

Before the
FEDERAL TRADE COMMISSION
Washington, DC 20580

In the Matter of)
)
Request for Investigation of Amazon, Inc.'s)
Echo Dot Kids Edition for Violating the)
Children's Online Privacy Protection Act)
)

Submitted by

Campaign for a Commercial-Free Childhood
Center for Digital Democracy
Color of Change
Berkeley Media Studies Group
Consumer Action
Consumer Federation of America
Defending the Early Years
Electronic Privacy Information Center
New Dream
Open MIC (Open Media and Information Companies Initiative)
Parents Across America
Parent Coalition for Student Privacy
Parents Television Council
Peace Educators Allied for Children Everywhere (P.E.A.C.E.)
Raffi Foundation for Child Honouring
Story of Stuff
TRUCE (Teachers Resisting Unhealthy Childhood Entertainment)
Public Citizen
U.S. PIRG

Angela J. Campbell
Lindsey Barrett
Institute for Public Representation
Georgetown University Law Center
600 New Jersey Avenue, NW
Washington, DC 20001
(202) 662-9535

May 9, 2019

*Counsel for Campaign for a
Commercial Free Childhood & Center for Digital
Democracy*

Table of Contents

| | |
|--|-----|
| Summary | iii |
| I. Introduction..... | 1 |
| II. Background..... | 3 |
| A. What the Echo Dot Does..... | 3 |
| B. How the Echo Device Works..... | 4 |
| C. Alexa Skills..... | 5 |
| D. Kid Skills | 7 |
| E. Setting Up Echo Dot Kids Edition and Amazon FreeTime Unlimited..... | 8 |
| III. Amazon’s Echo Dot Kids Edition is Covered by the Children’s Online Privacy Protection Act | 9 |
| A. Echo Dot Kids Provides an Online Service to Children | 9 |
| B. Amazon Collects Personal Information from Children Using the Echo Dot Kids Edition..... | 12 |
| 1. Amazon Collects Voice Recordings from Children..... | 12 |
| 2. Amazon Collects Persistent Identifiers that Can Recognize a Child Over Time and Across Online Services | 14 |
| 3. Amazon Collects Information Concerning a Child or the Child’s Parents and Combines it with Persistent Identifiers | 15 |
| 4. Amazon Actively Collects Information through the Alexa “Remember” Feature | 16 |
| IV. Amazon Does Not Comply with the Children’s Online Privacy Protection Act..... | 17 |
| A. Amazon Does Not Comply with COPPA’s Notice Requirements | 17 |
| 1. Amazon’s Direct Notice Does Not Satisfy COPPA Requirements | 17 |
| 2. Amazon’s Online Notice Does Not Provide the Information Required by COPPA | 20 |
| B. Amazon Fails to Disclose Whether Third Parties are Collecting Personal Information from Children and What Information They Collect | 22 |
| C. Amazon Does Not Obtain Verifiable Parental Consent Before Collecting and Using Children’s Personal Information..... | 25 |
| 1. Amazon’s Parental Consent Mechanism Provides No Assurance that the Person Giving Consent is the Parent of the Child | 25 |
| 2. Amazon Does Not Give Notice or Obtain Parental Consent Before Recording the Voices of Children That Do Not Live in the Home With the Echo Dot Kids Edition..... | 26 |
| D. Amazon Keeps Children’s Personal Information Longer Than Reasonably Necessary | 27 |

| | |
|---|----|
| E. Amazon Does Not Respect Parental Rights to Review and Delete Children’s Personal Information | 29 |
| 1. Amazon Does Not Provide Clear Notice of Parental Rights or How to Exercise Them | 29 |
| 2. Amazon’s Process for Reviewing Personal Information is Unduly Burdensome.. | 30 |
| 3. Amazon’s Process for Deleting Voice Recordings Does Not Delete the Information Collected | 32 |
| 4. Amazon’s Representations About Parental Control are Misleading..... | 34 |
| V. Conclusion | 34 |

Summary

The Campaign for a Commercial-Free Childhood (CCFC) and the Center for Digital Democracy (CDD), by their attorneys, the Institute for Public Representation (IPR), along with Berkeley Media Studies Group, Color of Change, Consumer Action, Defending the Early Years, Electronic Privacy Information Center, New Dream, Open MIC (Open Media and Information Companies Initiative), Parents Across America, Parent Coalition for Student Privacy, Parents Television Council, Peace Educators Allied for Children Everywhere (P.E.A.C.E.), Raffi Foundation for Child Honouring, Story of Stuff, TRUCE (Teachers Resisting Unhealthy Childhood Entertainment), Consumer Federation of America, Public Citizen, and U.S. PIRG ask the FTC to investigate whether Amazon is violating the Children’s Online Privacy Protection Act (COPPA) in connection with its online service provided via the Echo Dot Kids Edition.

The Echo Dot Kids Edition is a speaker connected to the internet that listens, records what children say to it when it hears a wake word (*e.g.* “Alexa”), and uses artificial intelligence to respond to children’s requests. Examples of what the Echo Dot Kids Edition can do include answering questions, playing games, telling jokes, reading books, playing music, and remembering information requested by the child. When parents purchase the Echo Dot Kids Edition, they also get a one-year subscription to Amazon’s FreeTime Unlimited, which provides access to entertainment including books, music, and “kid skills.” Since Amazon markets the Echo Dot Kids Edition as designed specifically for kids, there is no question that it is subject to COPPA.

The Echo Dot Kids Edition has the capacity to collect vast amounts of sensitive, personal information from children under age 13. For example, voice recordings of children are considered personal information under COPPA. The Echo Dot Kids Edition records children’s voices any time it hears the wake word, and it stores these recordings in the cloud unless or until

a parent deletes them. Amazon also uses persistent identifiers to track how a child uses Echo and can use that information to recommend other content that the child might enjoy. Amazon may collect other types of personal information when children ask the Echo to remember something, or when a kid skill solicits an open ended communication from a child.

To protect children's privacy, COPPA requires that operators of online services directed to children, such as Amazon's Echo Dot Kids Edition, provide specific notice to parents and obtain verifiable parental consent before collecting data from a child. COPPA also prohibits the retention of children's personal information longer than is reasonably necessary. It requires operators to inform parents of their right to review personal information submitted by their child and to allow them to stop any further collection and delete personal information already collected. CCFC and IPR's investigation of the Echo Dot Kids Edition found that Amazon fails to comply with these requirements.

First, both Amazon's direct notice to parents and its online Children's Privacy Disclosure are woefully deficient. Neither provides parents with the information they need to make an informed decision about whether to give consent. For example, Amazon's notice does not make clear what personal information it actually collects, how it uses that information, and whether it shares the information with third parties.

Second, Amazon fails to meet its obligation, as the operator of a child-directed online service, to give notice and obtain parental consent for information collected by third parties through the online service. Amazon states that its Children's Privacy Disclosure does not apply to third-party services, including skills, and that before using a third-party service, parents should review the skill's policies concerning data collection and use. Our investigation found that only about 15% of kid skills provide a link to a privacy policy. Thus, Amazon's notice to parents

regarding data collection by third parties appears designed to discourage parental engagement and avoid Amazon's responsibilities under COPPA. At best, the notice is unclear and confusing.

Third, Amazon's system for obtaining parental consent is also inadequate. It merely requires someone to input a credit or debit card number and a CVV security code. It does not verify that the person "consenting" is the child's parent as required by COPPA. Nor does Amazon verify that the person consenting is even an adult because it allows the use of debit gift cards and does not require a financial transaction for verification. Thus, Amazon's system for obtaining verifiable parental consent is not reasonably calculated to ensure that the person providing consent is the child's parent.

Fourth, Amazon keeps the audio recordings of children's voices far longer than necessary. In fact, unless a parent deletes the recording of a child's voice, Amazon will retain those recordings indefinitely.

Fifth, even when parents make an effort to delete some or all of the recordings of their child, Amazon does not necessarily delete all of the child's personal information. Our testing found that deleting the voice recordings does *not* delete the transcription of those recordings, which may contain personal information identified with a specific child or device.

Finally, Amazon's process for reviewing and deleting personal information is unduly burdensome for parents. The only way that parents can find out what personal information Amazon has collected from their child is to listen to every recording. Moreover, the only way for a parent to delete all of their child's personal information is to delete the child's profile by contacting customer support. In that case, the child would lose access to the FreeTime content, and parents would lose access to the parental controls.

In light of these findings, the FTC should promptly investigate Amazon's practices and take action to ensure compliance with COPPA.

I. Introduction

Amazon released the Echo, “a high-tech genie that uses artificial intelligence to listen to human queries, scan millions of words in an Internet-connected database, and provide answers from the profound to the mundane” in November 2014.¹ Since then, Amazon has sold 47 million Echo devices and has 42% of the global market for connected speakers.²

Amazon launched the Echo Dot Kids Edition in the spring of 2018. CCFC and CDD, along with leading experts in child development, released a statement on May 11, 2018, urging parents not to buy the Echo Dot Kids because it poses significant threats to children’s wellbeing and privacy.³ On the same date, U.S. Senator Edward J. Markey (D-Massachusetts) and U.S. Representative Joe Barton (R-Texas) sent a letter to Amazon asking a number of pointed questions about the device, noting “increasing concern about the effects of digital media and technology use among children and teens.”⁴

Numerous press reports have also raised concerns about the Echo devices in general and the Echo Dot Kids Edition in particular. For example, one article observed: “Children, small ones especially, don’t just ask Alexa questions. They talk to it.”⁵

Amazon tries to encourage these interactions with kid-specific answers that are different from the normal ones. Often, these are just meant to be fun. When you ask how far away the moon is, a regular

¹ Brian Dumaine, *Amazon, Google and Apple Are Battling For Dominance in Voice*, FORTUNE, <http://fortune.com/longform/amazon-google-apple-voice-recognition/> (last visited May 1, 2019) [<https://perma.cc/PK8N-GQTK>].

² *Id.*

³ *Experts and Advocates Caution Parents to Steer Clear of New Amazon Echo Dot for Kids*, Campaign for a Commercial Free Childhood (2018), <https://commercialfreechildhood.org/experts-and-advocates-caution-parents-steer-clear-new-amazon-echo-dot-kids> (last visited May 1, 2019) [<https://perma.cc/XUP9-U7S8>].

⁴ This letter and Amazon’s response are in Exhibit 8.

⁵ Mat Honan, *Amazon Created A Version of Alexa Just For Kids*, BUZZFEED, <https://www.buzzfeednews.com/article/mathonan/amazon-alexa-for-kids> (April 25, 2018) [<https://perma.cc/UR9E-Y54Z>].

Alexa delivers the answers in miles. The answer for kids gives the answer in miles (and kilometers) then follows up with “Wowza! That moon-jumping cow must have strong legs.”⁶

Because the Echo Dot Kids Edition is used in homes – often in a child’s bedroom – it can collect vast amounts of personal information directly from children. This gives Amazon access to sensitive information and provides Amazon with commercially valuable insights into children, including how they learn, how they play, and how they acquire new information. As children grow up with these devices, they are likely to ask questions that they would have asked parents or an older sibling in the past. Children may reveal that they are feeling sad or being bullied at school. Amazon will transcribe these “conversations,” associate them with a specific child via a persistent identifier, and store them forever in the cloud.⁷

For these reasons, CCFC and IPR decided to learn as much as possible about Amazon’s collection and use of children’s personal information. This request for investigation results from our findings that Amazon does not appear to comply with COPPA. Because some aspects of the service are not transparent to the public, the FTC will need to conduct an investigation.

To assist the FTC, Part II of this request describes generally what the Echo does, how it works, how skills and kid skills work, and how parents are instructed to set up the Echo Dot Kids Edition. In Part III, we show that the Echo Dot Kids Edition falls under COPPA because the service is intended for use by children under age 13, and it collects personal information, as

⁶ *Id.*

⁷ Dani Deahl, *Amazon’s Echo Can Now Remember Whatever You Tell It To*, THE VERGE, (May 1, 2018), <https://www.theverge.com/2018/5/1/17307256/amazon-echo-remember-this> [<https://perma.cc/9CNN-HCL7>]. Concerns have also been raised about Amazon privacy practices with regard to the recordings and transcriptions. For example, Bloomberg reported that Amazon relies on contractors to review and label Alexa transcriptions and recordings, and that some of those contractors had access to customer location coordinates and home addresses. Matt Day, Giles Turner, Natalia Drozdiak, *Amazon’s Alexa Team Can Access Home ADdresses*, BLOOMBERG, <https://www.bloomberg.com/news/articles/2019-04-24/amazon-s-alexa-reviewers-can-access-customers-home-addresses>, (April 24, 2019), [<https://perma.cc/FT2K-3FF3>].

defined by COPPA, from children. Finally, in Part IV, we discuss in detail the many ways in which Amazon fails to comply with the COPPA requirements of parental notice, advance parental consent, data minimization, and affording parents the right to review and delete their child’s personal information.

II. Background

A. What the Echo Dot Does

Echo Dot is an Amazon voice-controlled “smart speaker.” This device, which looks like a slightly enlarged hockey puck, contains a speaker, microphones that are always passively listening,⁸ a few buttons, and a light-up ring around the top edge. The Echo Dot is the most compact and the most affordable⁹ device in Amazon’s Echo line, which includes a full-size Echo (about the size of a large thermos), the Echo Show (a rectangular device with a 10.1” screen), and the Echo Spot (a softball-like device with a 2.5” screen).¹⁰



Amazon Echo Devices (Image Source: PC Mag)

⁸ Grant Clauser, *What Is Alexa? What Is the Amazon Echo, and Should You Get One?*, WIRECUTTER, (Sept. 21, 2018), <https://thewirecutter.com/reviews/what-is-alexa-what-is-the-amazon-echo-and-should-you-get-one/#how-does-alexa-work> [<https://perma.cc/94R2-BNVD>].

⁹ Echo Dot retails for \$49.99. It is frequently available discounted prices directly from Amazon. As Amazon releases newer versions of the product, older versions are sold at a discount. Older versions have the same functionality but look slightly different and have less advanced components, resulting in lower quality sound or less accurate voice recognition capabilities.

¹⁰ *Amazon Devices: All things Alexa*, AMAZON, <https://www.amazon.com/Amazon-Echo-And-Alexa-Devices/b?ie=UTF8&node=9818047011> (last accessed April 1, 2019) [<https://perma.cc/6HFW-ADWU>].

The Echo Dot Kids Edition is a regular Echo Dot with a hard, rubberized, colorful protective case that Amazon markets to children and parents. The retail price is \$69.99. The main difference between Echo Dot and Echo Dot Kids Edition is that the Kids Edition includes a 1-year subscription to the Amazon FreeTime Unlimited service and a 2-year warranty covering intentional damage by a child.¹¹



Echo Dot Kids Edition (Image Source: The Verge)

B. How the Echo Device Works

All Echo devices are voice-activated. Their internal microphones are always listening for a “wake word,” which by default is set to “Alexa.” When anyone near the Echo says the wake word, the device begins recording the user’s voice and uploads the recording to Amazon’s Alexa Cloud.¹² As shown in the diagram below, the cloud transcribes the voice recording into text and then translates the text into “intent.”



Diagram of Echo Dot Handling a Voice Command

¹¹ *Echo Dot Kids Edition*, AMAZON, <https://www.amazon.com/amazon-echo-dot-kids-edition/dp/B077JFK5YH> (last visited April 1, 2019) [<https://perma.cc/NK47-XBWG>].

¹² Amazon states that the Echo Dot Kids Edition can detect a user speaking the wake word “from across the room.” See Exhibit 7 - 2, *Letter from Brian Huseman, Amazon Vice President of Public Policy, to Senator Edward Markey and Congressman Joe Barton*, at 3 (June 1, 2018).

The intent is a standardized machine-compatible translation of the text, akin to keywords. For example, the text “Alexa, make it two degrees warmer” might be translated into something like “increase thermostat temperature two degrees.” The cloud relays the intent back to the software on the Echo,¹³ and the Echo device acts on the intent through the Alexa software or an app, which Amazon calls a “skill.”¹⁴ If additional information is needed from the user, the device will ask the user for that information, send the voice response to the cloud, and the process will repeat. The ring around the top of the Echo illuminates blue when a user’s voice is being recorded and sent to the cloud.

The Echo Dot Kids Edition, like all Echo devices, is powered by Amazon’s Alexa virtual assistant software. The Alexa software has many capabilities: it can play music, answer questions, read stories, play games, control smart-home devices such as lights or a thermostat, and even tell jokes.¹⁵ The Alexa software can remember and later recite back anything a child asks it to remember.¹⁶

C. Alexa Skills

The Echo Dot’s capabilities can be extended by adding “skills” — applications that provide additional functionality and/or personalization for Alexa devices.¹⁷ “Skill” is essentially Amazon’s unique term for an “app” designed for Alexa. The nomenclature seems designed to

¹³ A more in-depth example is provided in Exhibit 2.

¹⁴ *Enable Alexa Skills*, AMAZON.COM HELP, <https://www.amazon.com/gp/help/customer/display.html/?ie=UTF8&nodeId=201848700> (last visited April 1, 2019) [<https://perma.cc/72EU-H5BZ>].

¹⁵ *Echo Dot Kids Edition*, AMAZON, <https://www.amazon.com/amazon-echo-dot-kids-edition/dp/B077JFK5YH> (last visited April 1, 2019) [<https://perma.cc/NK47-XBWG>].

¹⁶ See Exhibit 3 - 1. This screen shot was taken from the Alexa App Dashboard page after asking the Echo to “remember” certain facts and days later asking the Echo “what do you remember?”

¹⁷ *Enable Alexa Skills*, AMAZON, <https://www.amazon.com/gp/help/customer/display.html/?ie=UTF8&nodeId=201848700> (last visited April 1, 2019) [<https://perma.cc/72EU-H5BZ>].

make Alexa products feel more human – Alexa is your personal assistant and you enhance “her” with skills, similar to how humans improve by learning new skills.

The key difference between skills and apps is how users interact with them. Apps are primarily visual and are controlled by touching, tapping, swiping, or typing, while skills are primarily controlled by voice. Skills are designed to listen for user commands and to respond in kind. Amazon’s Voice User Interface platform allows software developers to create skills that “understand” the meaning of a human’s request, rather than require the human to use a specific keyword or command.¹⁸ This has allowed developers to make skills that perform useful tasks or entertain. Users interact with Echo Dot in the way that they would converse with a human. For example, a user may ask Alexa to turn on the kitchen lights, play a game such as Jeopardy, or find stock prices or traffic reports.¹⁹

Skills may be downloaded from the Alexa Skill Store, which is accessible either through the Amazon website or the Alexa mobile phone app. Skills are opened by asking Alexa to open

¹⁸ *What is a Voice User Interface (VUI)?*, AMAZON, <https://developer.amazon.com/alexa-skills-kit/vui> (last visited May 2, 2019) [<https://perma.cc/4Q3B-BGDT>]. See Description of Echo Dot Handling a Voice Command, *supra*, in section II(B), *How the Echo Device Works*.

¹⁹ *SmartThings*, AMAZON: ALEXA SKILLS, <https://www.amazon.com/SmartThings/dp/B01ETW5Q9O> (last visited May 2, 2019) [<https://perma.cc/AB93-T7E3>]; *Jeopardy!*, AMAZON: ALEXA SKILLS, <https://www.amazon.com/Sony-Pictures-Television-Jeopardy/dp/B019G0M2WS> (last visited May 2, 2019) [<https://perma.cc/G32H-Z49J>]; *This Day in History Top Story*, AMAZON: ALEXA SKILLS, <https://www.amazon.com/gp/product/B06XH9VWV5> (last visited May 2, 2019) [<https://perma.cc/8TPM-AHRU>]; *Stock Prices by Opening Bell*, AMAZON: ALEXA SKILLS, <https://www.amazon.com/gp/product/B01E9Z3UVC> (last visited May 2, 2019) [<https://perma.cc/U2ME-FTN3>]; *Maps*, AMAZON: ALEXA SKILLS, <https://www.amazon.com/gp/product/B07565QWSZ> (last visited May 2, 2019) [<https://perma.cc/47LJ-849J>].

the skill by name, or in most cases, by asking Alexa to do something the skill is designed to do.²⁰

Alexa skills are free to download, but some require a paid subscription to a service to use the skill, while others contain advertisements²¹ and/or offer content for purchase.²²

D. Kid Skills

Amazon created a new category of skills, called “kid skills,” for use with the Echo Dot Kids Edition.²³ Amazon represents that these skills are safe for children.²⁴ Amazon has specific rules for developers that want to create kid skills. For example, kid skills must deliver content suitable for all ages, may not contain advertisements, may not offer shopping functionality, and may not collect personally identifiable information.²⁵

Kid skills must undergo a certification process during which Amazon tests each skill and certifies it as “kid safe” before publishing it to the Alexa skill store.²⁶ The Amazon Store lists

²⁰ For example, a skill that is designed to control the thermostat could be used simply by saying “Alexa, turn up the heat by 3 degrees” – it would not be necessary to specify that you wanted to use the “thermostat skill.”

²¹ See section 5, *Policy Testing*, AMAZON DEVELOPER, <https://developer.amazon.com/docs/custom-skills/policy-testing-for-an-alexa-skill.html#5-advertising> (last accessed April 1, 2019) [<https://perma.cc/YBM8-7CJH>].

²² See *Make Money with Your Alexa Skills*, AMAZON ALEXA, <https://developer.amazon.com/alexa-skills-kit/make-money> (last accessed April 1, 2019) [<https://perma.cc/73V3-U833>].

²³ *Create Kid Skills for Alexa*, AMAZON, <https://developer.amazon.com/alexa-skills-kit/kids> (last accessed April 16, 2019) [<https://perma.cc/47MA-XKLX>]; *Alexa Skills: Kids*, AMAZON, <https://www.amazon.com/s?i=alexa-skills&rh=n%3A14284832011> (last accessed April 16, 2019) [<https://perma.cc/2WGK-TD6L>].

²⁴ *Certification Tips for Alexa Kid Skills*, AMAZON: ALEXA BLOGS, <https://developer.amazon.com/blogs/alexa/post/7ffad993-15bf-42b2-9ffb-4e82a5d7cebe/kid-skills-alexa-skills-certification>, Nov. 6, 2017 [<https://perma.cc/NLZ5-PXTT>].

²⁵ *Certification Tips for Alexa Kid Skills*, AMAZON ALEXA: ALEXA BLOGS, <https://developer.amazon.com/blogs/alexa/post/7ffad993-15bf-42b2-9ffb-4e82a5d7cebe/kid-skills-alexa-skills-certification> (last visited April 16, 2019) [<https://perma.cc/4PJ2-Z8EV>].

²⁶ *Id.*

over 2,000 kid skills in four categories: education & reference, games, music & audio, and novelty & humor. Examples of kid skills are shown in Exhibit 6 - 1.

E. Setting Up Echo Dot Kids Edition and Amazon FreeTime Unlimited

To set up the Echo, parents must first download the mobile app “Amazon Alexa” (“Alexa App”).²⁷ The setup process is depicted screen by screen, in the order experienced by a parent, in Exhibit 1 - 1 through Exhibit 1 - 15.

Each Echo Dot Kids Edition comes equipped with a 1-year subscription to “Amazon FreeTime Unlimited.”²⁸ This subscription includes parental controls such as the ability to disable the device after the child’s bedtime and to filter explicit lyrics in music.²⁹ It also serves as a portal for kid skills from Amazon and third parties, as well as kid-safe songs, books, and music.³⁰ After setting up the device and connecting it to a Wi-Fi network (Exhibit 1 - 1 through Exhibit 1 - 4), the parent is invited to set up a FreeTime Unlimited account.

The first step is to add a child’s profile.³¹ The parent can do this by giving the child’s first name, birthday, gender, and selecting an icon.³² Next, Amazon tells parents that it needs “permission to collect personal information including voice recordings.” It adds that their “permission will apply to all Alexa devices, skills, and other Amazon kid services.”³³

²⁷ See generally Exhibit 3. The screenshots in this exhibit show various areas of the Alexa App on an iPhone. Amazon also provides a desktop version of this app at alexa.amazon.com, which is shown in Exhibit 4 - 2. The apps function similarly and mostly have the same features. For simplicity, “Alexa App” will refer to both the mobile and desktop app unless otherwise noted.

