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## United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

KOLAN L. DAVIS, *Chief Counsel and Staff Director*  
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February 11, 2015

Mr. Gregory Lee, CEO  
Samsung Electronics North America  
85 Challenger Road  
Ridgefield Park, NJ 07660

Dear Mr. Lee:

I am writing to request information about Samsung's use of voice recognition technology on its SmartTVs 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 Samsung may be collecting and sharing SmartTV users' voice data. As recent reports have indicated, Samsung and collaborating "third parties" are 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 Samsung and collaborating third parties are working to address issues of voice data privacy and security.

In recent days, media reports have highlighted statements in your SmartTV privacy policy supplement explaining that, in addition to capturing voice commands, a SmartTV may capture personal conversations that take place in its vicinity and may transmit this information to a third party. While I understand you may have since changed the language, as of February 11, 2015, the supplement offered on your website still explicitly states: "Please be aware that if your spoken words include personal or other sensitive information, that information will be among the data captured and transmitted to a third party through [the customer's] use of Voice Recognition." It remains unclear, however, how these third parties treat voice data and whether they cooperate with Samsung to ensure the protection of this highly sensitive information.

Given the nature of voice data, at a minimum, Samsung should provide clear and comprehensive privacy policies related to its SmartTV 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 Samsung currently does not provide consumers with the information needed to understand how their voice data may be used by third parties.

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

1. Can you explain Samsung's voice recognition services 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. In a recent blog post, Samsung noted that voice data is currently transmitted to Nuance Communications, Inc. (Nuance). Is Nuance the only third party that provides or has provided voice recognition services to Samsung SmartTV users? Going forward, how will you ensure that consumers can easily learn the identity of third-party providers?
3. Does Samsung currently share its voice data with any other third parties for any other purposes?
4. Does Samsung place any restrictions on or exercise any control over how third parties use, sell, share, retain, or protect voice data? In Samsung's view, for what purposes may Nuance use, sell, share, or retain voice data?
5. Currently, Samsung 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?
6. Is retention of the voice data by any of the involved parties necessary to continuously operate the Voice Recognition feature of Samsung's SmartTV?
7. How does Samsung treat users' viewing information, including query terms entered into search features, that it collects to customize content and make personalized recommendations for users? Is this information shared or sold to outside parties?
8. The supplement states that although users may disable the personalized recommendations feature, Samsung may still collect viewing information from users for other purposes. Does Samsung offer any outright opt-out mechanism for those users who don't wish to have their content viewing habits monitored?

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". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

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