



May 9, 2019

Chairman Joseph J. Simons
United States Federal Trade Commission
600 Pennsylvania Avenue, N.W.
Washington, D.C. 20580

Re: Second Complaint Regarding Amazon Echo's Threat to Privacy

Dear Chairman Simons:

I am writing on behalf of Consumer Watchdog, a national nonprofit and nonpartisan public interest group, to make a second formal complaint about Amazon Echo and Google Home, two digital assistants that are invading the privacy of American consumers. This letter follows up on a previous complaint we made in December of 2017 about the possibility of deceptive spying by these products that we now know is underway.

Google and Amazon have been pushing their products into homes and assuring consumers that the devices only record their voices and send their data to corporate servers to analyze their conversations after a so-called "awake" word is uttered. Yet recent news articles have revealed that Amazon's digital home assistant Echo is recording conversations even when unprompted by users and that Amazon employees are listening to such conversations. It is currently impossible for consumers to stop Amazon from making such recordings.

We urge you to undertake an immediate investigation of Amazon and Google and take action to protect consumers. **We strongly believe that these privacy invading devices are being pushed into homes under false pretenses, which would be an unfair and deceptive practice in violation of Section 5 of the Federal Trade Commission Act.**

As described in our original complaint letter, Google and Amazon filed for patents regarding uses for the devices which reveal plans for massive surveillance of users' homes. The applications filed with the U.S. Patent and Trademark Office revealed a vision for an Orwellian future in which digital assistants eavesdrop on everything from conversations to your toilet flushing habits to children's movements and the books on bedside tables. It is now clear that Amazon and other companies are engaged in such spying activities."

These companies can know when you go to sleep and whom you wake up with. You can read our study of the patent applications here:

<https://www.consumerwatchdog.org/sites/default/files/2017-12/Digital%20Assistants%20and%20Privacy.pdf>

Second, the devices appear to be gathering personal information about children when they record and analyze their voices without adequate parental consent. This violates the Children's Online Privacy Protection Act. It is apparent that these digital assistants can be used to monitor and track a child's behavior, as originally envisioned by a Google patent that outlines a method to "infer mischief" on the part of the child.

COPPA is being violated by these recordings unless a child's spoken words being recorded and analyzed by Google Home or Amazon Echo involve a conversation with a parent who may or may not give consent to recording the conversation. Another troubling scenario would be when a child and a friend speak to the device.

Home digital assistants may offer some convenience, but they come at the price of a tremendous and growing threat to consumers' privacy. Their current deployment appears to be unfair, deceptive, and in violation of COPPA.

Consumer Watchdog calls on the Commission to investigate and take action to protect consumers' privacy. Thanks for your attention to this important matter.

Sincerely,

Adam Scow, Senior Consumer Advocate