²⁸ *Echo Dot Kids Edition*, AMAZON, <https://www.amazon.com/amazon-echo-dot-kids-edition/dp/B077JFK5YH> (last visited April 1, 2019) [<https://perma.cc/NK47-XBWG>].

²⁹ *Id.*

³⁰ *Id.*

³¹ Exhibit 1 - 7.

³² *id.*

³³ Exhibit 1 - 8.

Next, parents are prompted to enter their Amazon account password and to verify that they are an adult by providing the security code for a credit card.³⁴ This interface accepts any type of payment card, including disposable gift debit cards which are frequently given to children.³⁵ The parent is then asked to agree to “Parental Consent.”³⁶

Once the device is set up, parents may use either the Alexa App or the Parent Portal (parents.amazon.com)³⁷ to add or delete content, such as skills or music, to their child’s Echo. They can also access recordings of previous Echo requests and transcriptions when available³⁸ and can delete those recordings.

III. Amazon’s Echo Dot Kids Edition is Covered by the Children’s Online Privacy Protection Act

A company is subject to COPPA if it operates an online service directed to children, defined as individuals under the age of 13.³⁹ There is no question that the Echo Dot Kids Edition provides an online service that collects personal information from children under 13.

A. Echo Dot Kids Provides an Online Service to Children

As the FTC explains in its *A Six-Step Compliance Plan for Your Business*,⁴⁰ online services include toys or other Internet of Things devices. The Echo Dot Kids Edition is an

³⁴ Exhibit 1 - 9 and Exhibit 1 - 10.

³⁵ Exhibit 1 - 11.

³⁶ Exhibit 1 - 12.

³⁷ Exhibit 4 - 3. This is a screenshot of the Parent Dashboard.

³⁸ Sometimes a user’s request is not transcribed. In these instances, the Alexa App states “transcription not available.”

³⁹ 16 C.F.R. § 312.2.

⁴⁰ See *Children’s Online Privacy Protection Rule: A Six-Step Compliance Plan for Your Business*, FEDERAL TRADE COMMISSION, <https://www.ftc.gov/tips-advice/business-center/guidance/childrens-online-privacy-protection-rule-six-step-compliance>, (June 2017) [<https://perma.cc/VXS9-3GWH>].

Internet of Things device⁴¹ that requires an internet connection to operate and relies on Amazon's online servers to function.⁴² It is therefore an "online service" to which COPPA applies.

Likewise, there is no question that Echo Dot Kids Edition is directed to children under age 13. Here is how Amazon describes the Echo Dot Kids Edition on Amazon.com:

Introducing a hands-free, voice-controlled speaker with Alexa, designed with kids in mind. Echo Dot Kids Edition can play age-appropriate music, answer questions, tell stories, control compatible smart home devices, and more. Includes a black Echo Dot, a 1-year subscription to FreeTime Unlimited, a fun kid-friendly case, and a 2-year worry-free guarantee. If they break it, return it and we'll replace it for free.

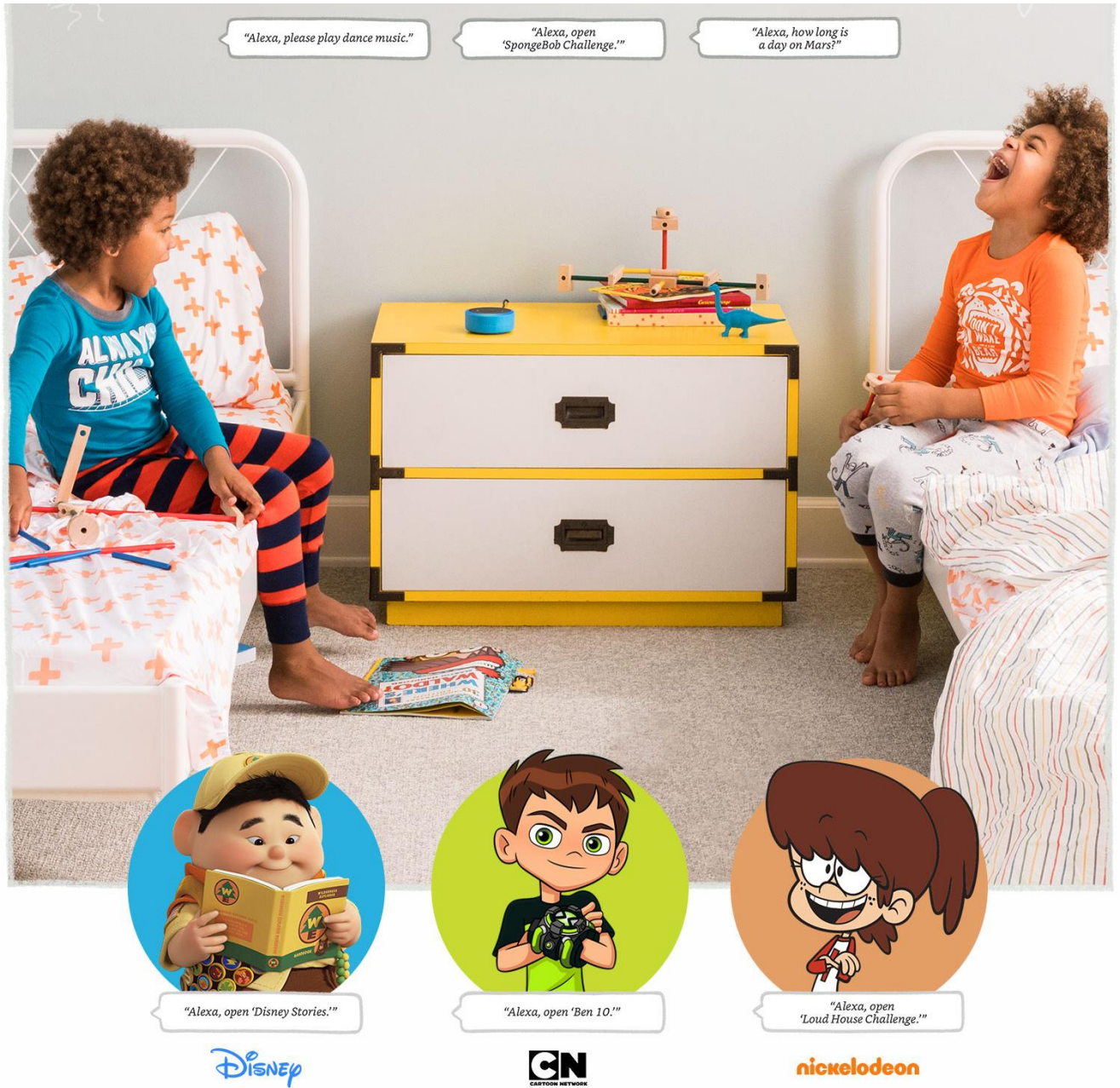
With the 1-year FreeTime Unlimited subscription, kids can access content they'll love, such as skills and music designed specifically for them. Parents can control time limits, set bedtimes, review activity, and more. With far-field voice recognition, Echo Dot Kids Edition can hear you from across the room, and only streams audio to the Alexa Voice Service when it recognizes the wake word "Alexa." Children's privacy is important to Amazon.⁴³

Amazon's website for the Echo Dot Kids Edition is full of images and videos of young children using the Echo, such as that shown below.

⁴¹ All "smart home" devices, including the Echo Dot Kids Edition, are "Internet of Things" devices. *See generally The rise of voice control in the internet of things*, TECHTARGET: IOT AGENDA, [https://internetofthingsageB\)da.techtarget.com/blog/IoT-Agenda/The-rise-of-voice-control-in-the-internet-of-things](https://internetofthingsageB)da.techtarget.com/blog/IoT-Agenda/The-rise-of-voice-control-in-the-internet-of-things) (last accessed April 1, 2019) [<https://perma.cc/6LLG-L9J9>].

⁴² *See Connecting Echo Dot to Wi-Fi*, AMAZON: HELP & CUSTOMER SERVICE, <https://www.amazon.com/gp/help/customer/display.html?nodeId=202011800> (last accessed April 15, 2019) [<https://perma.cc/35JD-2YMV>].

⁴³ *Echo Dot Kids Edition*, AMAZON, <https://www.amazon.com/amazon-echo-dot-kids-edition/dp/B077JFK5YH> (last visited April 1, 2019) [<https://perma.cc/NK47-XBWG>] ("Now Alexa is a kid-friendly DJ, comedian, and storyteller — and she's always getting smarter. Just ask and Alexa will play music, answer questions, read stories, tell jokes, and more — all with younger ears in mind.").



Moreover, the Echo Dot features content from Disney, Cartoon Network and Nickelodeon that is popular with children. Therefore, the Echo Dot Kids Edition is irrefutably an online service directed to children.

B. Amazon Collects Personal Information from Children Using the Echo Dot Kids Edition

The Echo Dot Kids Edition also collects personal information from children. Section 312.2 of COPPA defines “collecting” as the “gathering of any personal information from a child by any means.” This includes gathering information by “requesting, prompting, or encouraging a child to submit personal information,” passively tracking a child online, or providing a “field or open forum for a child to enter personal information” into, even where personal information collected this way may not be mandatory to participate with the operator’s service or activity.⁴⁴ The COPPA Rule defines “personal information” as “individually identifiable information about an individual collected online,” including an audio file containing a child’s voice, a persistent identifier that can be used to recognize a user over time and across different Web sites or online services, and information concerning the child that the operator collects online from the child and combines with a persistent identifier.⁴⁵ Amazon collects at least four types of personal information about children through the Echo Dot Kids Edition: 1) voice recordings, 2) persistent identifiers associated with the child, 3) other information about a child associated with the persistent identifier, and 4) personal information offered by the child for the device to “remember.”

1. Amazon Collects Voice Recordings from Children

Amazon collects audio files containing the child’s voice from every child who uses the Echo. Uploading, and processing of children’s voice recordings is the basic functionality that underlies all other functions provided by this online service. Voice recordings are personal

⁴⁴ 16 C.F.R. § 312.2; Statement of Basis and Purpose, 78 Fed. Reg. 3972, 3973 (Jan. 17, 2013).

⁴⁵ 16 C.F.R. § 312.2.

information, as the FTC explained in its “Enforcement Policy Regarding the Applicability of the COPPA Rule to the Collection of Voice Recordings,” issued on October 20, 2017:

The Commission views the collection from a child of an audio file when the voice is being used solely as a replacement for written words, such as to convert voice to text in order to perform a search, as falling into the first prong of the definition of “collection” because the operator is “requesting, prompting, or encouraging” the child to submit personal information. Because this practice falls into the first category of “collection,” the Rule does not provide a mechanism for the operator to avoid being deemed to have collected the personal information by deleting it. In other words, as soon as the operator gathers the audio file, it has collected it for purposes of the COPPA Rule regardless of how long the operator maintains possession of it.⁴⁶

The same policy did note that, under limited circumstances, the FTC would not bring an enforcement action against an operator for collecting an audio file containing a child’s voice without first obtaining parental consent. Specifically, this non-enforcement policy only applies when the “operator collects an audio file containing a child’s voice solely as a replacement for written words, such as to perform a search or fulfill a verbal instruction or request, but only maintains the file for the brief time necessary for that purpose.”⁴⁷ In addition, “the operator must provide clear notice of its collection and use of the audio files and its deletion policy in its privacy policy” and “may not make any other use of the audio file in the brief period before the file is destroyed — for example, for behavioral targeting or profiling purposes, for identification purposes through voice recognition, or for posting, selling, or otherwise sharing the file with

⁴⁶ *FTC Provides Additional Guidance on COPPA and Voice Recordings*, FEDERAL TRADE COMMISSION, <https://www.ftc.gov/news-events/press-releases/2017/10/ftc-provides-additional-guidance-coppa-voice-recordings> (Oct. 23, 2017), [<https://perma.cc/G72Q-JU9K>]; *Enforcement Policy Statement Regarding the Applicability of the COPPA Rule to the Collection and Use of Voice Recordings*, FEDERAL TRADE COMMISSION, https://www.ftc.gov/system/files/documents/public_statements/1266473/coppa_policy_statement_audiorecordings.pdf [<https://perma.cc/JP4F-9MV4>].

⁴⁷ *Id.*

third parties.”⁴⁸ Finally, the non-enforcement policy does not apply when the operator requests information via voice that otherwise would be considered personal information under the Rule, such as name or telephone number.⁴⁹

Amazon’s collection of data through the Echo Dot does not meet any of these prerequisites. First, Amazon stores the voice recordings indefinitely unless a parent takes an affirmative action to delete them.⁵⁰ Second, Amazon fails to provide clear notice of this practice in its privacy policy.⁵¹ Third, Amazon also uses voice recordings for purposes other than responding to requests. Its Children’s Privacy Disclosure states that the recordings are used to “improve upon our products and services, including personalized offerings and recommendations for children.”⁵² Finally, Echo Dot collects and stores personal information that a child asks it to remember. There is nothing to prevent a child from asking the device to remember personal information such as a phone number or address. For all of these reasons, Amazon’s collection of voice recordings is not exempt from COPPA enforcement.

2. Amazon Collects Persistent Identifiers that can Recognize a Child Over Time and Across Online Services

In addition to voice recordings, the Echo Dot passively collects a variety of persistent identifiers. These include the MAC address of the device, serial number, and IP address assigned to it. These persistent identifiers are transmitted to the Amazon Alexa Cloud, where they are

⁴⁸ *Id.*

⁴⁹ *Id.*

⁵⁰ *See infra*, section IV(D), *Amazon Keeps Children’s Personal Information Longer Than Reasonably Necessary*.

⁵¹ We only became aware that Amazon did not regularly delete the recordings of children’s voices when Amazon, in response to questions posed by members of Congress, disclosed that “[v]oice recordings are retained for the parent’s review until the parent deletes them in the Alexa App or at the Manage Your Content and Devices page.” *See* Exhibit 7 - 2. Letter from Brian Huseman, page 2 (June 1, 2018).

⁵² Exhibit 1 - 13 (Children’s Privacy Disclosure).

associated with the child’s profile.⁵³ These persistent identifiers can be used to recognize a child over time and across “all Alexa devices, skills and other Amazon kids services.”⁵⁴ Thus, they clearly fall within the definition of “a persistent identifier that can be used to recognize a user over time and across different Web sites or online services.”⁵⁵

3. Amazon Collects Information Concerning a Child or the Child’s Parents and Combines it with Persistent Identifiers

The definition of personal information includes information “concerning the child or the parents of that child that the operator collects online from the child and combines with an identifier described in this definition.”⁵⁶ Amazon collects information from children using the Echo Dot and associates it with a child’s persistent identifiers. We know this because in response to a question from Senator Markey and Congressman Barton, Amazon disclosed that it “may use information about the books, music, and skills a child uses to recommend other books, music, and skills available in the FreeTime Unlimited subscription that the child can access without any additional purchase.”⁵⁷ Amazon also indicated that in the future, this information could be used for advertising.⁵⁸

⁵³ Exhibit 3 - 4. This screenshot was taken from the Alexa app, which demonstrates that the MAC Address and Serial Number identifiers of the Echo Dot were transferred to the Alexa Cloud. They are linked to the parent’s Amazon account, which contains a profile of the child that is assigned to the device. The device IP address is also necessarily transmitted to the Alexa Cloud, as IP addresses are a required part of internet traffic which allows the cloud to send responses back to the device.

⁵⁴ Exhibit 1 - 8.

⁵⁵ 16 C.F.R. § 312.2.

⁵⁶ *Id.*

⁵⁷ Exhibit 7 - 2, *Letter from Brian Huseman, Amazon Vice President of Public Policy, to Senator Edward Markey and Congressman Joe Barton*, page 3 (June 1, 2018).

⁵⁸ *See id.*

4. Amazon Actively Collects Information through the Alexa “Remember” Feature

The “Remember” feature on the Echo allows Amazon to store any information a child asks it to remember. When a child says “Alexa, remember ...” followed by a statement such as “I am allergic to peanuts,” the device will store that information.⁵⁹ Later, the information can be retrieved by saying “Alexa, what do you remember?” In this way, the Echo acts as an “open forum for the child to enter personal information.”

In 2013, the FTC revised the COPPA rule to clarify that it applied to this type of open forum collection. It explains that the revised definition was

intended to clarify the longstanding Commission position that an operator that provides a field or open forum for a child to enter personal information will not be shielded from liability merely because entry of personal information is not mandatory to participate in the activity. It recognizes the reality that such an operator must have in place a system to provide notice to and obtain consent from parents to deal with the moment when the information is “gathered.”⁶⁰

Children will likely disclose various types of personal and sensitive information to Amazon through the Remember feature. For example, children can tell Alexa to remember medical information, friends’ names, food preferences, dreams, aspirations, and fears. Our testing revealed that upon request, Alexa remembers first and last names, addresses, emails, telephone numbers, and Social Security numbers,⁶¹ all of which are personal information as defined in the COPPA Rule.

⁵⁹ Dani Deahl, *Amazon’s Echo Can Now Remember Whatever You Tell It To*, THE VERGE, (May 1, 2018), <https://www.theverge.com/2018/5/1/17307256/amazon-echo-remember-this> [<https://perma.cc/9CNN-HCL7>].

⁶⁰ Statement of Basis and Purpose, 78 Fed. Reg. 3972, 3973 (Jan. 17, 2013).

⁶¹ Exhibit 3 - 1. This screen shot was taken from the Alexa App Dashboard page after asking the Echo to “remember” certain information and then asking the Echo “what do you remember?”

IV. Amazon Does Not Comply with the Children’s Online Privacy Protection Act

Amazon collects vast amounts of sensitive, personal information from children under age 13. To protect children’s privacy, COPPA requires that operators of online services directed at children, such as Amazon’s Echo Dot Kids Edition, provide specific notice to parents concerning their information practices as well as those of any third parties, obtain verifiable parental consent before collecting data from a child, retain children’s personal information no longer than reasonably necessary to fulfill the purpose of the collection, and afford parents the right to review and delete personal information provided by a child.⁶² Amazon fails to comply with all of these requirements.

A. Amazon Does Not Comply with COPPA’s Notice Requirements

COPPA requires that online service operators provide two types of parental notice. “Direct notice” must be given to the parent *before* collecting personal information from a child.⁶³ “Online notice” of an operator’s practices with regard to children must be provided via a prominent and clearly labelled link on the landing page, at each area where personal information is collected from children, and in the direct notice.⁶⁴ Both types of notice must be “clearly and understandably written, complete, and must contain no unrelated, confusing or contradictory materials.”⁶⁵

1. Amazon’s Direct Notice Does Not Satisfy COPPA Requirements

Section 312.4(b) requires that an operator make “reasonable efforts, taking into account available technology, to ensure that a parent of a child receives direct notice of the operator's

⁶² 16 C.F.R. § 312.3.

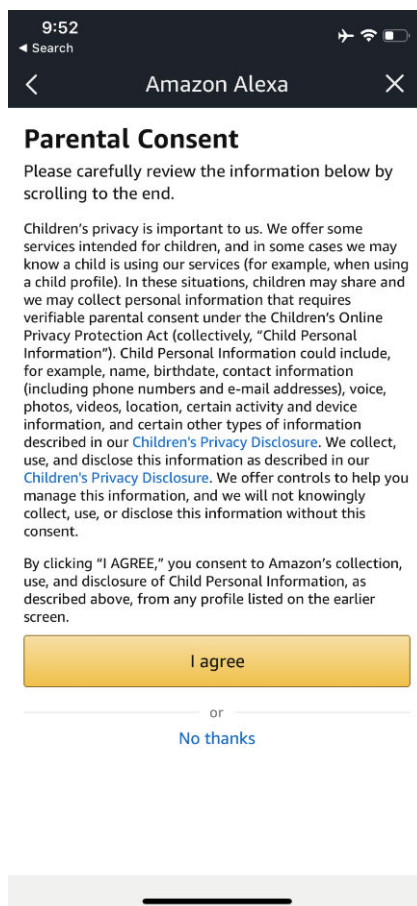
⁶³ 16 C.F.R. § 312.4(b).

⁶⁴ 16 C.F.R. § 312.4(d).

⁶⁵ 16 C.F.R. § 312.4(a).

practices with regard to the collection, use, or disclosure of personal information from children, including notice of any material change in the collection, use, or disclosure practices to which the parent has previously consented.” The purpose of direct notice is to “ensure a more effective ‘just-in-time’ message to parents about an operator’s information practices.”⁶⁶ Direct notice must contain specific information. For example, it must set forth the “items of personal information the operator intends to collect from the child,” and “the potential opportunities for the disclosure of personal information, should the parent provide consent.”⁶⁷

When parents set up the Echo Dot Kids Edition, they will see a screen entitled Parental Consent, which seems to be Amazon’s attempt to provide direct notice.



⁶⁶ Statement of Basis and Purpose, 78 Fed. Reg. at 3984.

⁶⁷ 16 C.F.R. § 312.4(c)(1).

This direct notice is insufficient because it does not set forth the specific items of personal information the operator intends to collect from the child. Instead, it merely states that

Child Personal Information could include, for example, name birthdate, contact information (including phone numbers and e-mail addresses), voice, photos, videos, location, certain activity and device information, and certain other types of information described in our Children’s Privacy Disclosure.

Giving parents examples of what Amazon *may* collect does not tell them what information is actually collected. The examples Amazon provides are essentially a listing of the generic types of children’s personal information covered by COPPA. If parents were to click on the link to the Children’s Privacy Disclosure to learn more, they would find the identical language used to describe the personal information Amazon collects from children.⁶⁸ Thus, the direct notice is not complete because it neither identifies the items of personal information the operator intends to collect from the child, nor states how personal information will be used and whether it will be disclosed to any third parties.

Nor does Amazon make it easy for parents to obtain the information that is not included in the direct notice. The direct notice instructs parents to click on the Children’s Privacy Disclosure to find out how Amazon uses children’s personal information, but the Children’s Privacy Disclosure itself states that “Child Personal Information could include . . . certain other types of information described in our Privacy Notice.”⁶⁹ It also states that Amazon shares “Child Personal Information only as described in our Privacy Notice.”⁷⁰ But, it contains no hyperlink to the Privacy Notice. Thus, Amazon’s Children’s Privacy Disclosure is incomplete.

⁶⁸ Exhibit 1 - 13 (Children’s Privacy Disclosure).

⁶⁹ *Id.*

⁷⁰ *Id.*

Another problem with Amazon’s direct notice is that instead of being displayed when a parent enables a kid skill, the Parental Consent screen is displayed only during the setup process, *before* a parent ever sees anything about available kid skills. Thus, parents are forced to consent to the collection of information from their child before they even know whether or what information will be shared with third parties. If they decline to allow this blanket collection of information, they may risk disabling the “kid” functionality, such as FreeTime Unlimited and parental controls.

2. Amazon’s Online Notice Does Not Provide the Information Required by COPPA

An online notice must include a “description of what information the operator collects from children, including whether the Web site or online service enables a child to make personal information publicly available; how the operator uses such information; and, the operator's disclosure practices for such information.”⁷¹ Amazon’s online notice, the Children’s Privacy Disclosure, falls short in several ways.

First, the Children’s Privacy Disclosure does not, as discussed above, describe the information it actually collects from children. It discloses that Amazon uses child personal information “to provide and improve our products and services, including personalizing offerings and recommendations for children” and for other purposes. It adds that it will not serve “interest-based ads” to children using an Amazon child profile. However, it does not adequately disclose whether the Echo Dot Kids Edition enables a child to make personal information publicly available. It unhelpfully states that “Your child may be able to share information publicly and with others depending on the products and services used.”

⁷¹ 16 C.F.R. § 312.4(d)(2).

Similarly, Amazon’s Children’s Privacy Disclosure fails to give sufficient notice about how Amazon shares children’s personal information. It merely informs parents: “We share Child Personal Information only as described in our Privacy Notice.” But as noted above, the Children’s Privacy Disclosure that is linked to the Parental Consent screen that parents see when setting up the service has no hyperlink to the Privacy Notice.⁷²

There is another version of the Children’s Privacy Disclosure on the Amazon website that, unlike the version on the Alexa app, does contain a link to Amazon’s general Privacy Notice. However, even if parents were for some reason motivated to seek out the website version of the Children’s Privacy Disclosure, the hyperlinked Privacy Notice is long, confusingly written, and contains a lot of unrelated material.⁷³ It is unclear what, if any, parts apply to the Echo Dot Kids Edition, and some of the information seems to contradict the Children’s Privacy Disclosure. For example, the Privacy Notice discloses that Amazon collects “search term and search result information from some searches conducted through the Web search features offered by our subsidiary, Alexa Internet,” but it does not say whether it does so when a child is using the Echo Dot Kids Edition.⁷⁴ Thus, Amazon’s privacy policies fail to satisfy COPPA’s requirement that “notice must be clearly and understandably written, complete, and must contain no unrelated, confusing or contradictory materials.”⁷⁵

⁷² Exhibit 1 - 13 (Children’s Privacy Disclosure).

