mr. William Cho, President
LG Electronics USA
1000 Sylvan Avenue
Englewood Cliffs, NJ 07632

Dear Mr. Cho:

I am writing to request information about LG's use of voice recognition technology on its Smart TVs and its privacy policies related to these products and services. This relatively new technology has major implications for people's privacy, and I am concerned about the extent to which LG may be collecting and sharing Smart TV users' voice data. As recent reports have indicated, LG may be collecting and using highly sensitive voice data – in essence, people's private conversations as they watch television in their homes. I ask that you provide details on how LG is working to address issues of voice data privacy and security.

In recent days, media reports have highlighted statements in your Smart TV privacy policies explaining that, in addition to capturing voice commands, a Smart TV may capture personal conversations that take place in its vicinity, and these conversations may be shared with third parties. Your Smart TV privacy policy explicitly states: "Please be aware that if your spoken word includes personal or other sensitive information, such information will be among the Voice Information captured through [the user's] use of voice recognition features." It remains unclear, however, how this data is treated after it is captured – whether it is in fact transmitted to a third-party service provider and whether such third party cooperates with LG to ensure the protection of this highly sensitive information.

Given the nature of voice data, at a minimum, LG should provide clear and comprehensive privacy policies related to its Smart TV products and services, and should disclose detailed information about its data-sharing relationships with other companies. Consumers must be able to make informed decisions about whether and with whom they share that information, and they must be assured that when the information is shared that it will receive the utmost protection. I am concerned that LG currently does not provide consumers with the information needed to understand how their voice data may be treated by LG or by third parties.

In light of these uncertainties, I respectfully request that you address the following questions:

1. Can you explain LG's voice recognition features in greater detail? Is it necessary to collect personal communications – or "personal or other sensitive information" in order to operate the voice recognition feature? Or, if such communications are unnecessarily captured along with voice commands, is it possible to extract that data before transmission to a third party?

2. While it is not apparent from your policy whether LG transmits voice data to a third-party provider, recent reports indicate that the voice data LG collects is currently transmitted to Nuance Communications, Inc. (Nuance) to convert the speech to text and provide the voice recognitions features. Is Nuance the only third party that provides or has provided the voice recognition features to LG Smart TV users? Going forward, how will you ensure that consumers can easily learn the identity of third-party providers? And how will you ensure that consumers understand that there are other parties with access to this information?
3. Does LG currently share its voice data with any other third parties for any other purposes?
4. Does LG place any restrictions on or exercise any control over how third parties use, sell, share, retain, or protect voice data? In LG's view, for what purposes may Nuance use, sell, share, or retain voice data?
5. As noted in your privacy policy, LG does share information that it collects via LG's Live Plus Technology with third parties. What type of information is being referenced here and with which third parties are you sharing such information?
6. Currently, LG does not share with consumers any information about third parties' relevant privacy policies. Are you considering incorporating information or adding hyperlinks so that such information can be readily accessed?
7. Is retention of the voice data by any of the involved parties necessary to continuously operate the Voice Recognition feature of LG's Smart TV?
8. How does LG treat users' viewing information that it collects to customize content and make personalized recommendations for users? Is this information shared or sold to outside parties?
9. LG's privacy policy states that although users can prevent the use of viewing information in connection with the LG's Live Plus technology, the viewing information will continue to be used for other LG Smart TV services. Can users who don't wish to have their content viewing habits monitored not participate in this collection of information?

Thank you for your prompt attention to this important matter, and please do not hesitate to contact me, or Leslie Hylton on my staff, at (202) 224-5641.

Sincerely,

A handwritten signature in black ink, appearing to read "Al Franken", with a long horizontal flourish extending to the right.

Senator Al Franken
Ranking Member, Subcommittee on Privacy,
Technology, and the Law