

United States Senate

WASHINGTON, DC 20510-2309

February 29, 2016

Mr. Scott Wells, CEO
Clear Channel Outdoor, Inc.
99 Park Avenue, 2nd Floor
New York, NY 10016

Dear Mr. Wells:

I am writing to request information on Clear Channel Outdoor's (Clear Channel) new digital billboard service, called Radar, and the company's reliance on personal data to conduct this business. I am concerned about the extent to which Clear Channel may be collecting Americans' personal information, including sensitive location data, and sharing that information without people's knowledge or consent. I believe Americans have a fundamental right to privacy, and that right includes an individual's access to information about what data are being collected about them, how the data are being treated, and with whom the data are being shared. As Clear Channel correctly stated in a promotional video for Radar, "out of home advertising is unescapable" in today's world. To ensure Corporate America doesn't abuse this modern reality, I ask that you provide more information on Radar and how Clear Channel is addressing issues of privacy and security.

Recent reports suggest that Clear Channel is partnering with certain mobile services to track Americans' travel patterns and consumer behavior through their phones. By compiling location and demographic data from these sources, Clear Channel intends to provide advertisers and retailers with more information about who is seeing their billboards and whether they visit a particular store after viewing the advertisement. Access to this information in turn allows advertisers and retailers to better target their audience. When done appropriately, targeted advertising may provide consumer benefits, but we must ensure that Americans' very sensitive information, including their location data, is protected.

Given the sensitive nature of location data, all parties involved in Clear Channel's Radar service should provide clear and comprehensive privacy policies and should disclose detailed information about their data-sharing relationships with other companies. Consumers must be able to make informed decisions about whether and with whom they share such sensitive information, and they must be assured that, when the information is shared, it will receive the utmost protection. Unfortunately, as currently written, Clear Channel's privacy policy, which appears to apply to all of its products and services, leaves consumers largely in the dark.

In light of these uncertainties, I respectfully request that you respond to the following questions by March 30, 2016:

1. Is the general privacy statement provided on Clear Channel's website the only privacy policy governing Radar's collection, treatment, and sharing of consumer data?

2. Clear Channel has indicated that Radar only uses aggregate and anonymous data, but the privacy statement provided suggests that at least some of Clear Channel's platforms or service providers may collect personal information. Can you specify exactly what types of data Clear Channel collects in the operation of Radar?
3. For the operation of Radar, at what stage are the data aggregated and anonymized? Is the information Clear Channel receives from mobile services already anonymized and aggregated or is Clear Channel responsible for making the data anonymous?
4. Can you provide a list of all outside parties that currently share consumers' information with Clear Channel for the operation of Radar? Does Clear Channel employ any other methods of data collection for the operation of Radar? For example, does Radar rely on cameras to collect facial data from people walking or driving past Clear Channel billboards?
5. Again, Clear Channel has indicated that Radar only uses aggregated and anonymized data, but the privacy statement provided states that the company "may share [a customer's] personal information with third parties that perform functions on [Clear Channel's] behalf." It also states that the company "may share [a customer's] personal information with other entities and affiliates primarily for business and operational purposes." How does Clear Channel define "business and operational purposes"? Can you provide a list of all outside parties with whom Clear Channel may share personal information collected for the operation of Radar?
6. Does Clear Channel retain any of the data it collects for the operation of Radar? If so, is retention necessary after services to advertisers have been provided? And for how long will Clear Channel retain the data?
7. Clear Channel's privacy statement provides the following with respect to information security: "We take information security seriously; however, no electronic data transmission or storage of information can be guaranteed to be 100% secure. Please note that we cannot ensure or warrant the security of any information you transmit to us, and you use the Platforms and provide us with your information at your own risk." Is it Clear Channel's position that individuals whose information is provided to Radar through mobile services – perhaps without the individuals' knowledge or consent – must assume responsibility for any security breaches of the data? What protections does Clear Channel have in place to ensure the security of the data?
8. Given that the data-sharing relationship between Clear Channel and the mobile services it collects the data from is not readily apparent to mobile users, in your view, which company is responsible for providing information about this relationship to consumers? Apart from currently available privacy policies and public statements, will Clear Channel offer any explanation to mobile users and billboard viewers about how their information is being collected, used, and shared?

9. Given that “out of home advertising is unescapable,” can you describe all the ways in which a mobile user or a billboard viewer might provide their consent for the collection and use of data that Radar’s operation relies on?

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 blue ink, appearing to read "Al Franken", with a long horizontal flourish extending to the right.

Al Franken
U.S. Senator