⁷³ For example, it includes information about “Third-Party Advertisers on Amazon.com,” “Cookies on Amazon’s Websites,” and “Co-Branded Offerings,” none of which seem to apply to Echo Dot Kids Edition. *Amazon Privacy Notice*, AMAZON, <https://www.amazon.com/gp/help/customer/display.html?nodeId=468496> (last accessed April 15, 2019) [<https://perma.cc/5M3P-HM5S>].

⁷⁴ Similarly, the Privacy Notice states that Amazon uses interest-based advertising, whereas the Children’s Privacy Disclosure says it does not.

⁷⁵ 16 C.F.R. § 312.4(a).

B. Amazon Fails to Disclose Whether Third Parties are Collecting Personal Information from Children and What Information They Collect

In 2013, the FTC amended the COPPA rule to clarify that the operator of a child-directed online service is responsible not only for giving notice and obtaining consent for the information it collects, but also for information collected by third parties through the online service.⁷⁶ The FTC explained:

it cannot be the responsibility of parents to try to pierce the complex infrastructure of entities that may be collecting their children's personal information through any one site. For child-directed properties, one entity, at least, must be strictly responsible for providing parents notice and obtaining consent when personal information is collected through that site. The Commission believes that the primary-content site or service is in the best position to know which plug-ins it integrates into its site, and is also in the best position to give notice and obtain consent from parents.⁷⁷

The FTC observed that if child-directed services were not held strictly liable for third-party data collection, it would contravene Congressional intent by creating a loophole in which “personal information could be collected from children through child-directed properties with no one responsible for such collection.”⁷⁸ Under that standard, Amazon is responsible for any third-party information collected through the Echo Dot Kids Edition.

Our investigation was unable to determine what, if any, children's personal information Amazon transmits to kid skill developers or is collected by skill developers directly. But there are substantial inconsistencies between what Amazon told members of Congress and what it says in its online privacy notice. It is essential, therefore, that the FTC conduct an investigation to determine what personal information kid skill developers have access to and collect.

⁷⁶ Statement of Basis and Purpose, 78 Fed. Reg. at 3976.

⁷⁷ *Id.* at 3977 (footnote omitted).

⁷⁸ *Id.* at 3976.

In its response to questions from members of Congress, Amazon implied that none of the kid skills available with FreeTime Unlimited collect any personal information from kids.

Question: Please list all third parties that have access to the data collected by Echo Dot Kids Edition and FreeTime Unlimited, and for what purpose they have been granted access to this data. How will Amazon ensure that partners with whom it shares such information employ adequate security measures?

Amazon's Answer: None of the experiences included with FreeTime Unlimited have access to or collect personal information, and we do not share audio recordings with third parties. Parents can choose to grant their children access to regular Alexa skills that are not part of FreeTime Unlimited. If a parent grants access to any regular Alexa skills, those skills work the same way in FreeTime as they do in the normal Alexa experience. For instance, if a parent has granted a weather skill permission to access the device address and zip code to provide localized weather information, and the parent grants their child access to that weather skill in FreeTime on Alexa, the weather skill will continue to have access to that address and zip code information when used by the child. For all Alexa skills that collect personal information, we require the skill developer to (a) provide us with a privacy notice, which we post on the detail page for the skill in our skill store, (b) use and authorize others to access and use that information only for the purposes permitted by the user, and (c) ensure the information is collected, used, and transferred in accordance with the developer's privacy notice and applicable law.⁷⁹

But Amazon's answer is inconsistent with its Children's Privacy Disclosure for the Echo Dot Kids Edition. COPPA requires that child-directed operators include in their online notice the name, address, telephone number, and email address of all operators collecting or maintaining personal information from children through the website or online service. Alternatively, the notice can include the contact information for one operator who will respond to all inquiries from parents concerning the operators' privacy policies and use of children's information, as long as the names of all the operators collecting or maintaining personal information from children

⁷⁹ Exhibit 7 - 2.

through the online service are also listed in the notice.⁸⁰ Amazon's Children's Privacy Disclosure, however, disclaims any responsibility for the practices of third parties, including skills.

What About Information Collected By Third Parties?

This disclosure does not apply to the practices of any third-party services (including apps, skills, and websites) that may be accessed through an Amazon product or service. Before using any third-party service, you should review the applicable terms and policies to determine their appropriateness for your child, including the service's data collection and use practices.

Excerpt from Children's Privacy Disclosure as Displayed in the Alexa App During FreeTime Setup Process

This statement does not satisfy COPPA's online notice requirements. It implies some third-party skills collect children's personal information, but does not list them, nor does it say what personal information is collected.

We looked at the privacy policies for some kid skills to get a sense of what parents would have to decipher if they followed Amazon's instructions. We had to look at numerous kid skills just to find a single example with a privacy policy. As described in Exhibit 6 - 2, we then created software to determine which kid skills actually had privacy policies.

At the time of testing, there were 2,077 kid skills listed in the Amazon Alexa store. We found that 1,758 kid skills (84.6%) did NOT have a link to a privacy policy, while 319 (15.4%) did. We also examined several of those privacy policies, and found that they typically link to the developer's general children's privacy policies, which generally contain lots of extraneous information and provide no specific information about the data collected using the Echo Dot

⁸⁰ 16 C.F.R. § 312.4(d)(1); Statement of Basis and Purpose, 78 Fed. Reg. 3972, 4011 (Jan. 17, 2013).

Kids Edition.⁸¹ A parent trying to read and understand how two or more different privacy policies fit together would undoubtedly be overwhelmed and confused. Not only does Amazon shirk its responsibility to ensure that any third-party data collection complies with COPPA, it has designed a system that makes it virtually impossible for parents to find out what data is collected from third parties and what happens to that data.

C. Amazon Does Not Obtain Verifiable Parental Consent Before Collecting and Using Children’s Personal Information

Not only does Amazon fail to provide adequate notice to parents, but its makeshift parental consent mechanism fails to satisfy COPPA’s verifiable parental consent requirements. COPPA § 312.5(b)(2) lists various methods of attaining verifiable parental consent that have been approved by the FTC. Instead of using one of these methods, Amazon elects to use its own insufficient method.

1. Amazon’s Parental Consent Mechanism Provides No Assurance that the Person Giving Consent is the Parent of the Child

When an operator elects to use a method other than those specifically approved by the FTC, that method “must be reasonably calculated, in light of available technology, to ensure that the person providing consent is the child’s parent.”⁸² Amazon’s method does not meet this standard.

⁸¹ For example, the “Developer Privacy Policy” link in the description of “The SpongeBob Challenge” kid skill, takes one to “The Nickelodeon Group Privacy Policy and Your California Privacy Rights, Last Updated 6/21/2017.” <https://www.nick.com/legal/wwd7m0/privacy-policy> (last visited May 2, 2019) [<https://perma.cc/7KRZ-DVSZ>]. This privacy policy states that it applies to essentially all of the interactive services offered by the Nickelodeon Group on any device connected to the internet. This privacy policy does not even contain the words “Echo,” “Alexa” or “Skills.” Moreover, this privacy policy was last updated in June 2017, long before Amazon introduced the Echo Dot Kids.

⁸² 16 C.F.R §312.5(b)(1).

One approved method under § 312.5(b)(1)(ii) is to require “a parent, in connection with a monetary transaction, to use a credit card, debit card, or similar payment system that provides notification of each discrete transaction to the primary account holder.” Amazon does not specify that the person setting up the account must be a parent. As shown in Exhibit 1 - 10 it simply asks that the person “Verify you’re an adult.” This means that an account could be set up by an adult, such as a neighbor or older sibling.

Moreover, Amazon does not require the adult to make a monetary transaction. It simply asks for a credit or debit card number, expiration date, billing address, and security code. If a child were to use a parent’s credit card information without permission, the parent may never know because no charge will appear on the bill.

We also discovered, as shown in Exhibit 1 - 11, that anyone can use a gift debit card to “verify you’re an adult.” These cards can be purchased at gas stations, convenience stores, and drugstores like Wal-Mart and CVS. One need not be over age 12 to purchase such a card. Moreover, children often receive such debit cards as gifts. As such, many children have the ability to easily bypass Amazon’s parental consent mechanism.

Given how easy it is for a child to circumvent Amazon’s parental consent mechanisms, the company did not design them so as to reasonably ensure that the person providing consent is the child's parent.

2. Amazon Does Not Give Notice or Obtain Parental Consent Before Recording the Voices of Children That Do Not Live in the Home With the Echo Dot Kids Edition

While Amazon does not adequately provide notice and obtain consent from parents who purchase an Echo Dot Kids Edition, it provides no notice or opportunity to consent at all for parents of children who might be visiting a child with an Echo in their home. We call this “The Playdate Problem.”

When a child visits the home of a friend that has an Echo Dot Kids Edition and someone says the wake word, the Echo will record the friend's voice without Amazon ever notifying or obtaining consent from the friend's parents. Even if parents somehow learn that Amazon collected personal information from their child, they would not be able to delete such information.

Technology exists to address this problem. As shown in Exhibit 3 - 3, Amazon has the technology to distinguish between voices and respond differently to them. Amazon currently uses this technology to differentiate between users to create "voice profiles." These profiles allow Alexa to detect which registered user is speaking to the device and deliver customized responses tailored to the user's preferences and previous use patterns. This technology could be deployed to differentiate between children's voices and cease collection when an unrecognized voice is detected.

Amazon's failure to differentiate children who do not belong to the household is yet another way in which the company fails to satisfy COPPA's notice and consent requirements before collecting personal information from children.

D. Amazon Keeps Children's Personal Information Longer Than Reasonably Necessary

COPPA § 312.10 requires that operators retain personal information collected online from a child "for only as long as is reasonably necessary to fulfil the purpose for which the information was collected." The duty to limit data retention falls on the operator, not the parent. In fact, in a blog post just last year, the FTC reminded businesses "*Under COPPA, data deletion*

isn't just a good idea. It's the law."⁸³ The blog explicitly stated that even absent a parental request to delete it, a company may not keep a child's personal information indefinitely:

The answer is clear: No, the company can't keep it. Under Section 312.10 of COPPA, you're allowed to retain children's personal information "for only as long as is reasonably necessary to fulfill the purpose for which the information was collected." After that, you must delete it using reasonable measures to ensure it's been securely destroyed.

Amazon's Children's Privacy Disclosure states that it uses children's personal information:

to provide and improve our products and services, including personalizing offerings and recommendations for children, communicating information, enforcing parental controls, and giving parents visibility into how their children use our products and services. We will not serve interest-based ads to your child when they are using an Amazon child profile.⁸⁴

The Children's Privacy Disclosure also informs parents that they can choose whether to give permission to collect personal information from their child, but if they withdraw permission or request deletion of the information, "certain services and features may no longer be available."

But Amazon does not inform parents that the voice recordings are retained in perpetuity unless a parent deletes them. Nor could we find information to this effect on the Alexa App or Parent Dashboard.

⁸³ See FEDERAL TRADE COMMISSION: BUSINESS BLOG, <https://www.ftc.gov/news-events/blogs/business-blog/2018/05/under-coppa-data-deletion-isnt-just-good-idea-its-law> (last accessed April 4, 2019) [<https://perma.cc/BH4R-PAR9>] (explaining that a company cannot keep information about a child after a parent does not renew a subscription and the child is no longer using the service); see also 16 C.F.R. § 312.10.

⁸⁴ Exhibit 1 - 13; See also *Alexa and Alexa Device FAQ*, AMAZON.COM HELP, <https://www.amazon.com/gp/help/customer/display.html?nodeId=201602230> (last accessed April 4, 2019) [<https://perma.cc/84H6-2KPP>]. In its FAQ, Amazon states that it uses children's voice recordings to improve its speech recognition and natural language understanding systems.

In response to a Congressional inquiry about how long it keeps recordings and other information collected from children, however, Amazon responded: “Voice recordings are retained for the parent’s review until the parent deletes them . . .”⁸⁵ But both the requirements of § 312.10 and the FTC’s recent guidance make clear that giving parents the ability to delete does not absolve a company from responsibility to delete voice recordings once they are no longer necessary for the purpose they are collected. Given that Amazon instantaneously processes the voice recordings and stores the relevant information, it is difficult to understand why it needs to store them for longer than a brief period for parents to review. Perhaps it is because voice recordings have great value.⁸⁶ Regardless, Amazon retains children’s information far longer than is reasonably necessary to perform the function for which it was collected.

E. Amazon Does Not Respect Parental Rights to Review and Delete Children’s Personal Information

COPPA § 312.6 gives parents a right to review personal information collected from a child, to refuse to permit future use or collection, and to direct that the child’s personal information be deleted. Amazon makes it extremely difficult – if not impossible – for parents to exercise these rights.

1. Amazon Does Not Provide Clear Notice of Parental Rights or How to Exercise Them

Amazon does not adequately notify parents of their right to control their children’s information. Section 312.2(d)(3) requires operators to include in their children’s privacy policy

⁸⁵ Exhibit 7 - 2, Letter from Brian Huseman, Amazon Vice President of Public Policy, to Senator Edward Markey and Congressman Joe Barton, at 2 (June 1, 2018).

⁸⁶ See, e.g., Brian Dumaine, *Amazon, Google and Apple Are Battling For Dominance in Voice*, FORTUNE, <http://fortune.com/longform/amazon-google-apple-voice-recognition/> (last visited May 1, 2019) [<https://perma.cc/PK8N-GQTK>], Drew Firment, *Alexa Data Analytics are a Gold Mine*, A CLOUD GURU, <https://read.acloud.guru/alexa-data-analytics-are-a-gold-mine-b4ceb02526d2> (last accessed, May 2, 2019) [<https://perma.cc/E9T5-3M8T?type=image>].

that “the parent can review or have deleted the child's personal information, and refuse to permit further collection or use of the child's information, and state the procedures for doing so.”

Amazon’s Children’s Privacy Disclosure tells parents:

What Choices Do I Have?

You choose whether to give us permission to collect Child Personal Information from your child. We do not knowingly collect, use, or disclose Child Personal Information without this permission.

We make available controls so that you can remain involved in your child's use of Amazon services. To learn more about revoking permission for a child or how to review or delete Child Personal Information, please visit [Manage Parental Consent](#) or contact Customer Service using the information provided below.

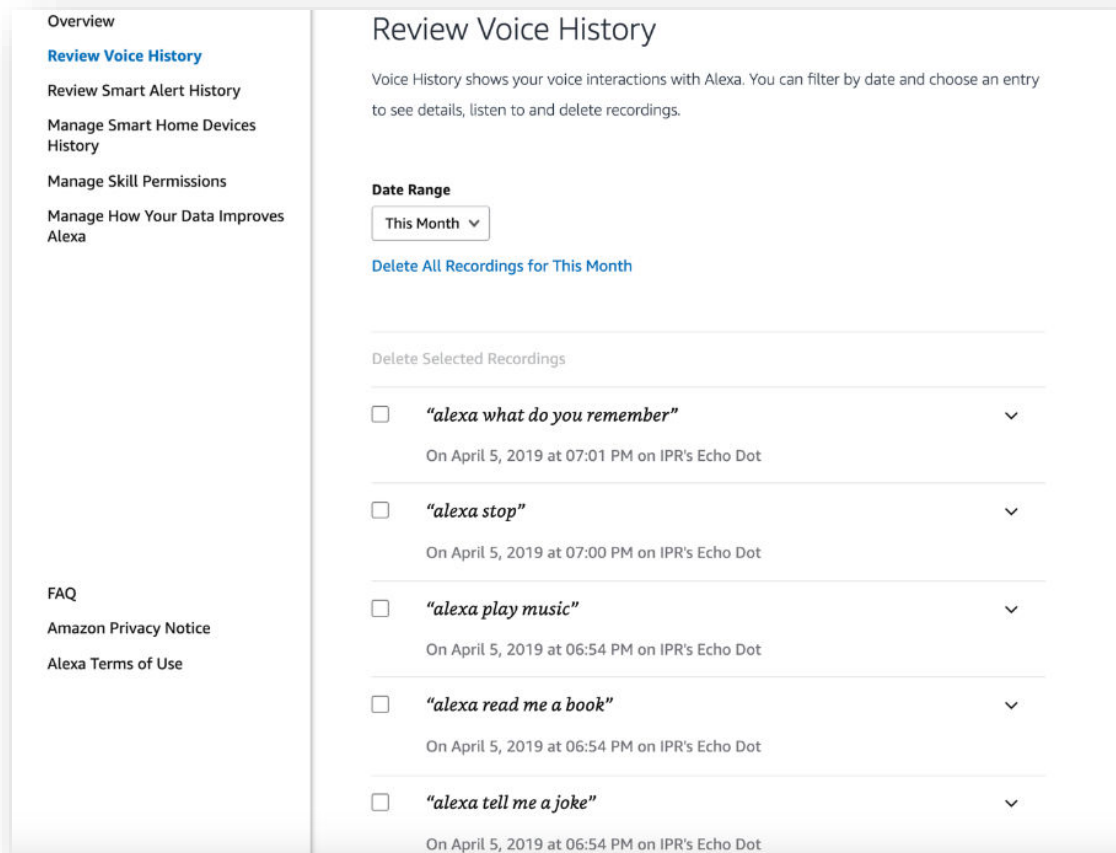
Please note that if you withdraw the permission you have provided for your child or request deletion of Child Personal Information, certain services and features may no longer be available.

This statement falls short of the § 312.2(d)(3) requirements because it does not explicitly state that parents have the right to have their child’s personal information deleted. Also, instead of stating the procedures for reviewing or deleting information, it directs parents to visit another site and/or to contact Customer Service. Many parents will not undertake these extra steps and will remain unaware of their parental rights.

2. Amazon’s Process for Reviewing Personal Information is Unduly Burdensome

Section 312.6(3)(ii) requires that the means for reviewing any personal information collected from the child must “not be unduly burdensome to the parent.” Amazon’s process is extremely burdensome for parents due to the volume of information collected and the failure to provide adequate search tools.

By visiting the “Review Voice History” page shown below, parents may listen to the voice recordings of their child, and in most cases, view text transcriptions.



This page lists the recordings in chronological order. Parents can delete the voice recordings one at a time or by a date range. However, Amazon does not provide the ability for parents to search voice records by type of information, specific words, or anything other than by date. A parent would need to listen to all of the recordings or read all transcriptions to find out, for example, if the child had shared a home address, telephone number or other personal information.⁸⁷ This places an undue burden on parents.

⁸⁷ If a child spoke to the Echo 25 times per day, this would yield 350 voice recordings in just two weeks. Some children will likely speak to the Echo a few hundred times in a day, especially if playing interactive games that ask for answers.

3. Amazon’s Process for Deleting Voice Recordings Does Not Delete the Information Collected

Section 312.6, requires that an operator provide parents with the “opportunity . . . to direct the operator to delete the child's personal information.” While Amazon offers parents the ability to delete voice recordings, our research found that deleting a child’s voice recordings does not actually delete the underlying information that was collected.

We discovered this by testing the “remember” feature of Echo Dot Kids Edition, and then made a video to demonstrate our findings. The video, which is summarized below, can be viewed at EchoKidsPrivacy.com or youtu.be/mlraB-zflv8.

The video begins with a child telling the Echo to remember her name, social security number, that she is allergic to walnuts, her address, and phone number. When she asks “Alexa, what do you remember?” Alexa supplies the remembered information.

Asking the Echo “what do you remember?” pulls up a “what do you remember” screen in the Activity panel in the Alexa App, as shown in the video.⁸⁸ An adult uses that screen to delete certain information, such as the child’s phone number and address, and to edit other information by changing “I’m allergic to walnuts” to “I’m allergic to dogs.”

Next, the child again asks “Alexa, what do you remember?” Alexa responds with her phone number, address, and that she was allergic to walnuts. That Alexa recalled the deleted information upon request *after it was deleted*, shows that Amazon retained the information that the parents deleted from the transcripts. Similarly, editing the transcript (changing “I am allergic to walnuts” to “I am allergic to dogs”) had no effect on the Echo’s ability to recall the information. We also checked the Activity Screen again, and it displayed the deleted information and restored the original, “I am allergic to walnuts.”

⁸⁸ Another view of this screen is in Exhibit 3 - 1.

Next, we tried to delete the child's information by deleting all voice recordings collected by the device. We went into the settings and selected "Alexa Account," which brought up a screen called "Alexa Privacy." Next, we selected "Review Voice History," which gave us the opportunity to review voice history filtered by date. We selected "All History," and we were asked "Are you sure you want to proceed?" We selected yes. Then we checked the "Review Voice History" again and it no longer showed any voice recordings.

Again, the child asked "Alexa, what do you remember?" Alexa responded with the child's phone number, address, and that she was allergic to walnuts. We also checked the Activity screen again, and it too showed all of the transcribed information that we had tried to delete.

Finally, the child asks Alexa to "forget" the information she told it to remember. Instead of deleting the information, Alexa replies "Sorry, I'm not sure about that." This suggests that Amazon has designed the Echo Dot Kids Edition so that it can never forget what the child has said to it.

We conducted similar tests numerous times, and after much experimentation, the only way we found to delete all of a child's information was by contacting customer service. When we contacted customer service, as shown in Exhibit 5, the agent explained that deleting the child's profile from the Amazon account would delete all voice recordings and transcriptions relating to the child's profile as well as information sent to a kid skill. Unfortunately, however, deleting the child's profile will disable the features that make the Echo Dot Kids Edition useful and appropriate for children. Childrens would lose their progress in games and other skills, and would no longer have access to the skills included in the FreeTime Unlimited subscription. Parents would no longer be able to use the parental controls. To re-enable such features the

parent would have to re-create the child's profile, which would restart the data collection process. The Echo Dot Kids Edition fails to give parents the right to review and delete their child's information in any meaningful sense.

4. Amazon's Representations About Parental Control are Misleading

A reasonable parent would likely believe that the mechanism Amazon provides to delete voice recordings of their child would also delete the information contained in the recordings and that Amazon would no longer have access to that information. But in fact, the text transcriptions, and possibly other personal information, remain in Amazon's possession in the cloud indefinitely. Instead of deleting the information, Amazon simply hides it from the parent.

Amazon's failure to disclose that deleting the voice recordings does not delete the associated text transcriptions of the recordings constitutes a material omission likely to mislead reasonable parents under the circumstances. Thus, we ask that in addition to investigating the COPPA violations, that the FTC investigate whether Amazon is engaging in deceptive practices in violation of Section 5 of the Federal Trade Commission Act.

V. Conclusion

Our investigation has demonstrated that Amazon's child directed online service does not give parents adequate notice, does not obtain verifiable parental consent before collecting and using children's personal information, retains children's personal information longer than reasonably necessary, and does not comply with COPPA's parental control requirements. Additionally, Amazon's failure to inform parents that deleting their child's voice recordings does not delete personal information provided by the child in interactions with Alexa, is also deceptive under Section 5. Given the popularity of Amazon's Echo Dot Kids Edition and the devices potential to collect vast amounts of highly sensitive information, it is critical that the

FTC promptly investigate Amazon's practices and take action to enforce the law and to protect children's online privacy.

Respectfully submitted,

/s/

Angela J. Campbell

Lindsey Barrett

Institute for Public Representation

Georgetown University Law Center

600 New Jersey Avenue NW, Room 312

Washington, DC 20001

(202) 662-9535

Counsel for Campaign for a

Commercial Free Childhood & Center for

Digital Democracy

May 9, 2019

List of Exhibits

Exhibit 1: Echo Dot Kids Edition Setup Process

Exhibit 2: Diagram of User Interaction with Echo Dot Kids Edition

Exhibit 3: Alexa App

Exhibit 4: Screenshots of Amazon's Websites

Exhibit 5: Communication with Amazon

Exhibit 6: Kid Skills

Exhibit 7: Congressional Correspondence

Exhibit 1: Echo Dot Kids Edition Setup Process

These screenshots, which were taken on April 2, 2019, are presented in the order in which they appeared during the setup process.

Exhibit 1 - 1: This is the interface to select a new device to setup in the Alexa App.

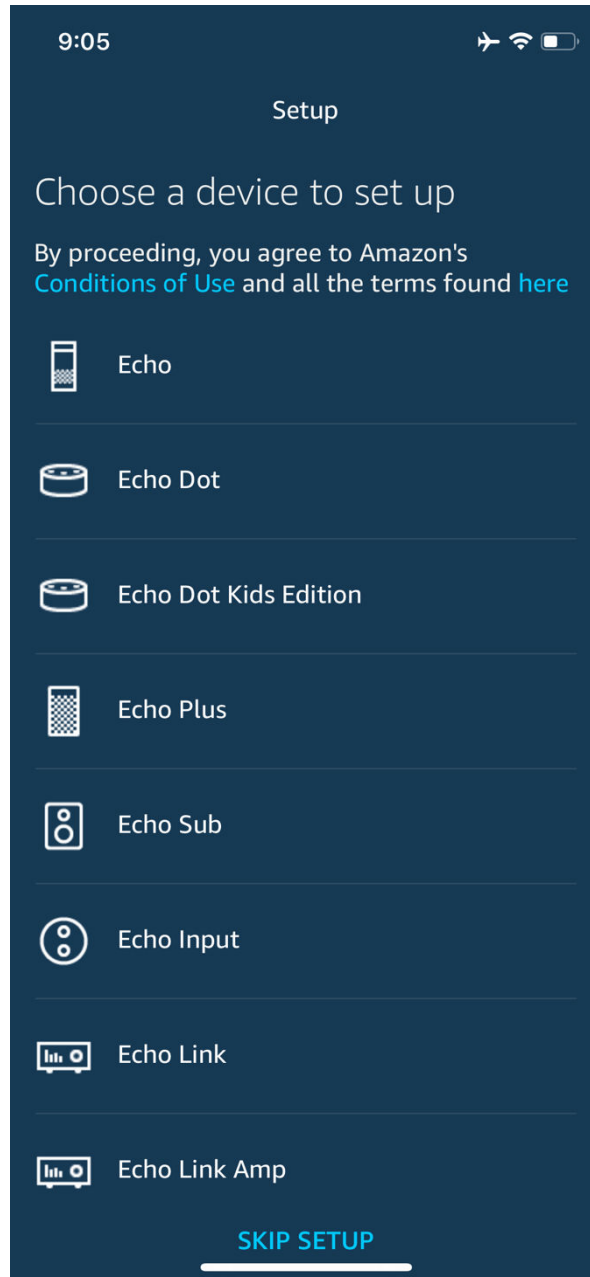


Exhibit 1 - 2: Screenshots of the first two setup screens for Echo Dot Kids Edition.

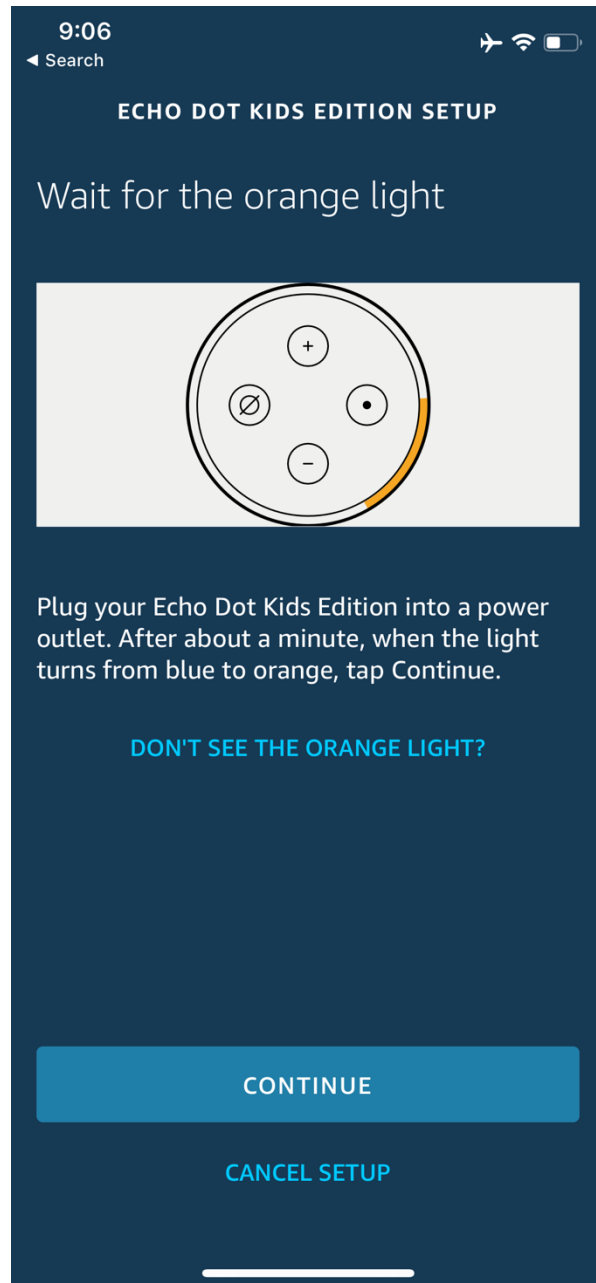
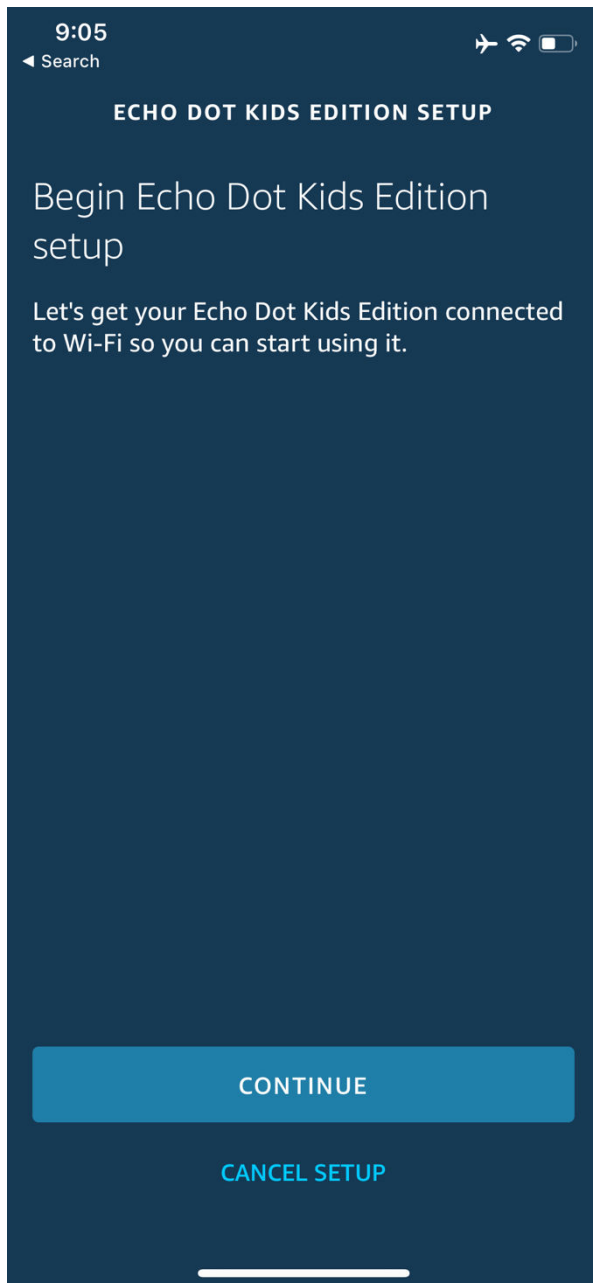
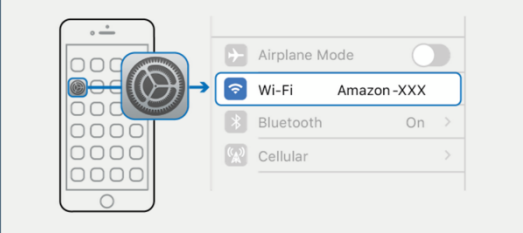


Exhibit 1 - 3: Screenshots of connecting the smartphone to the Echo Dot Kids Edition.

9:06
◀ Search

ECHO DOT KIDS EDITION SETUP

Connect your iPhone to your Echo Dot Kids Edition



Go to your Wi-Fi settings on this iPhone and select the network of the format Amazon-XXX. It may take up to a minute to display. After connecting your iPhone to Amazon-XXX Wi-Fi, return to the Amazon Alexa App to continue setup.

DON'T SEE THE ORANGE LIGHT?

CANCEL SETUP

9:06

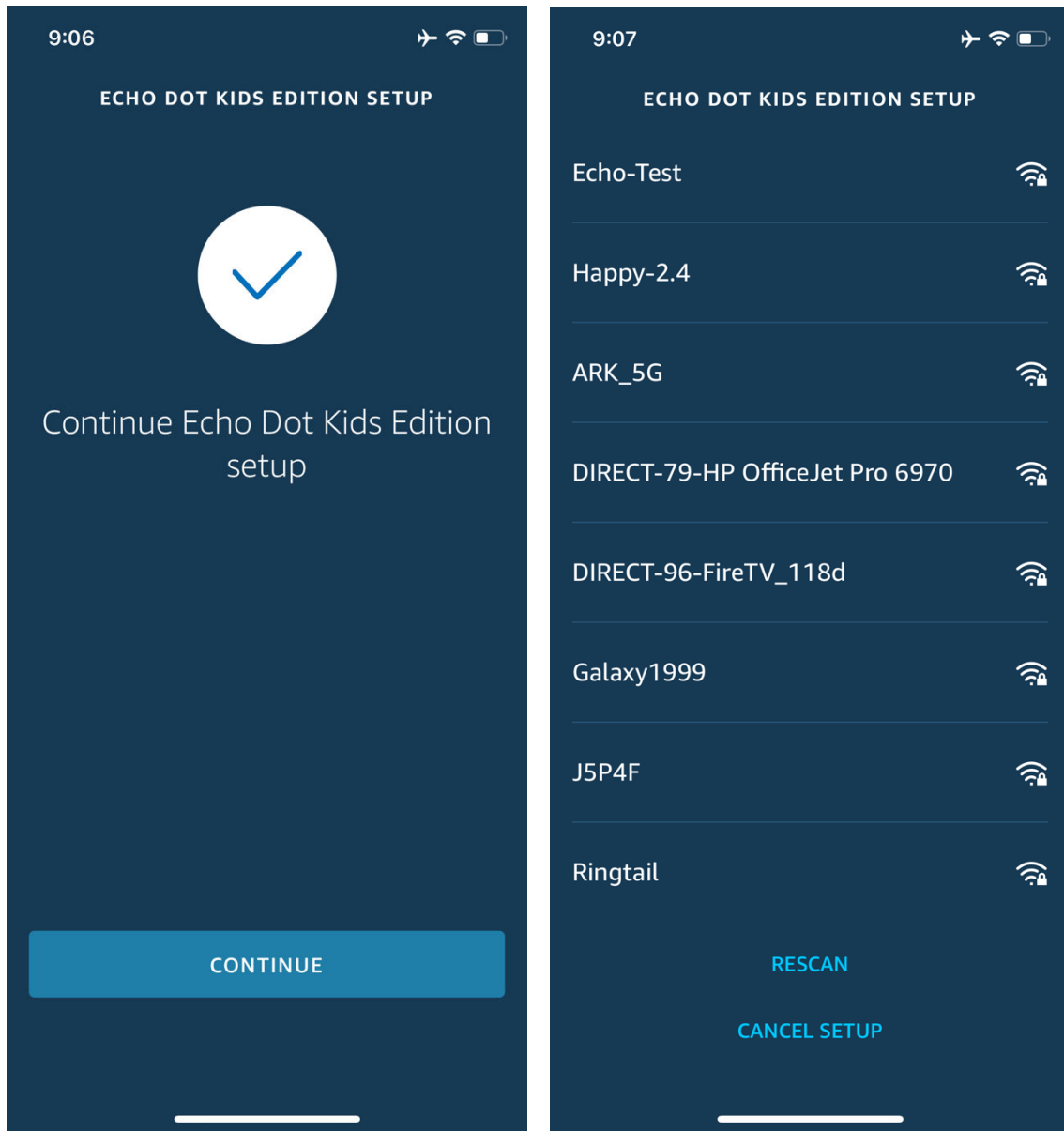
< Settings Wi-Fi

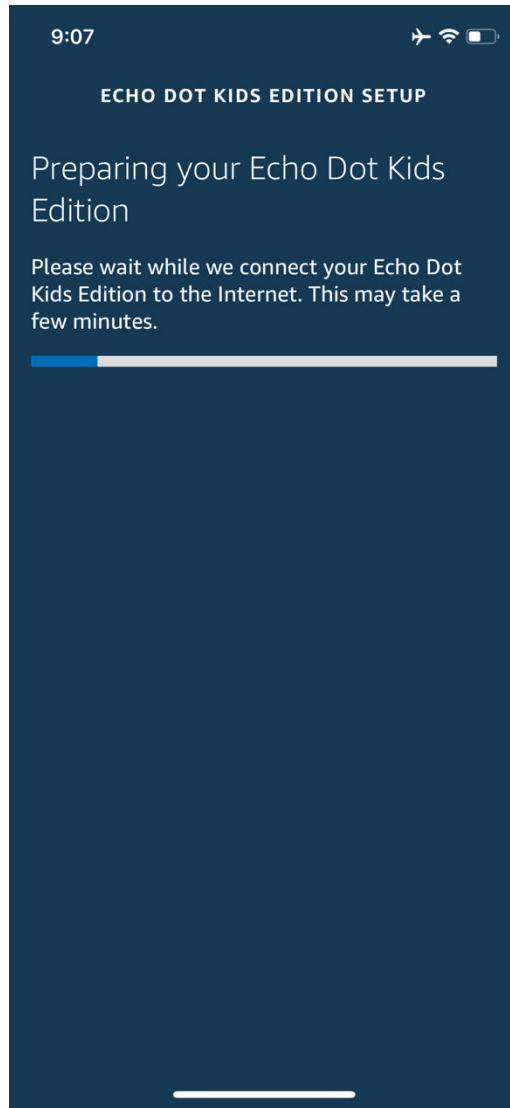
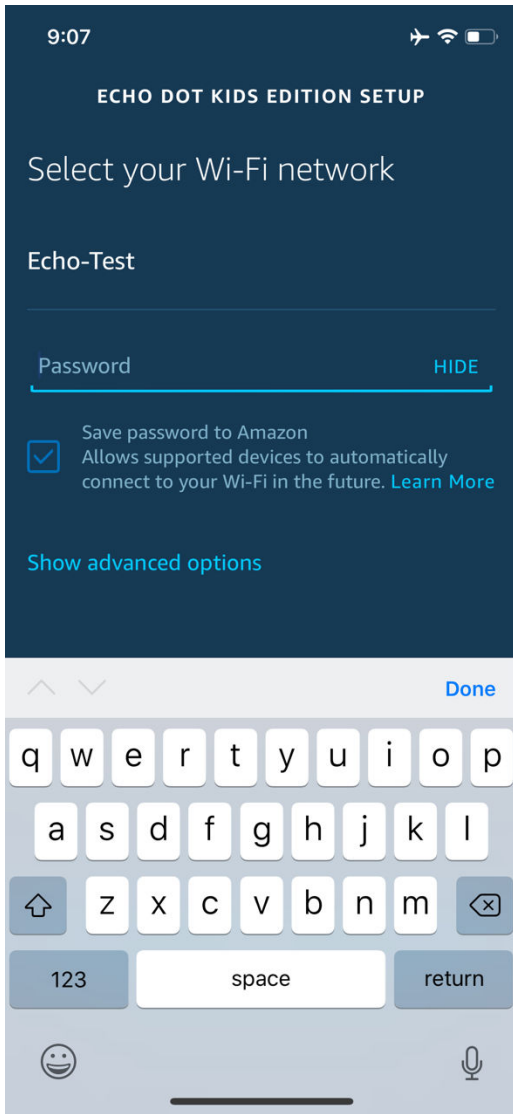
CHOOSE A NETWORK...

| | | |
|---------------|-----|-----|
| Amazon-JPL | 📶 | (i) |
| ARK | 🔒 📶 | (i) |
| ARK_5G2 | 🔒 📶 | (i) |
| ARK_Infra | 🔒 📶 | (i) |
| Echo-Test | 🔒 📶 | (i) |
| FiOS-ITKTM-5G | 🔒 📶 | (i) |
| Galaxy1999 | 🔒 📶 | (i) |
| Happy-2.4 | 🔒 📶 | (i) |
| Happy-5 | 🔒 📶 | (i) |
| J5P4F | 🔒 📶 | (i) |
| Ringtail | 🔒 📶 | (i) |
| XFINITY | 🔒 📶 | (i) |
| xfinitywifi | 📶 | (i) |
| Other... | | |

Ask to Join Networks

Exhibit 1 - 4: Screenshots of connecting Echo Dot Kids Edition to a WiFi network during the setup process.





9:08



ECHO DOT KIDS EDITION SETUP

Your Echo Dot Kids Edition is online

Your Echo Dot Kids Edition is now connected to the Internet. Tap Continue to customize your Alexa experience

The next steps will help you set up your child's Amazon FreeTime account.

You can use "Alexa" to wake up your Echo Dot Kids Edition so Alexa can respond to questions and commands.

Try saying:

"Alexa, what's the weather?"

CONTINUE

Exhibit 1 - 5: FreeTime Unlimited Setup Process

After setting up the device, parents are directed to set up FreeTime Unlimited.

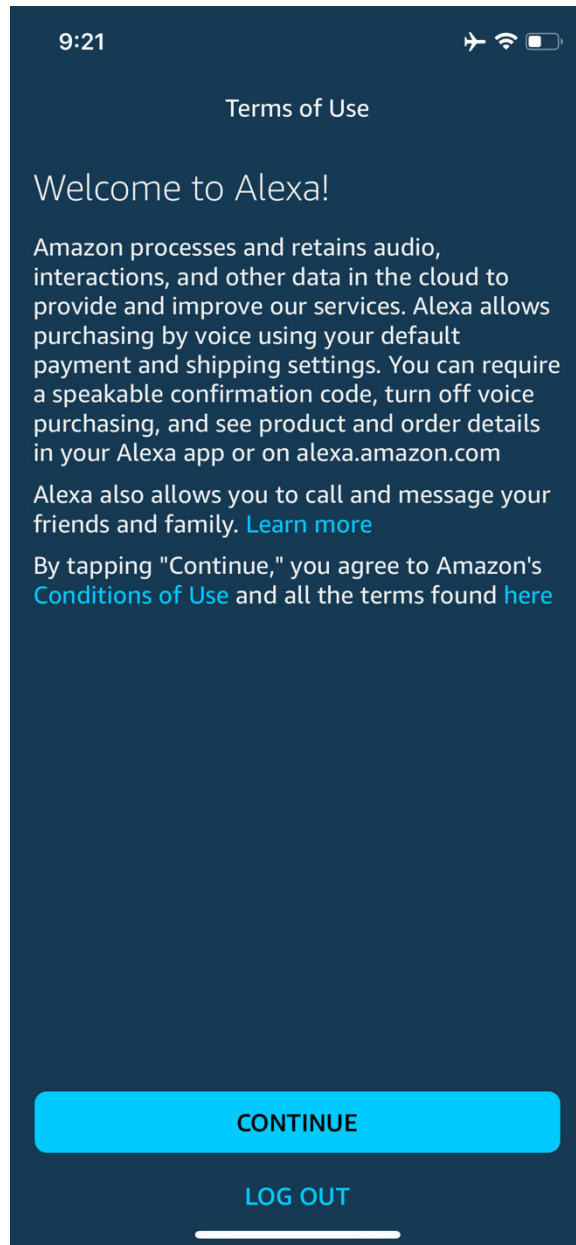
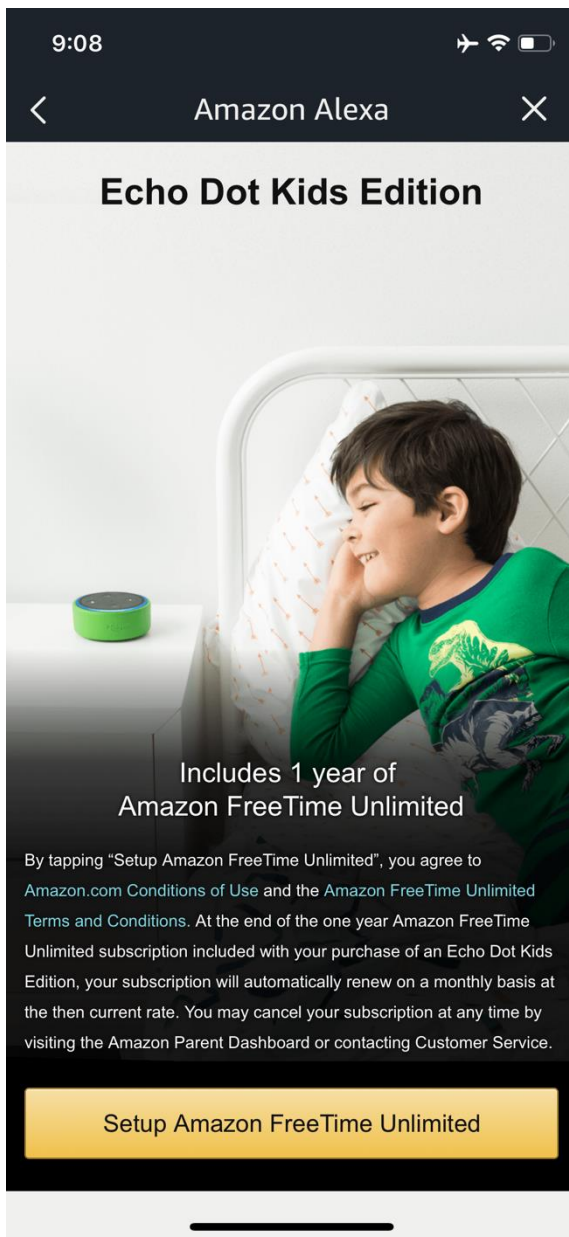


Exhibit 1 - 6: Screenshot of the start screen for the FreeTime setup process.

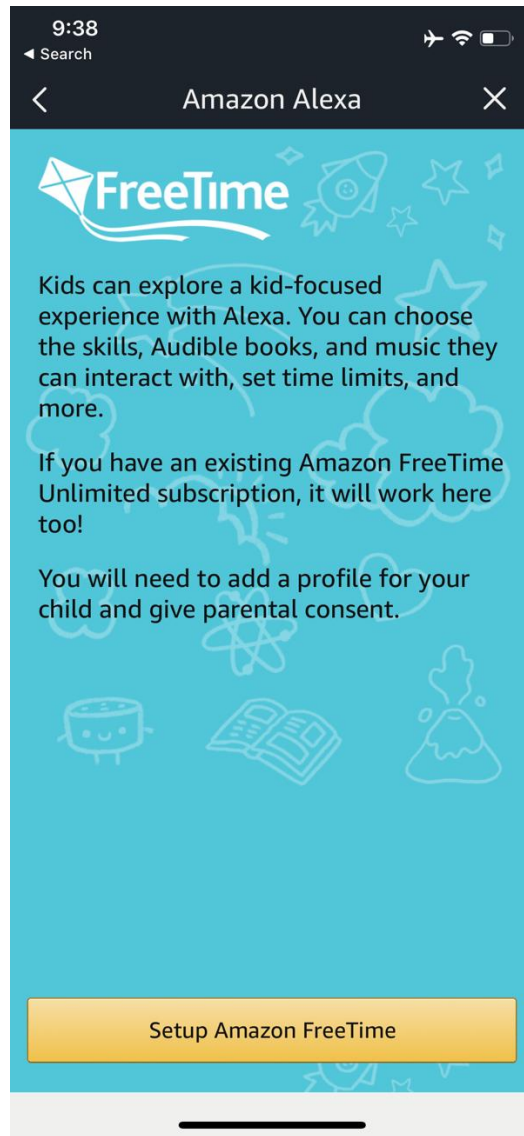


Exhibit 1 - 7: Screenshot of the interface for creating a new child profile.

9:40
← Search




Amazon Alexa

Add a Child to Your Household

 **Child's first name:**
Emily

Gender:
 Male Female

Birthdate:
Apr 2 2014

Icon
    

Add Child

Exhibit 1 - 8: Screenshot of dialog before Amazon's parental consent process.

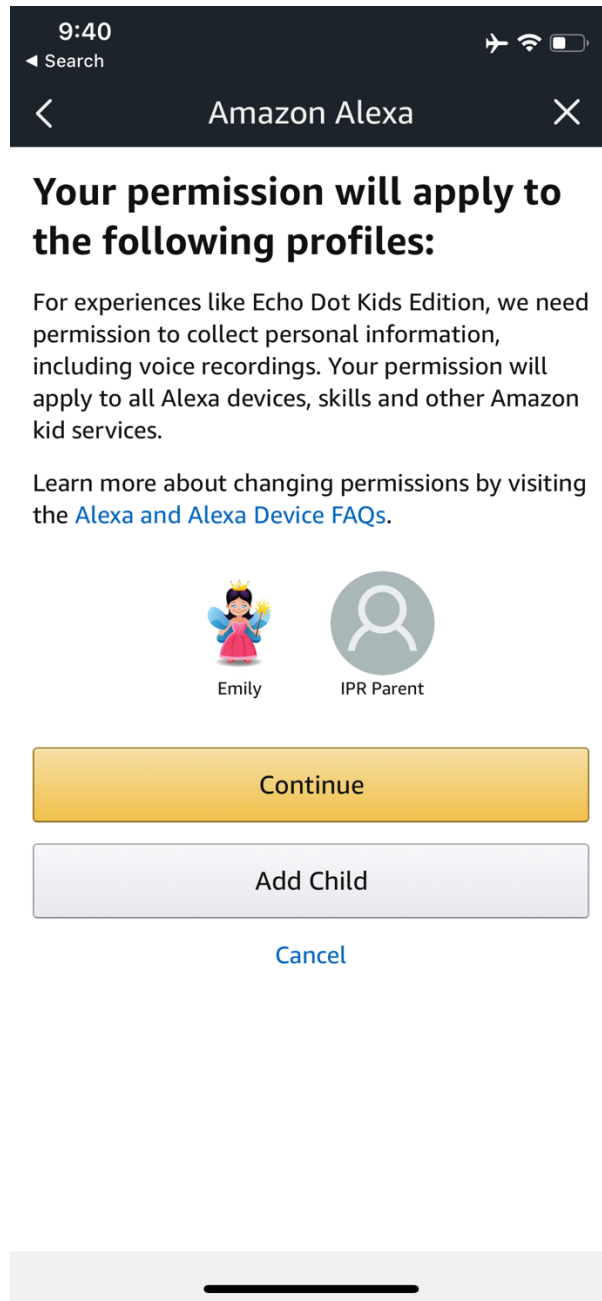


Exhibit 1 - 9: Screenshots of the start of the FreeTime Parental Consent Process.

First the user is asked to re-enter the password for their Amazon account. Next, they are prompted to add a payment card and verify that they are an adult “by providing the security code” for the card.

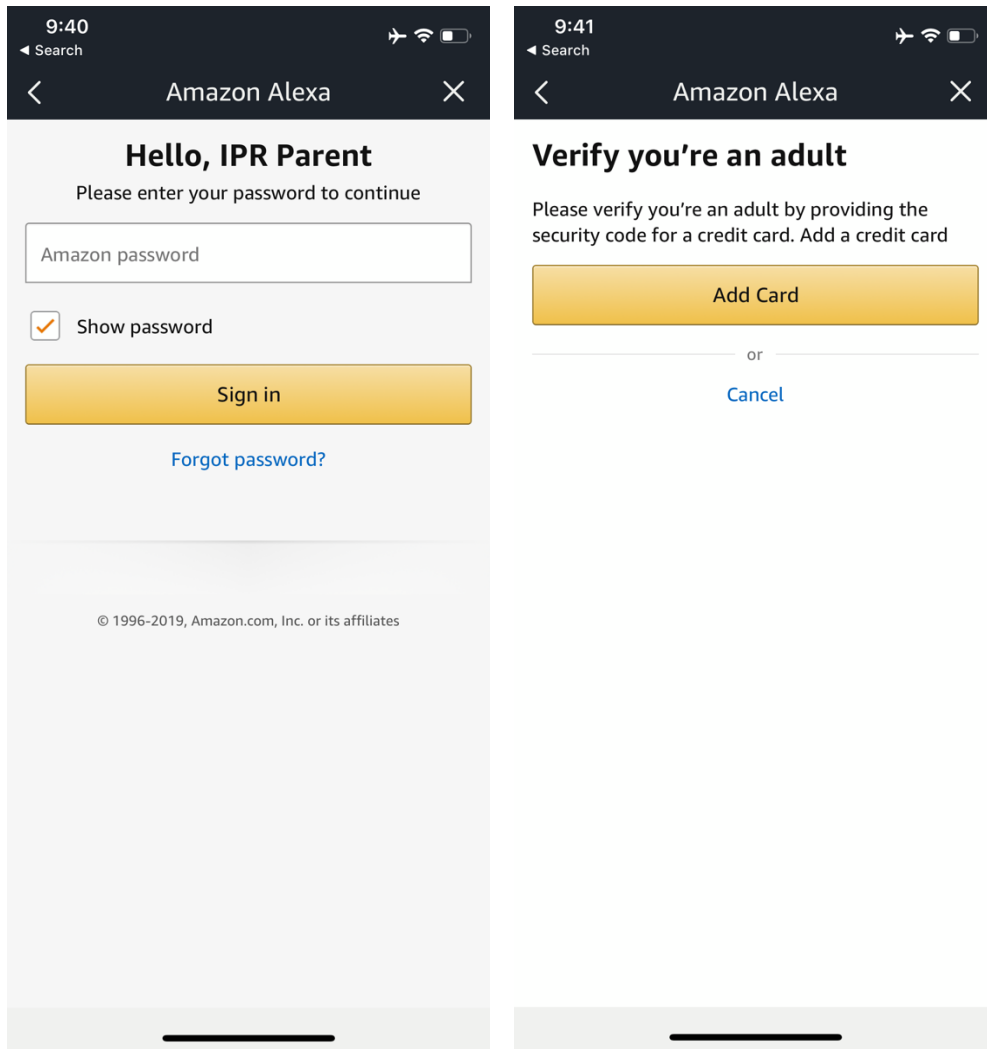


Exhibit 1 - 10: Screenshots of the interface allowing the user to enter a credit or debit card and the interface prompting for a security code to verify the user is an adult.

We used a Visa Debit Gift Card (picture below) during this process. These cards are frequently given to children as holiday gifts or as toy cards after their parents have used the balance of the card. They can be purchased with cash at stores across the country including local gas stations, convenience stores, and larger stores like Wal-Mart, CVS, and Target. You do not need to be over 13 years of age to purchase these gift cards. This process completely fails to verify the user is an adult – all it does is verify the user has access to a valid credit or debit card number. Further, because Amazon does not actually charge the card, a child could use their parent’s credit card number without their knowledge and the parent may never know.

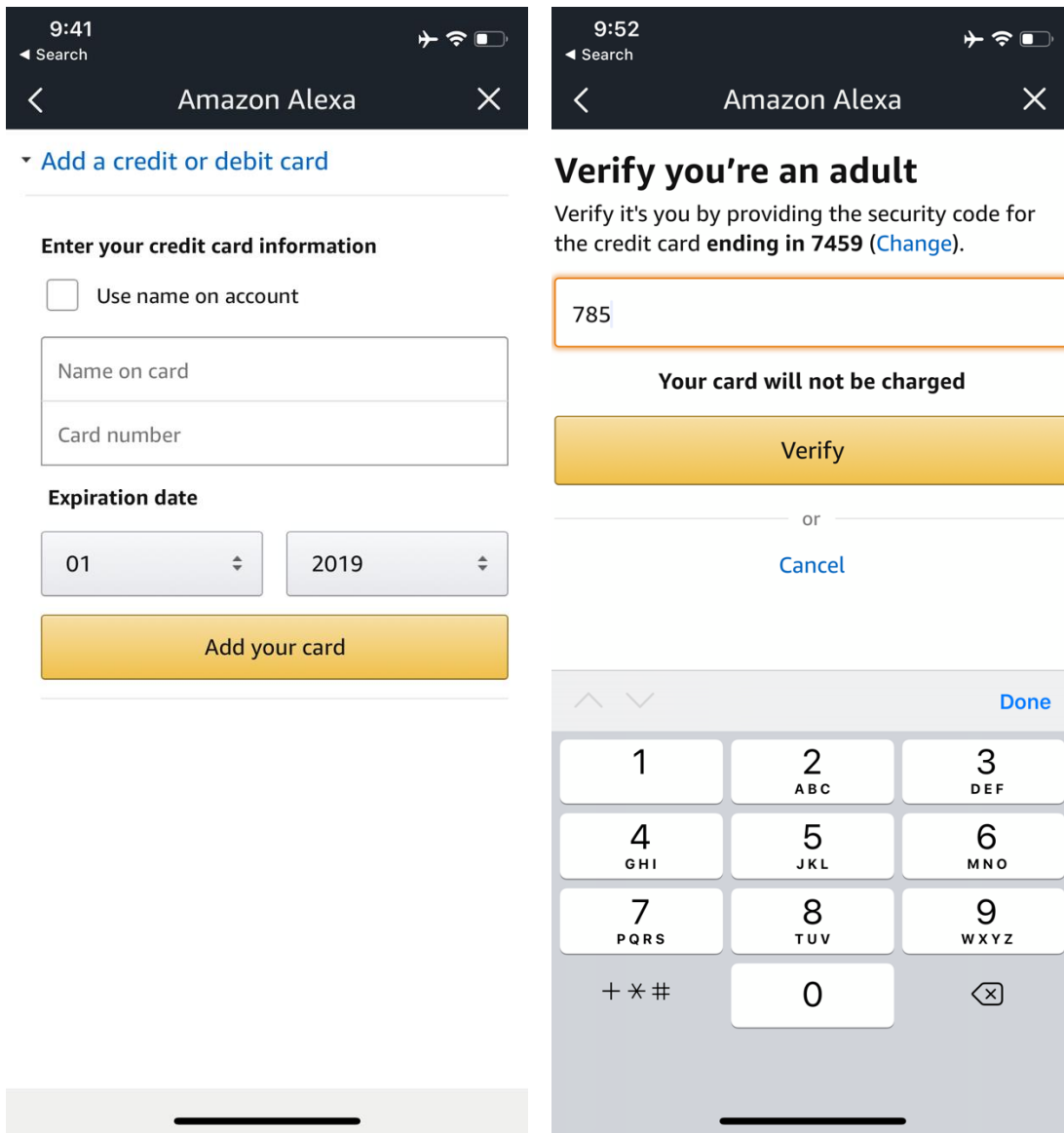


Exhibit 1 - 11: Photos of the Visa Debit Gift Card we used during Amazon's parental verification process.



Exhibit 1 - 12: Screenshot of the prompt presented after the user verifies their credit or debit card security code.

This prompt asks the user to agree to Amazon’s collection, use, and disclosure of Child Personal Information and presents links to its Children’s Privacy Disclosure (shown in Exhibit 1 - 13 below).

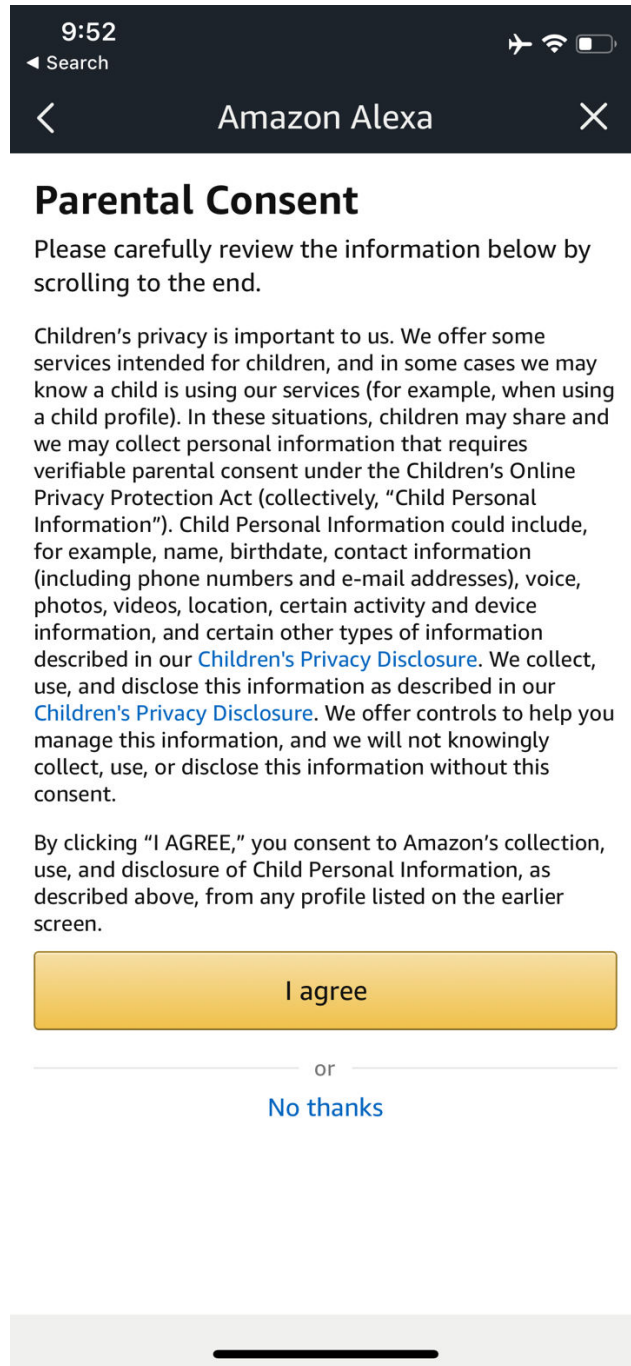


Exhibit 1 - 13: Screenshots of the Children’s Privacy Disclosure

When parents click on a link to the Children’s Privacy Disclosure, they will see the following.

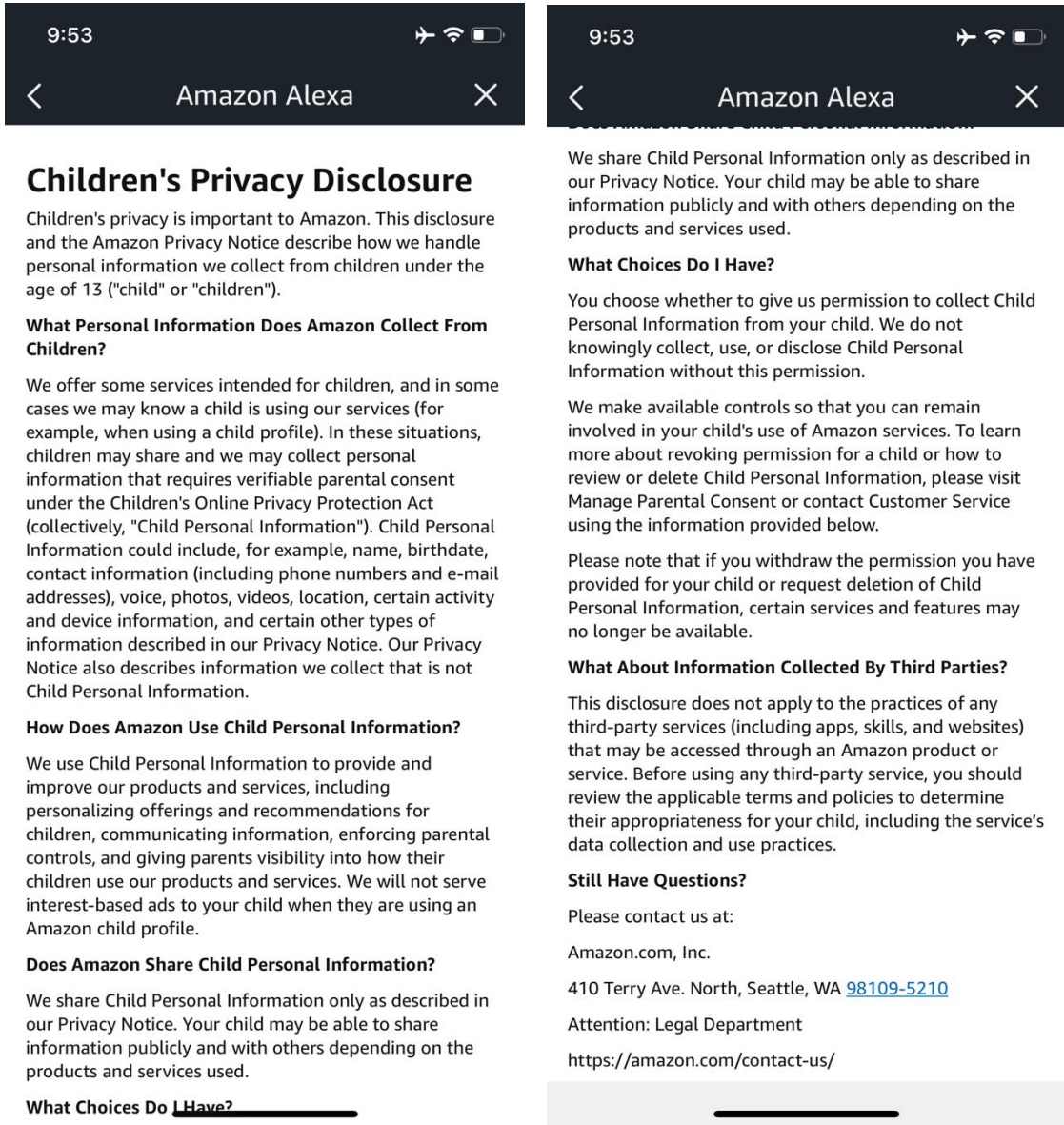


Exhibit 1 - 14: Screenshots depicting settings presented to the user at the end of the FreeTime setup process.

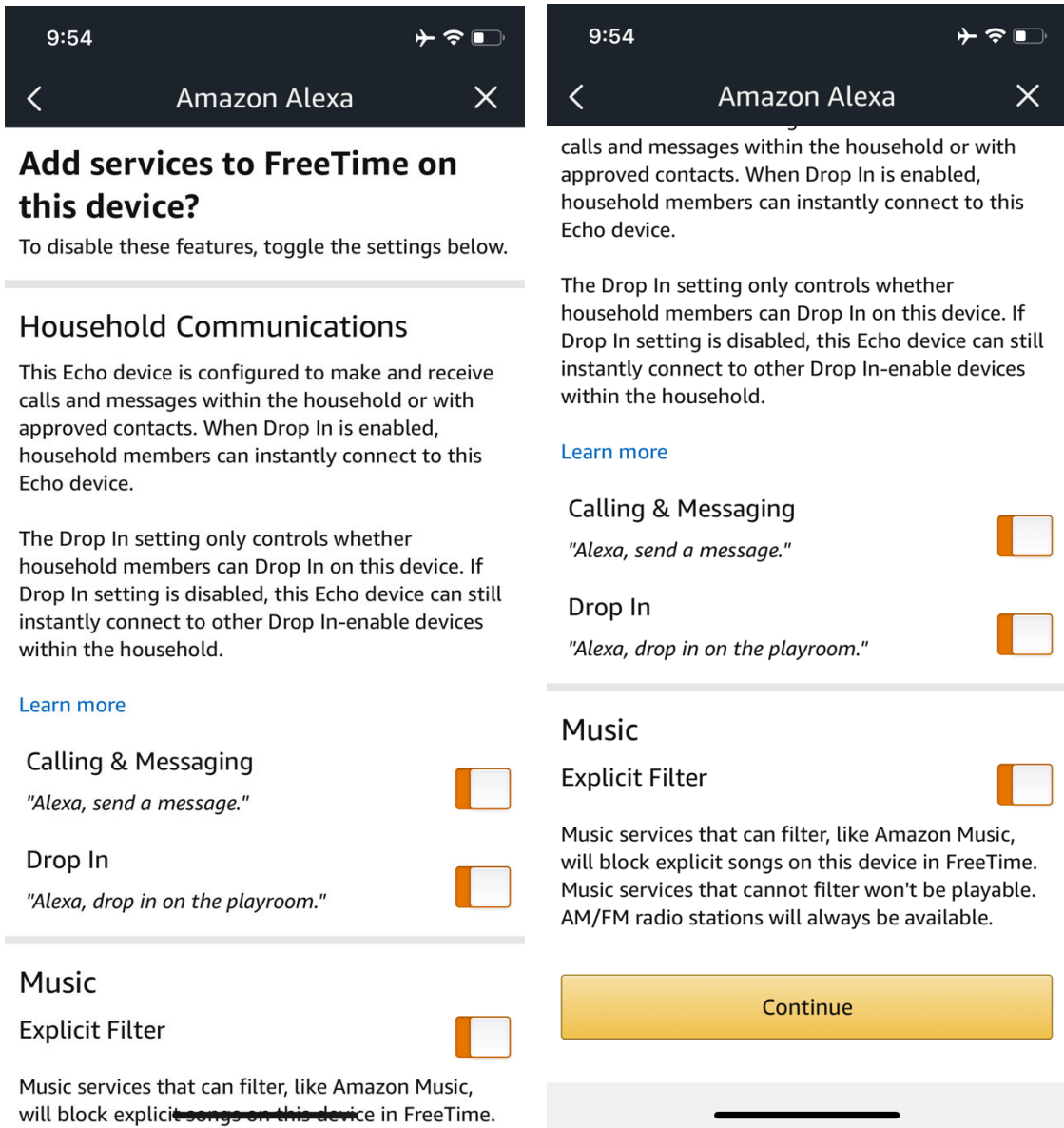


Exhibit 1 - 15: Screenshot of interface prompting the user to watch an optional video to learn about the Echo Dot Kids Edition.

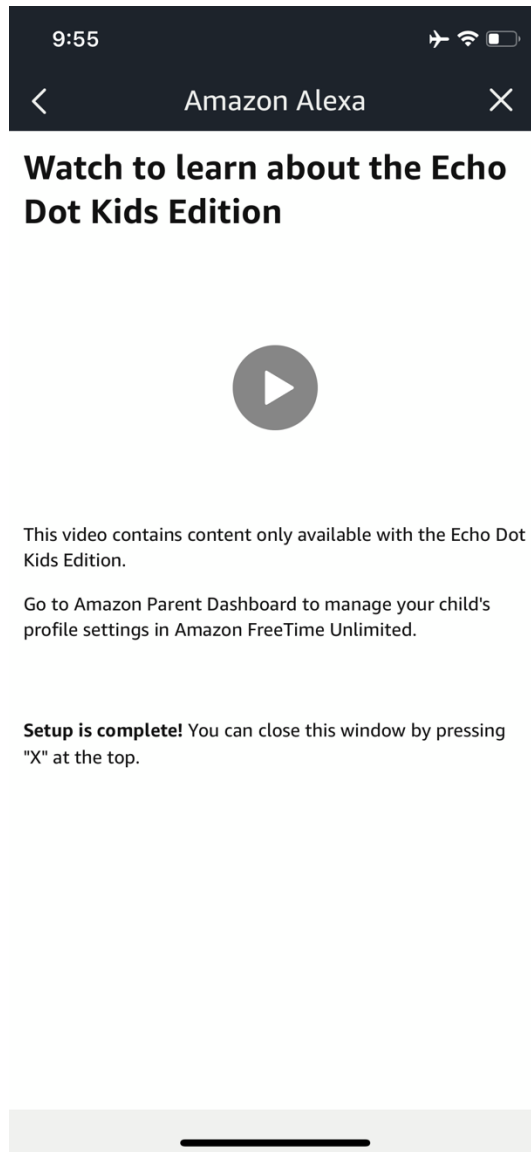


Exhibit 2: Diagram of User Interaction with Echo Dot Kids Edition

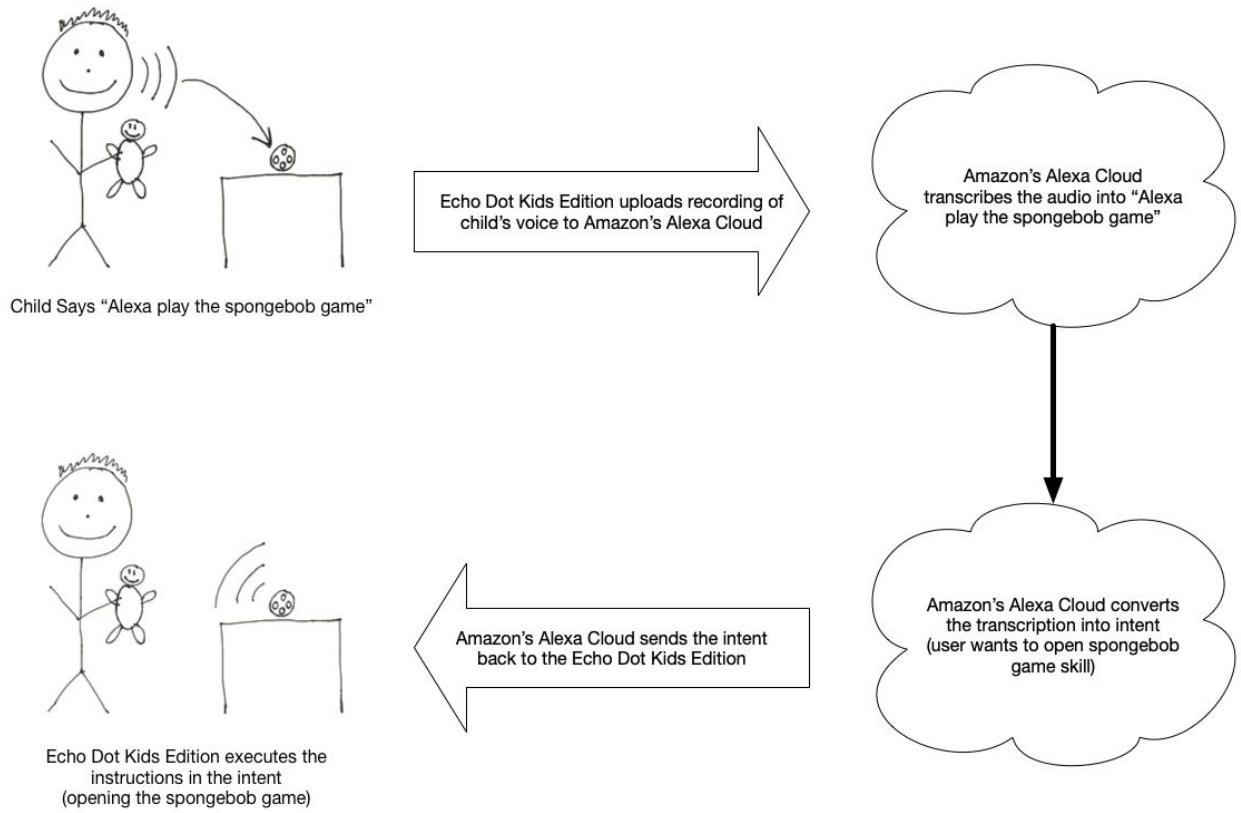


Exhibit 3: Alexa App

These screenshots were taken on April 4, 2019.

Exhibit 3 - 1: Screenshot of activity interface in Alexa App after asking Echo Dot Kids Edition “what do you remember?”

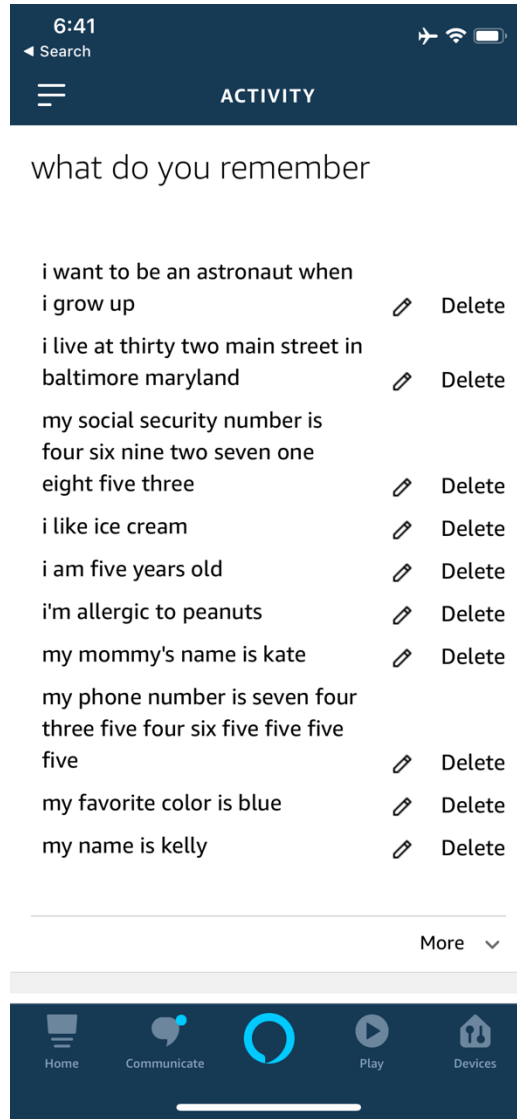


Exhibit 3 - 2: Screenshot showing activity panel of Alexa App and transcriptions of voice recordings of user interactions

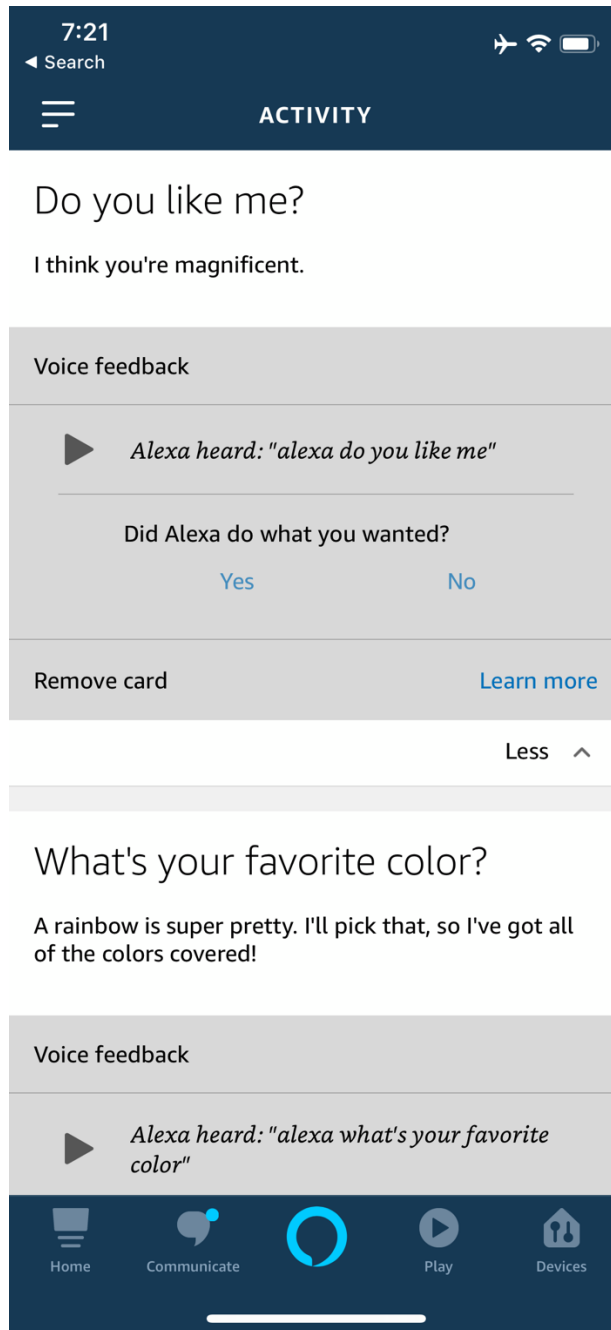


Exhibit 3 - 3: Screenshots depicting the Alexa Account Settings menu that lists “Recognized Voices” as an option and the Recognized Voices settings interface in the Alexa App.

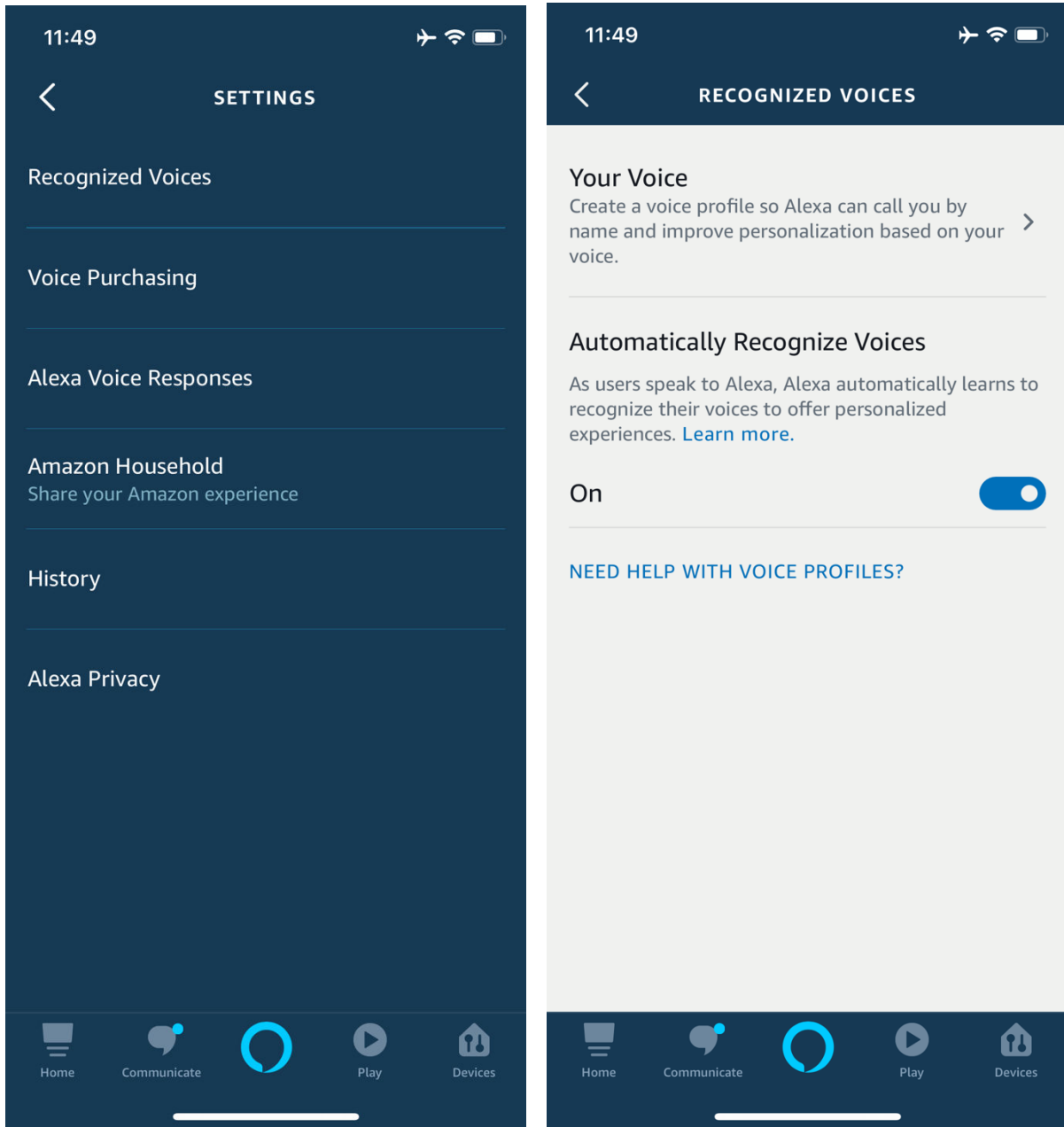


Exhibit 3 - 4: Screenshot of the “about” interface in the Alexa App, showing identifiers collected by Amazon about the user’s Echo Dot Kids Edition and stored in the cloud.

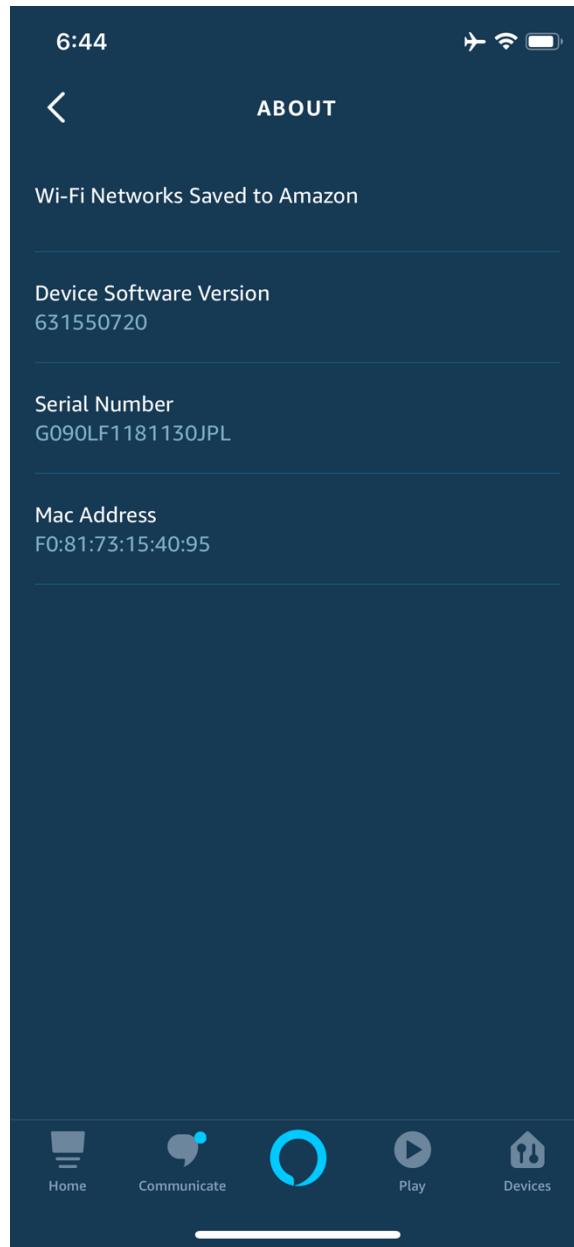


Exhibit 4: Screenshots of Amazon's Websites

Exhibit 4 - 1: Screenshot from amazon.com/mycd shows the interface for deregistering echo dot or deleting all associated voice recordings (April 4, 2019).

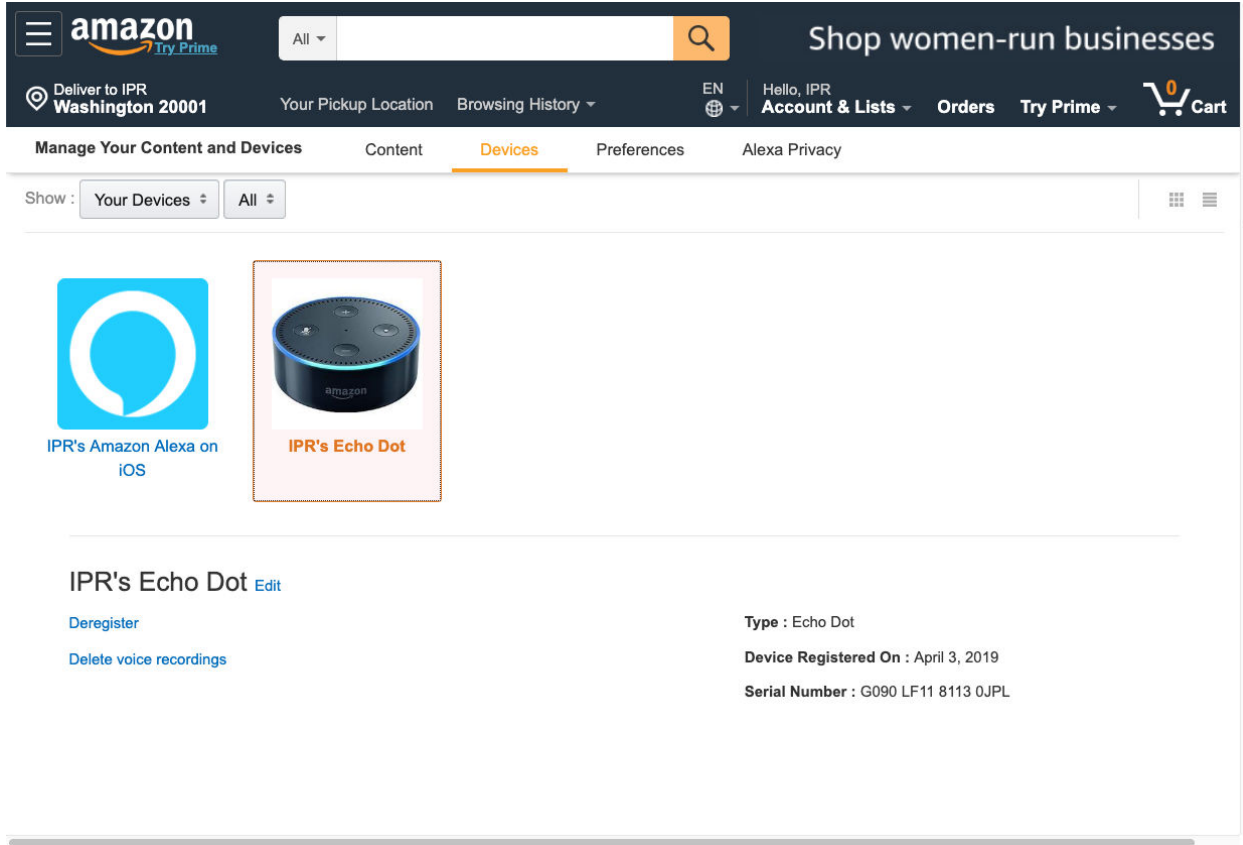


Exhibit 4 - 2: This screenshot shows the website version of the Alexa App, alexa.amazon.com (April 4, 2019)

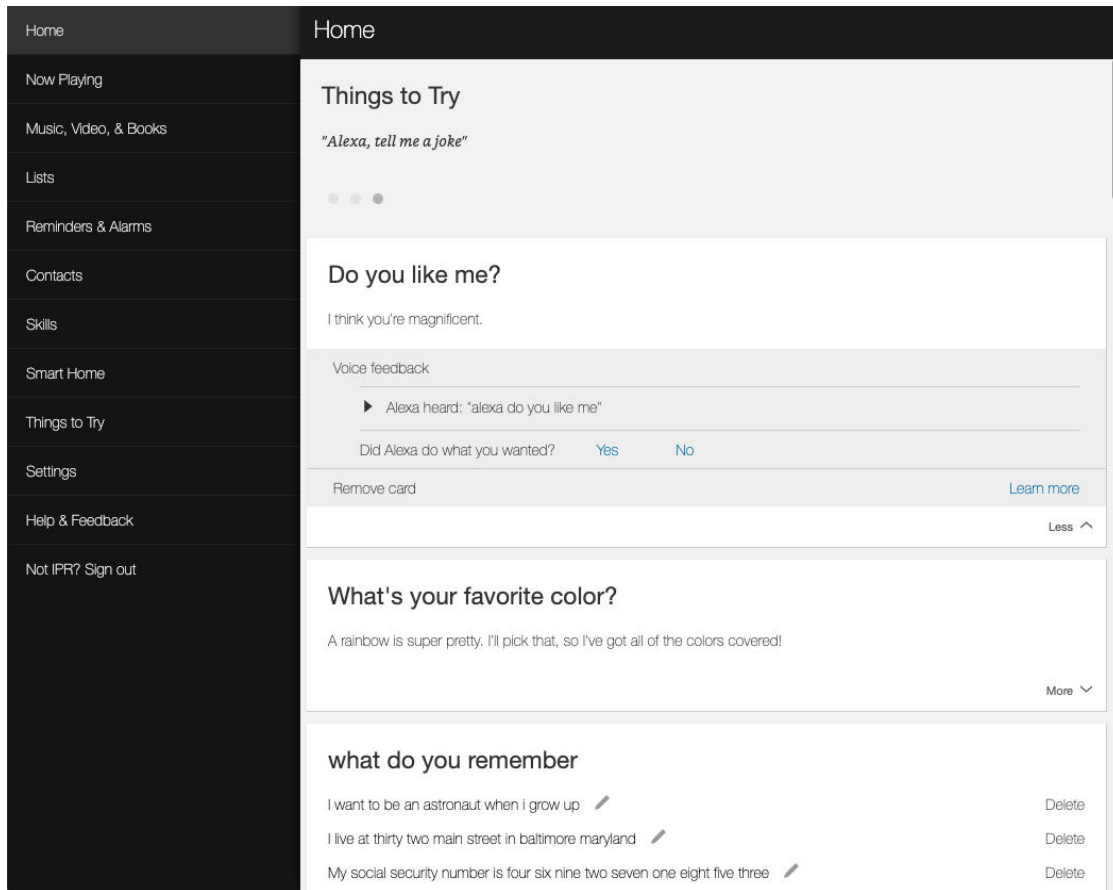


Exhibit 4 - 3: Screenshot of the parent dashboard provided with the FreeTime service (April 4, 2019).

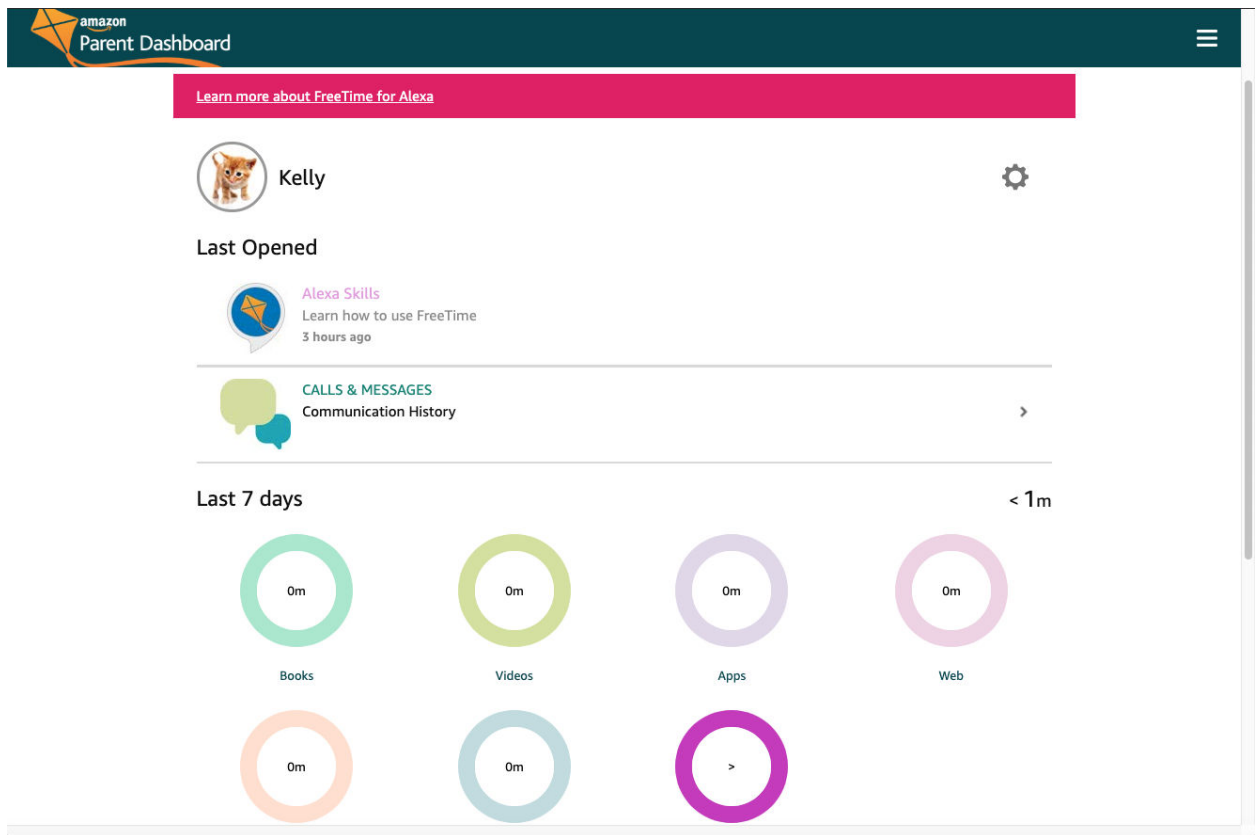


Exhibit 4 - 4: Screenshot showing the option to delete all voice recordings on the Manage Your Content and Devices interface located on Amazon.com (April 4, 2019).

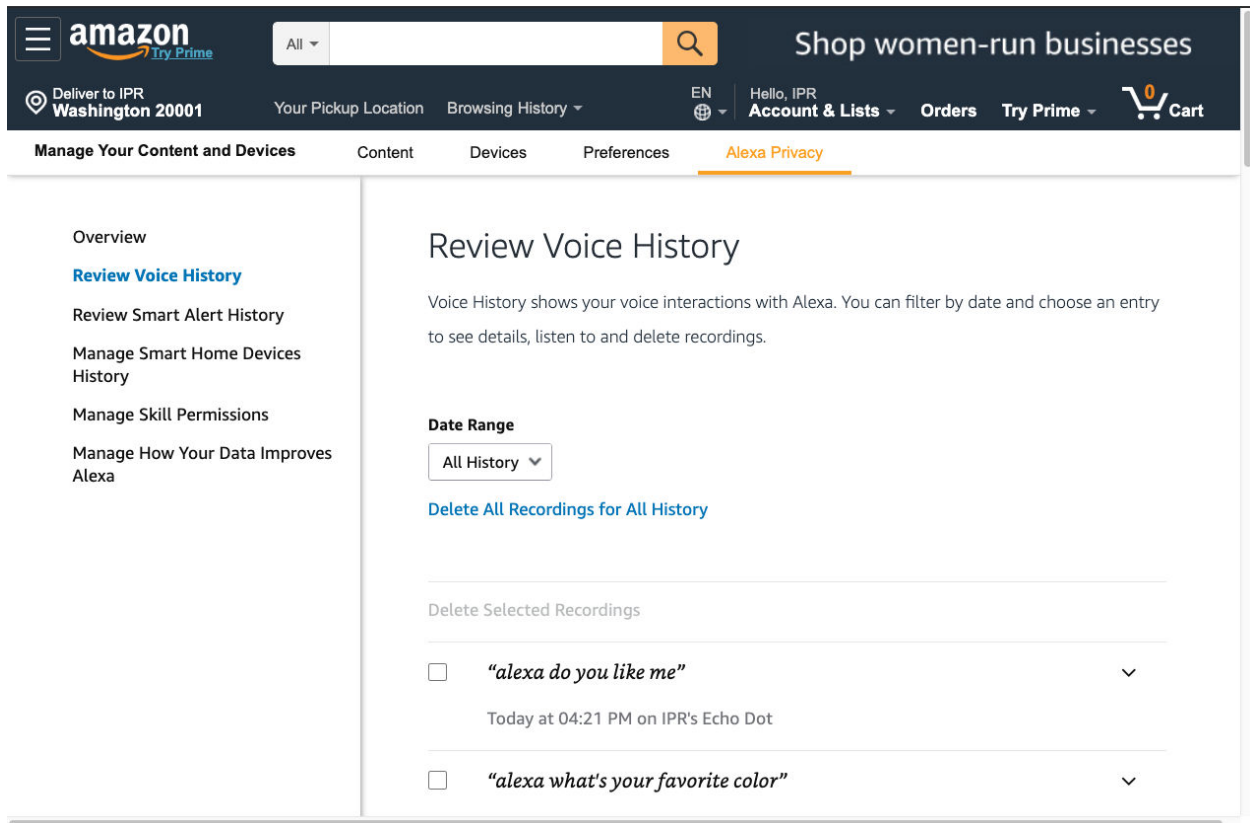


Exhibit 4 - 5: Screenshot showing the Manage Parental Consent webpage after logging in as a parent. (April 15th, 2019).


The screenshot shows the Amazon website's 'Manage Parental Consent' page. At the top, the Amazon logo and navigation bar are visible, including the search bar, delivery location (Washington 20001), and account information (Hello, IPR). The main heading is 'Manage Parental Consent'. Below this, a paragraph explains that permission is required for Amazon kid services and provides a link to learn more. Under the heading 'Your Profiles:', two profiles are listed: 'Kelly' with a cat icon and 'IPR Parent' with a person icon, both marked as 'Granted'. A 'Revoke for all profiles' button is centered below the profiles. At the bottom, a dark blue footer contains a 'Back to top' link and four columns of links: 'Get to Know Us' (Careers, Blog, About Amazon, Press Center), 'Make Money with Us' (Sell on Amazon, Sell Under Private Brands, Sell on Amazon Handmade, Sell Your Services on Amazon), 'Amazon Payment Products' (Amazon Rewards Visa Signature Cards, Amazon.com Store Card, Amazon Business Card, Amazon.com Corporate Credit Line), and 'Let Us Help You' (Your Account, Your Orders, Shipping Rates & Policies, Amazon Prime).


Manage Parental Consent

The profiles below show whether permission has been granted to access Amazon kid services, including certain Alexa kid skills and FreeTime on Alexa. Consistent with the Children's Online Privacy Protection Act, we require permission from a parent before certain kid services can be used. You'll be asked to give permission the first time you attempt to use one of those kid services, or you can grant permission by clicking one of the profiles below. If you revoke permission for a profile, we won't be able to make certain kid services available for that profile. Learn more information about permissions [here](#).

To learn more, please visit our [Children's Privacy Disclosure](#).

Your Profiles:

 Kelly
Granted

 IPR Parent
Granted

[Revoke for all profiles](#)

[Back to top](#)

Get to Know Us
Careers
Blog
About Amazon
Press Center

Make Money with Us
Sell on Amazon
Sell Under Private Brands
Sell on Amazon Handmade
Sell Your Services on Amazon

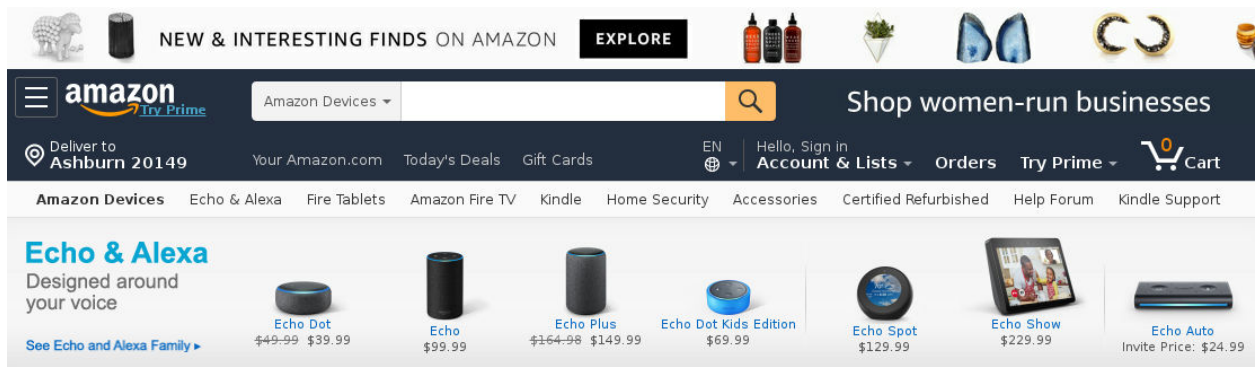
Amazon Payment Products
Amazon Rewards Visa Signature Cards
Amazon.com Store Card
Amazon Business Card
Amazon.com Corporate Credit Line

Let Us Help You
Your Account
Your Orders
Shipping Rates & Policies
Amazon Prime

Exhibit 4 - 6: Screenshot showing the information displayed to parents when they try to contact Amazon with questions about Children's Privacy on the Echo Dot Kids Edition.

The screenshot displays the Amazon website's 'Contact Us' interface. At the top, the Amazon logo and navigation bar are visible, including the location 'Washington 20001' and the user's name 'IPR'. The 'Contact Us' section features four tabs: 'An order I placed', 'Devices', 'Digital Content and Services', and 'Prime or Something else'. The 'Devices' tab is active, leading to a question: 'Which device are you contacting us about?'. Below this, there is a 'Change Selection' button and a card for 'Echo Dot' with an image of the device and the text 'IPR's Echo Dot'. To the right, a 'Quick solutions' sidebar lists options like 'Digital & Device Forum', 'Amazon Device Support', 'Devices & Content', and '1-Click Settings', along with links for 'Can't Register Device or Software Application' and 'Slow or Frozen Screen'. The 'Tell us more' section contains two dropdown menus; the first is set to 'General question about the device/accessory' and the second is set to 'Children's Privacy Policy'. The 'Did You Know?' section provides three numbered tips: 1. 'Are you trying to delete a child profile from your account?' with instructions on adding/removing profiles and managing content. 2. 'Alexa communications data deletion' with steps to delete voice recordings. 3. 'Data Handling Questions' regarding children's privacy. Finally, the 'Or, talk to someone' section offers 'Phone' (marked as 'Recommended') and 'Chat' options.

Exhibit 4 - 7: Echo Dot Kids Edition Product Listing Page (April 1, 2019)



Echo Dot Kids Edition, the best Echo for kids - blue case

by Amazon
 ★★★★★ | 1,609 customer reviews
 | 607 answered questions
 Amazon's Choice for "echo dot kids edition"

Price: **\$69.99 & FREE Shipping.** Details
Buy 1, Get 1 Free with code KIDS2PACK. Add 2 to cart and apply the promo code at checkout. Price will reflect \$69.99 before tax. [Terms and conditions.](#)

In Stock.
Want it Wednesday, April 3? Order within **27 mins** and choose **Two-Day Shipping** at checkout. [Details](#)
 Ships from and sold by Amazon Digital Services LLC. Gift-wrap available.

Color: **Blue**

- Now Alexa is a kid-friendly DJ, comedian, and storyteller — and she's always getting smarter. Just ask and Alexa will play music, answer questions, read stories, tell jokes, and more — all with younger ears in mind.
 - Up to \$109 in savings on Echo Dot (Black), 1 year of Amazon FreeTime Unlimited, and a kid-friendly case, plus a 2-year worry-free guarantee—if they break it, return it and we'll replace it for free
 - The included 1 year of FreeTime Unlimited gives your kids access to thousands of hours of fun and educational content, including ad-free radio stations and playlists, Audible books, and a growing list of premium kids skills. After one year, your subscription will automatically renew every month starting at just \$2.99/month plus applicable tax. You may cancel any time by visiting the Amazon Parent Dashboard or contacting Customer Service.
 - 1 year of FreeTime Unlimited gives you access to over 1000 Audible books for kids, like Beauty & the Beast and Peter Pan, thousands of songs, and kid-favorite games and skills from Disney, National Geographic, Nickelodeon, and more
 - Easy-to-use parental controls in the online Amazon Parent Dashboard let you set daily time limits, review activity, or pause Alexa on the device
 - Kids can control lights, plugs, switches, and more with compatible connected devices
 - Automatically filter explicit songs from Amazon Music, Apple Music, or Spotify
- [Show more](#)

Jump to: [Compare devices](#) | [Technical details](#)
Save up to \$60 on select Kids Edition Bundles. [Learn more.](#)

New (1) from \$69.99 & FREE shipping. [Details](#)

Share 9K+ Shares

Qty: 1

Yes, I want **fast, FREE Shipping** with Amazon Prime

Add to Cart
Buy Now

1-Click ordering is not available for this item.

This is a gift, do not link to my account. [Why is this important?](#)
 Additional Items

- Amazon Basics Bluetooth Speaker: Black ~~\$19.99~~ \$14.50
- Alexa Voice Remote \$29.99

[Deliver to Ashburn 20149](#)

[Add to List](#)

What can Alexa do now?
[Learn more](#) about Alexa features and find a new favorite.

 THE FIRST ECHO FOR KIDS

Introducing a hands-free, voice-controlled speaker with Alexa, designed with kids in mind. Echo Dot Kids Edition can play age-appropriate music, answer questions, tell stories, control compatible smart home devices, and more. Includes a black Echo Dot, a 1-year subscription to FreeTime Unlimited, a fun kid-friendly case, and a 2-year worry-free guarantee. If they break it, return it and we'll replace it for free.

With the 1-year FreeTime Unlimited subscription, kids can access content they'll love, such as skills and music designed specifically for them. Parents can control time limits, set bedtimes, review activity, and more. With far-field voice recognition, Echo Dot Kids Edition can hear you from across the room, and only streams audio to the Alexa Voice Service when it recognizes the wake word "Alexa." Children's privacy is important to Amazon. [Learn More](#)

"Alexa, please play dance music."

"Alexa, open 'SpongeBob Challenge.'"

"Alexa, how long is a day on Mars?"



"Alexa, open 'Disney Stories.'"



"Alexa, open 'Ben 10.'"



"Alexa, open 'Loud House Challenge.'"



WHAT KIDS WANT TODAY AND TOMORROW



Kids will love interacting with Alexa, and Echo Dot Kids Edition features turn Alexa into a kid-friendly study buddy, DJ, comedian, storyteller, and more. The included 1-year FreeTime Unlimited subscription contains a variety of kid-focused skills, along with thousands of songs from ad-free radio stations and playlists from iHeartRadio Family, like Radio Disney, Nick Radio and Kids Hits.

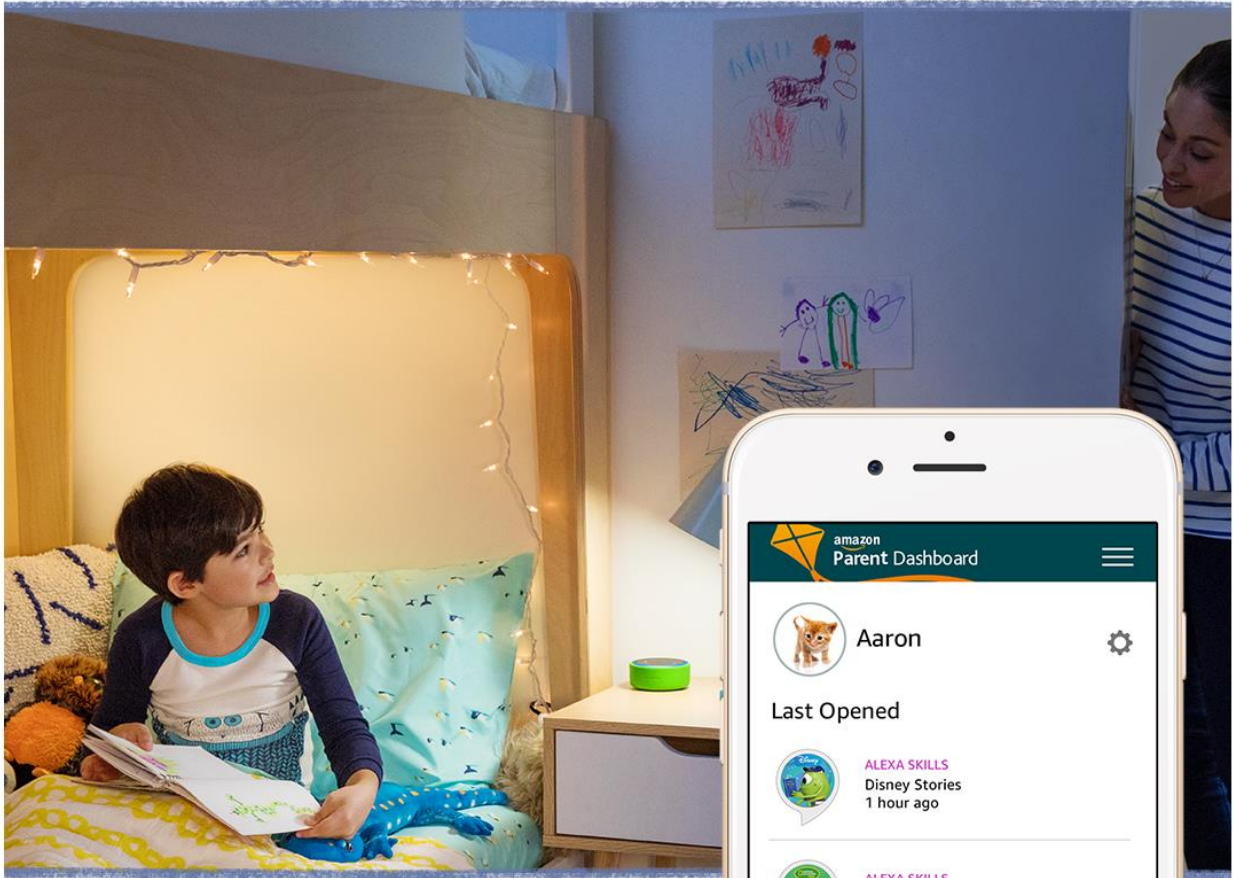
FreeTime Unlimited also gives kids access to over [1,000 Audible books](#), including Beauty and the Beast and Peter Pan. They'll enjoy thousands of hours of fun and educational content, like hearing stories from Disney characters, playing No Way That's True from Nickelodeon, quizzing their knowledge with National Geographic, waking up to special alarms featuring characters they love, and more. [See what's included](#)

"Alexa, read me 'Snow Queen.'"

"Alexa, open 'This or That.'"

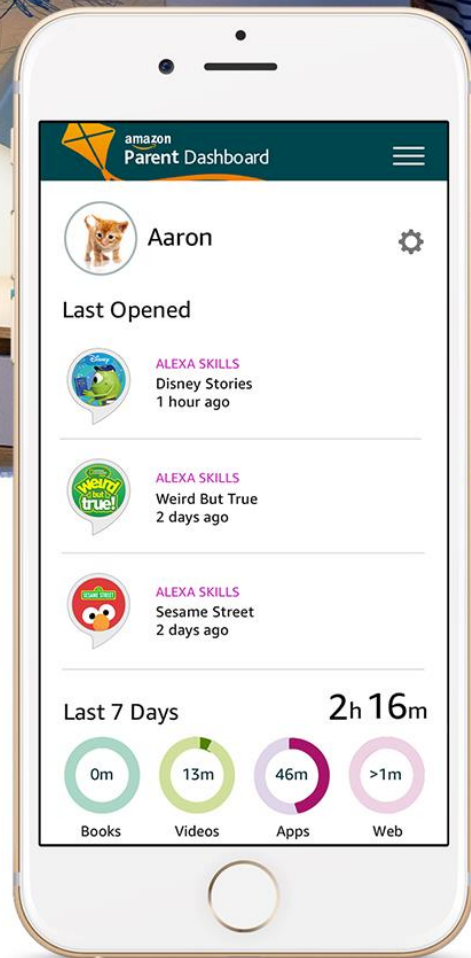
*"Alexa, open
'No Way That's True.'"*

"Alexa, play Kids Hits playlist."



PEACE OF MIND FOR PARENTS

Use the online [Parent Dashboard](#) to review activity, pause Alexa, and set daily time limits at bedtime or throughout the day. Parents can filter explicit songs from Amazon Music, Apple Music, or Spotify, and voice shopping is turned off to help prevent unexpected purchases. Alexa even provides positive feedback when kids ask questions and remember to say 'please.'





KEEP THE FAMILY CONNECTED

Use compatible Echo devices to tell kids that dinner's ready or that it's bedtime—without having to shout. Use Drop In as a two-way intercom with kids and use Announcements as a one-way intercom to other household devices. Parents can also approve contacts so their child can call or message close family and friends. [Learn more](#)

"Alexa, call Aaron's room."

"Alexa, announce that dinner is ready."



ONE SUBSCRIPTION. UNLIMITED POSSIBILITIES.

Kids can access FreeTime Unlimited content across multiple devices. With the 1-year subscription, FreeTime Unlimited offers access to over 13,000 kid-friendly books, educational apps, games, movies, and TV shows from top brands like Disney, Nickelodeon, PBS, Amazon Originals for Kids, and more. Content is available on Fire tablets, Kindle, Android devices, iPad, and iPhone. [Learn more](#)



Compare Echo devices



Echo Dot Kids Edition



Echo Dot

| | | |
|---|-----------------------------|---------------------------------------|
| Price | \$69.99 | \$39.99 |
| 1 year of FreeTime Unlimited | ✓ | Sold separately (up to \$119.88/year) |
| Ad-free radio stations and playlists for kids from Radio Disney, Nick Radio, and more | 1 year included | |
| Over 1000 Audible books | 1 year included | Audible titles sold separately |
| Premium kids skills from Disney, Nickelodeon, and others | 1 year included | |
| Special alarms featuring characters kids love | 1 year included | |
| Kid-friendly protective case | ✓ | |
| Warranty | 2-year worry-free guarantee | 90-day limited warranty |
| FreeTime parental controls | ✓ | With FreeTime enabled |
| Automatically filter explicit songs with Amazon Music, Apple Music, and Spotify | ✓ | With FreeTime enabled |
| Voice shopping turned off | ✓ | With FreeTime enabled |
| Control compatible smart home devices | ✓ | ✓ |
| Line-out with 3.5 mm cable or Bluetooth | ✓ | ✓ |

[Back to top](#)

Technical Details

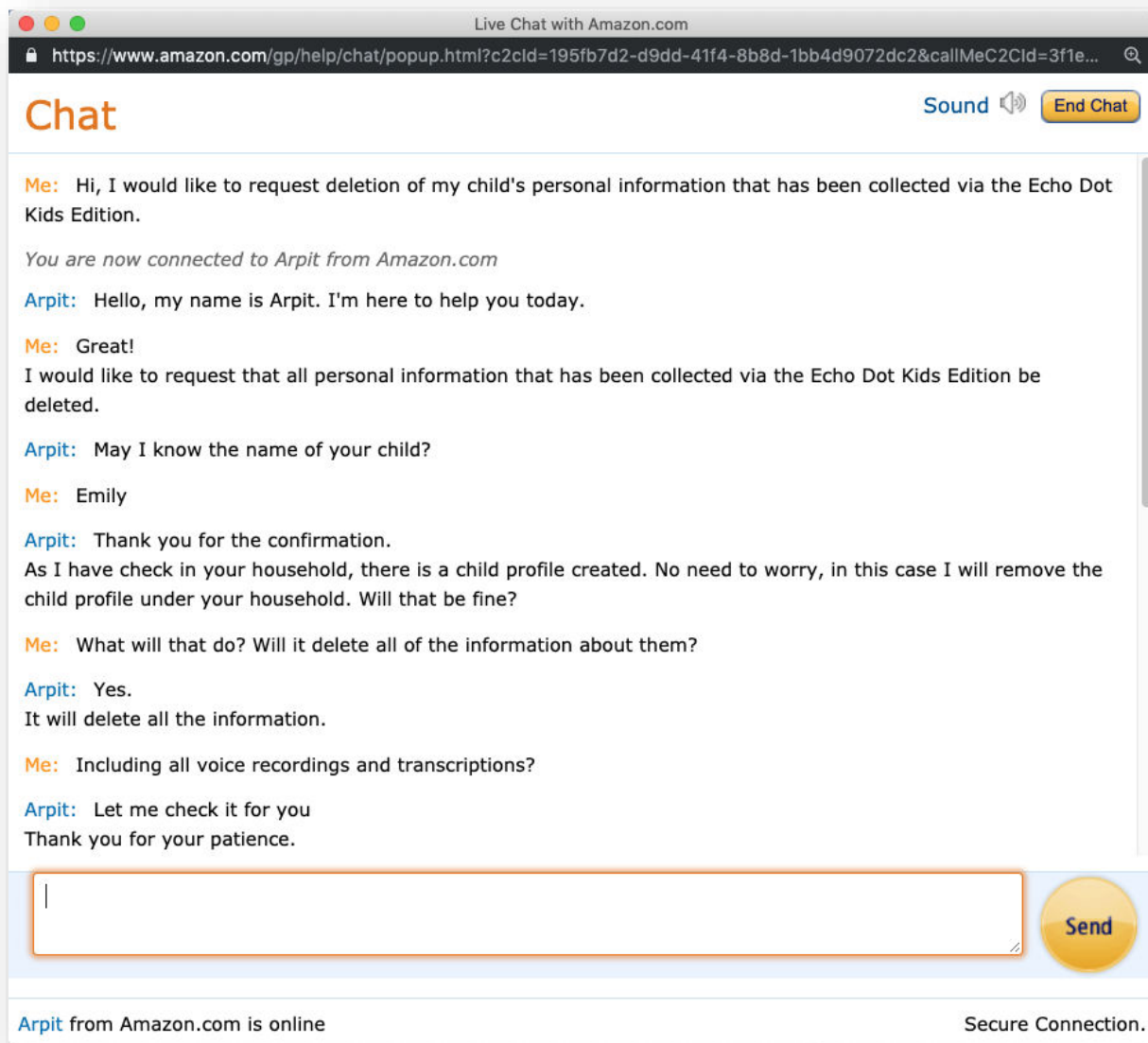


Echo Dot Kids Edition

| | | | |
|-------------------------------|--|-------------------------------|---|
| Size | 1.5" x 3.5" x 3.5" (38 mm x 90 mm x 90 mm) | Audio | Built-in speaker for voice feedback when not connected to external speakers. 3.5 mm stereo audio output for use with external speakers (audio cable not included). |
| Weight | 6.7 oz. (191 grams) <i>Actual size and weight may vary by manufacturing process</i> | Accessibility Features | The Alexa app and Alexa-enabled products include several features for customers with accessibility needs related to vision, hearing, mobility, and speech. Learn more about Alexa accessibility . |
| Alexa App | The Alexa App is compatible with Fire OS, Android, and iOS devices and also accessible via your web browser. A list of supported operating systems can be found here . Certain skills and services may require subscription or other fees. | Warranty and Service | 2-year worry-free guarantee included. Use of Echo Dot Kids Edition is subject to the terms found here . |
| Wi-Fi Connectivity | Dual-band Wi-Fi supports 802.11 a/b/g/n (2.4 and 5 GHz) networks. Does not support connecting to ad-hoc (or peer-to-peer) Wi-Fi networks. | Included in the Box | Echo Dot (Black), kid-friendly-case, power adapter (9W), Micro-USB cable, and quick start guide |
| Bluetooth Connectivity | Advanced Audio Distribution Profile (A2DP) support for audio streaming from your mobile device to Echo Dot Kids Edition or from Echo Dot Kids Edition to your Bluetooth speaker. Audio/Video Remote Control Profile (AVRCP) for voice control of connected mobile devices. Hands-free voice control is not supported for Mac OS X devices. Bluetooth speakers requiring PIN codes are not supported. | Age Range | Ages 3 and up. Not for children under 3 years. |

Exhibit 5: Communication with Amazon's Customer Support

These screenshots show the conversation with Amazon Customer Support when we requested deletion of the personal information collected about a child profile registered to an Echo Dot Kids Edition (April 4, 2019).



The screenshot shows a live chat window titled "Live Chat with Amazon.com". The browser address bar displays the URL: <https://www.amazon.com/gp/help/chat/popup.html?c2clid=195fb7d2-d9dd-41f4-8b8d-1bb4d9072dc2&callMeC2CId=3f1e...>. The chat interface includes a "Chat" header, a "Sound" icon, and an "End Chat" button. The conversation is as follows:

Me: Hi, I would like to request deletion of my child's personal information that has been collected via the Echo Dot Kids Edition.

You are now connected to Arpit from Amazon.com

Arpit: Hello, my name is Arpit. I'm here to help you today.

Me: Great!
I would like to request that all personal information that has been collected via the Echo Dot Kids Edition be deleted.

Arpit: May I know the name of your child?

Me: Emily

Arpit: Thank you for the confirmation.
As I have check in your household, there is a child profile created. No need to worry, in this case I will remove the child profile under your household. Will that be fine?

Me: What will that do? Will it delete all of the information about them?

Arpit: Yes.
It will delete all the information.

Me: Including all voice recordings and transcriptions?


Arpit: Let me check it for you
Thank you for your patience.

At the bottom of the chat window, there is a text input field with a cursor, a "Send" button, and a status bar that reads "Arpit from Amazon.com is online" and "Secure Connection."

Live Chat with Amazon.com

https://www.amazon.com/gp/help/chat/popup.html?c2clid=195fb7d2-d9dd-41f4-8b8d-1bb4d9072dc2&callMeC2CId=3f1e...

Chat

Sound  [End Chat](#)

Arpit: Let me check it for you
Thank you for your patience.
Yes if it will be related to your child profile, it will be deleted.
Should I go ahead and remove the child profile?

Me: Will it delete information that was transmitted to skills?

Arpit: Yes the child directed skill will be disable automatically and if it still shows, you can disable from your end.

Me: I'm not asking if the skill will be disabled.
If my child's information was sent to a skill, will deleting their profile delete the information that was sent to the skill?

Arpit: Yes it will be deleted.

Me: Ok thank you.
Please delete their profile

Arpit: You are most welcome.
I have successfully remove the profile from your account.
Is there anything else I can do for you today?

Me: That is all. Thank you.

Arpit: Thank you for contacting Amazon. Please click on the "End Chat" to close this window.
You are most welcome.
Bye.
Take care.

[Send](#)

Arpit from Amazon.com is online Secure Connection.

Exhibit 6: Kid Skills

Exhibit 6 - 1: Examples of kid skills in each category

Category: Music & Audio



Chompers
by Gimlet Media
★★★★☆ 109
Free to Enable

"Alexa, start Chompers from Gimlet"

Shown in: English (US) [See all supported languages](#)

Get this Skill

To use kid skills, a parent or guardian needs to give permission. [Learn more.](#)

Sign In

By enabling, this skill can be accessed on all your available Alexa devices.

Description

Make tooth time easy with this morning and night tooth brushing show for kids. When it's time for your family to brush teeth, say "Alexa, start Chompers."

Kids will hear jokes, riddles, stories, fun facts, silly songs and more, that'll keep them giggling — and brushing — for the full two minutes that dentists recommend.

To help your family build good brushing habits, Chompers counts the times you brush and celebrates your streaks. Chompers will have kids reminding parents that it's time to brush, not the other way around!

Recommended for tooth brushers ages 3 - 7.

Chompers is presented by Gimlet Media.

FEEDBACK
To send us feedback or ask questions, email us! chompers@gimletmedia.com



Relaxing Sounds : Baby Bed...
by Smart Voice Studio
★★★★☆ 8
Free to Enable

"Alexa, open Baby Bedtime Lullaby"

"Alexa, start Baby Bedtime Lullaby" >

Shown in: English (US) [See all supported languages](#)

Get this Skill

To use kid skills, a parent or guardian needs to give permission. [Learn more.](#)

Sign In

By enabling, this skill can be accessed on all your available Alexa devices.

Description


Relaxing Sounds : Baby Bedtime Lullaby is a skill to help parents who play soothing lullabies to help their baby sleep.

By default, the sound will play until you stop it. To stop the music, say "Alexa, stop." To resume it again, say "Alexa, resume."

Please leave a 5-star review if you love this skill, or send us an email with your suggestions at tc.upwork@gmail.com. Your 5-star reviews encourage us to keep making more great sounds skills!

Sound credit : orangefreesounds

Category: Games



Musical Chairs

by Alexey Dodonov

★★★★☆ 161

Free to Enable

"Alexa, play Musical Chairs"

"Alexa, start Musica >

Get this Skill

To use kid skills, a parent or guardian needs to give permission. [Learn more.](#)

Sign In

By enabling, this skill can be accessed on all your available Alexa devices.

[✉](#) [🐦](#) [f](#) [📌](#)

Description

Musical chairs is a game where a number of chairs, one fewer than the number of players, are arranged facing outward with the players standing in a circle just outside the chairs.

Ask Alexa to play Musical Chairs and start in walking around the chairs. When the music stops each player attempts to sit down in one of the chairs. The player who is left without a chair is eliminated from the game. One chair is then removed/eliminated to ensure that there will always be one fewer chair than there are players.



LEGO Duplo Stories

by LEGO System A/S

★★★★☆ 26

Free to Enable

"Alexa, open LEGO DUPLO Stories"

"Alexa, start LEGO Stories" >

Shown in: English (US) [See all supported languages](#)

Get this Skill

To use kid skills, a parent or guardian needs to give permission. [Learn more.](#)

Sign In

By enabling, this skill can be accessed on all your available Alexa devices.

[✉](#) [🐦](#) [f](#) [📌](#)

Description

Take development and roleplay to a whole new level of fun with the free LEGO® DUPLO® Stories on Alexa! Whether your toddler is the captain of a fishing boat or a bird travelling far and wide, they will experience the joy of learning with LEGO® DUPLO® through short, interactive stories involving animal play and vehicle play - using their very own DUPLO® bricks! And don't worry if your child does not have all of the pieces - they can use whatever they have on hand to act the story. The only limits are their creativity and imagination!

LEGO® DUPLO® Stories encourage children to learn via creative play in a fun, safe atmosphere. Learning numbers and colors and developing language skills have never been more enjoyable!

Interaction is easy!

Go to the settings in your Alexa app and turn on Child Directed Skills

To start, say "Alexa, open LEGO DUPLO Stories".

To select animal stories, say "Animal story"

To select vehicle stories, say "Vehicle story".

To play the animal or vehicle story again, say "Yes" at the end of the story.

To quit the animal or vehicle story, say "Alexa, exit" anytime during the story.

To learn more about LEGO® DUPLO® learning games and story starters, visit LEGO.com/DUPLO - and experience the joy of creative learning through development and roleplay!

Category: Education & Reference



Animal Game for Kids - Play...

by COMM
★★★★☆ 10
Free to Enable

"Alexa, Start Animal Game" "Play Animal Game >"

Shown in: English (US) ▾ [See all supported languages](#)

Get this Skill

To use kid skills, a parent or guardian needs to give permission. [Learn more.](#)

Sign In

By enabling, this skill can be accessed on all your available Alexa devices.

[✉](#) [🐦](#) [f](#) [📌](#)

Description

Probably the best animal sounds game on Amazon Alexa! Play alone, or with friends and family.

Animal sounds game was created to help children of all ages learn animal sounds while having fun at the same time.

Let's Take This Animal Sounds Quiz.

Skill includes most loved animals like dog, cat, sheep, elephant, lion, owl, wolf and even fox. Older girls, boys, and even small toddlers will have a great time! Learn the noises, of pets, farm, and wild animals and birds.

Only real sounds effects, voices, calls and cries of animals.

The new updated version of the free Animal Game. Now you can ask Alexa for a hint! Anytime during the animal game, you can say: "give me a hint", or "I don't know" and Alexa will help you.

Play and Learn.

The game is quick. Just five sounds to guess.

Do you know animals sounds? Do you know what does the fox say? Take this fun challenge now!



Hello Kitty Fan Trivia Game

by Shemyla
★★★★☆ 2
Free to Enable

"Alexa Start Kitty Trivia" "is it 2" >"

Shown in: English (US) ▾ [See all supported languages](#)

Get this Skill

To use kid skills, a parent or guardian needs to give permission. [Learn more.](#)

Sign In

By enabling, this skill can be accessed on all your available Alexa devices.

[✉](#) [🐦](#) [f](#) [📌](#)

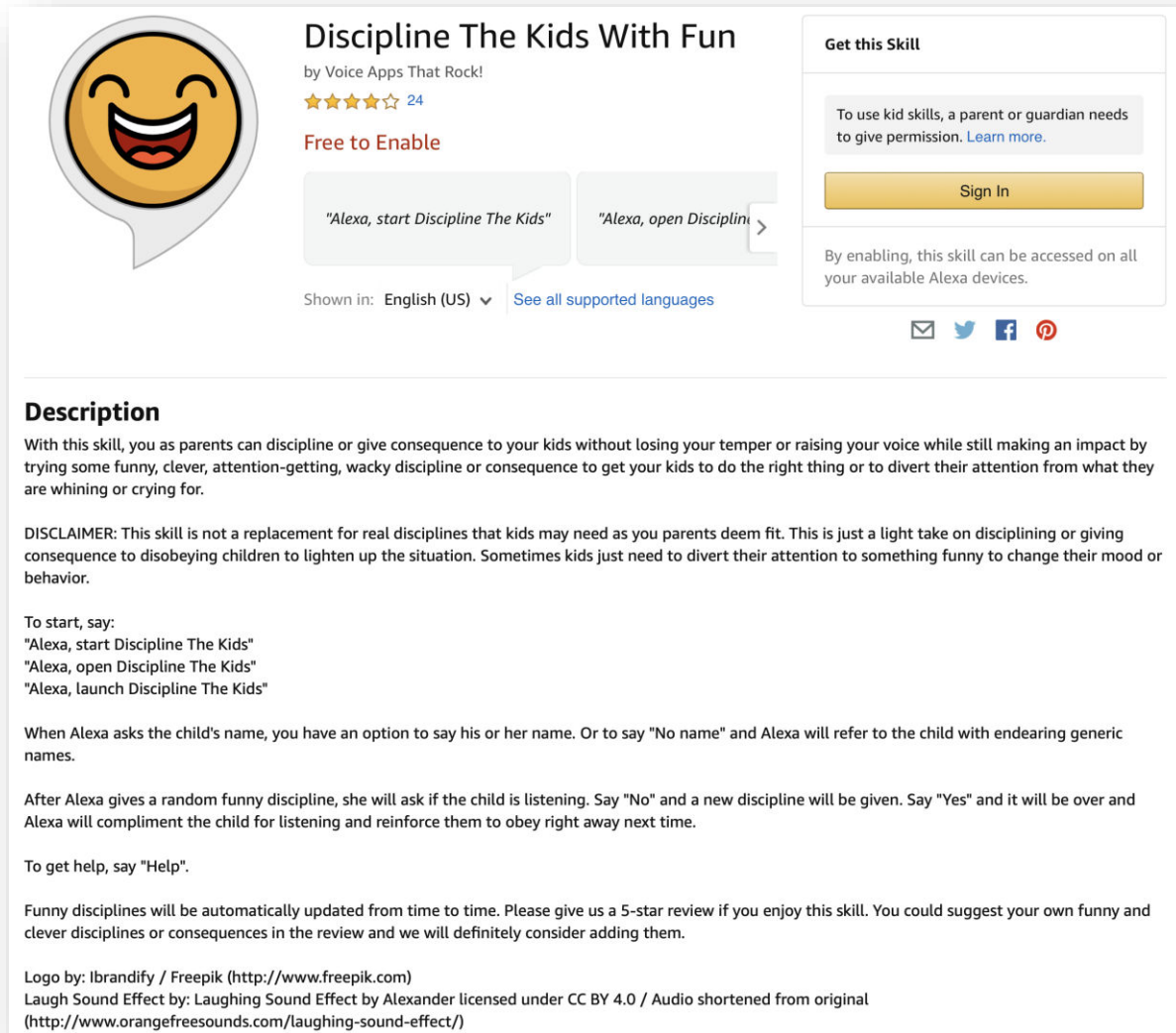
Description

A simple trivia game to test your knowledge about Hello Kitty. Start the game by saying "Alexa Start Kitty Trivia". The trivia will give you multiple choice answers. Reply with the number of the correct answer. E.g.

Alexa: "What is the color of Hello Kitty's hair bow? 1 : Red, 2: Pink, 3: Blue, 4: Yellow"
User: "1"
Alexa: "Correct. Your score is 2"

Note: This skill is not sponsored or endorsed by Hello Kitty. It is an unofficial (fan) version.

Category: Novelty & Humor



Discipline The Kids With Fun
by Voice Apps That Rock!
★★★★☆ 24
Free to Enable

"Alexa, start Discipline The Kids" "Alexa, open Discipline The Kids" >

Shown in: English (US) ▾ [See all supported languages](#)

Get this Skill

To use kid skills, a parent or guardian needs to give permission. [Learn more.](#)

Sign In

By enabling, this skill can be accessed on all your available Alexa devices.

✉ 🐦 📘 📌

Description

With this skill, you as parents can discipline or give consequence to your kids without losing your temper or raising your voice while still making an impact by trying some funny, clever, attention-getting, wacky discipline or consequence to get your kids to do the right thing or to divert their attention from what they are whining or crying for.

DISCLAIMER: This skill is not a replacement for real disciplines that kids may need as you parents deem fit. This is just a light take on disciplining or giving consequence to disobeying children to lighten up the situation. Sometimes kids just need to divert their attention to something funny to change their mood or behavior.

To start, say:
"Alexa, start Discipline The Kids"
"Alexa, open Discipline The Kids"
"Alexa, launch Discipline The Kids"

When Alexa asks the child's name, you have an option to say his or her name. Or to say "No name" and Alexa will refer to the child with endearing generic names.

After Alexa gives a random funny discipline, she will ask if the child is listening. Say "No" and a new discipline will be given. Say "Yes" and it will be over and Alexa will compliment the child for listening and reinforce them to obey right away next time.

To get help, say "Help".

Funny disciplines will be automatically updated from time to time. Please give us a 5-star review if you enjoy this skill. You could suggest your own funny and clever disciplines or consequences in the review and we will definitely consider adding them.

Logo by: Ibrandify / Freepik (<http://www.freepik.com>)
Laugh Sound Effect by: Laughing Sound Effect by Alexander licensed under CC BY 4.0 / Audio shortened from original (<http://www.orange-freesounds.com/laughing-sound-effect/>)



Kids Court

by Pretzel Labs

★★★★☆ 99

Free to Enable

"Alexa, open kids court"

"Alexa, start Kids >

Shown in: English (US) ▼ [See all supported languages](#)

Get this Skill

To use kid skills, a parent or guardian needs to give permission. [Learn more.](#)

Sign In

By enabling, this skill can be accessed on all your available Alexa devices.



Description

Kids: Take your naughty friends, siblings or parents to Kids Court and get a ruling!
When someone's being unfair or nasty, bring them to court and let Lexy judge!
Judge Lexy's verdicts are final and everyone has to obey!

You can now play the judge in other kids fights! Just say "Alexa, Be a judge" to take the judge's oath and hear those little villains. Will you be merciful or send them off to jail? Come back for a new trial every day!

****NEW**** Now supporting echo show, echo spot, and fire TV! Play on these devices for an enhanced experience.

Parents: No more "she pushed me/he started it". Send the kids to Kids Court and let Judge Lexy decide. While you rest, they will learn some basic facts about the US judicial system. They will learn to present their cases coherently and speak up for themselves. And when they don't listen to YOU, take them to court and watch THEM execute crazy verdicts!

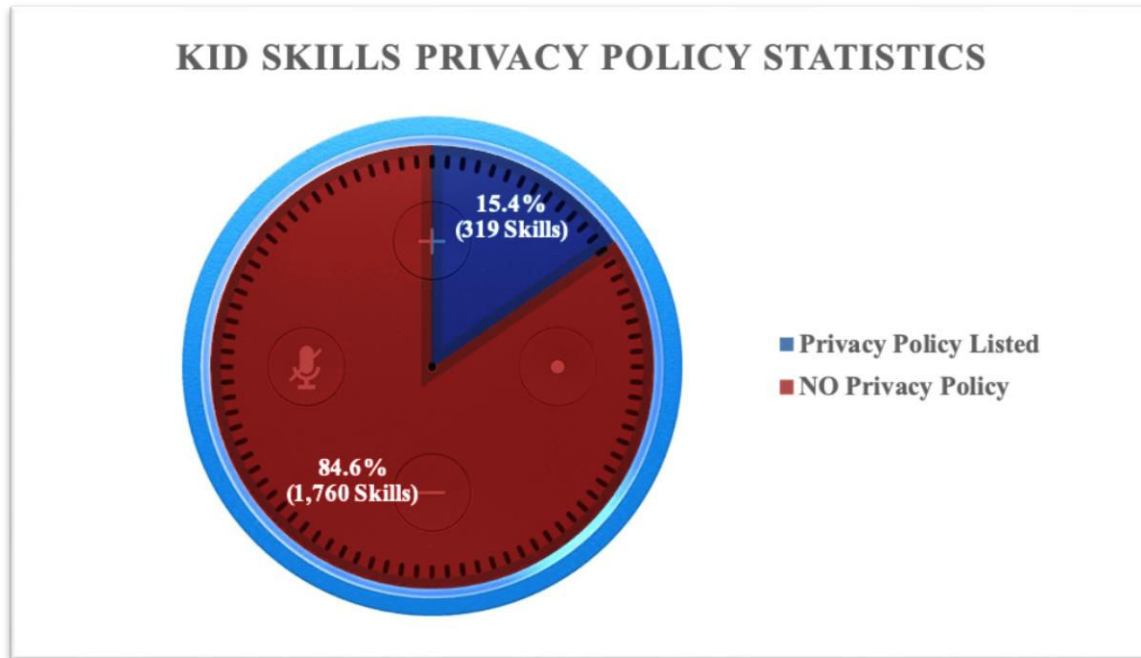
Thanks for playing! If you enjoyed Kids Court, please a moment to leave a 5 star review and tell your friends <3

for more fun: www.playkidscourt.com

email: Pretzel.Voice@gmail.com

music by: <https://www.bensound.com>, zaplast

Exhibit 6 - 2: Kid Skill Privacy Policy Analysis



Background:

The Children’s Privacy Disclosure for the Echo Dot Kids Edition tells parents to check the privacy policies of any third-party services before enabling them for their children. We wanted to examine the privacy policies for some kid skills to get a sense of what parents would find if they followed Amazon’s instructions.

We reviewed numerous kid skills before we found one that listed a privacy policy. Suspecting that the majority of kid skills did not have privacy policies, we developed software to check which kid skills have privacy policies and which do not.

Methodology:

At the time of testing, there were 2,077 kid skills listed in the Amazon Alexa store. We created a program to connect to the Amazon skill store, open each page of the “kid skills” category, and extract the hyperlinks for the listing pages of all 2,077 kid skills. We used Perma.cc to create an archival copy of each page of the kid skills category to preserve what we found and to allow others to verify our results.

Next, we created a program to open each listing page for the 2,077 kid skills and check if a privacy policy was present. This program stored lists of kid skills with and without privacy policies. We also created a program to archive all 2,077 kid skill listing pages using the Archive.org Way Back machine. We did this to preserve what we found and to allow others to verify our results. Finally, we created a separate verification program to re-examine each of the 2,077 kid skill listing pages using a different technique.

Results:

Our initial and verification programs both found that 1,758 kid skills did NOT have privacy policies while only 319 had them. This shows that 84.64% of kid skills do not list privacy policies on their skill listing pages in the Alexa skill store.

Exhibit 7: Congressional Correspondence

Exhibit 7 - 1: Letter from Senator Markey & Congressman Barton

Congress of the United States
Washington, DC 20515

May 10, 2018

Mr. Jeffrey Bezos
Chief Executive Officer
Amazon.com, Inc.
410 Terry Avenue N.
Seattle, WA 9809

Dear Mr. Bezos,

Amazon has announced plans to offer consumers several new products uniquely designed for children, including the new Amazon Echo Dot Kids Edition, a voice-activated “digital assistant” targeted to children. The device provides entertainment including music and storytelling and functions in concert with Amazon’s FreeTime controls software and the FreeTime Unlimited subscription service, which offer users books, television shows, games, and movies for children. While these types of artificial intelligence and voice recognition technology offer potentially new educational and entertainment opportunities, Americans’ privacy, particularly children’s privacy, must be paramount. There is also increasing concern about the effects of digital media and technology use among children and teens. We write to seek information about how Amazon plans to protect the privacy of children who use Amazon Echo Dot Kids Edition and what steps the company is taking to ensure that using this product will not negatively affect children’s development.

We respectfully request that you provide written responses to the following questions by June 1, 2018:

1. Is the audio of children’s interactions with Echo Dot Kids Edition and FreeTime Unlimited recorded and saved? If yes, will these files be converted to text or another format, where will these files be stored, and what data security measures will be taken to protect this information?
2. Please explain parents’ ability to review and delete any recordings of their children’s interaction with Echo Dot Kids Edition and FreeTime Unlimited. Will parents also have the ability to delete other information collected by Amazon, such as records of content accessed by the child?

3. Will Amazon maintain a profile on each child that uses Echo Dot Kids Edition or FreeTime Unlimited? If yes, what information will be kept in the profile? Will Amazon maintain a “voiceprint” that can be used to identify individual children?
4. If a parent does not delete her child’s data, how long does Amazon keep the recordings and other information collected by Echo Dot Kids Edition and FreeTime Unlimited?
5. Please list all third parties that have access to the data collected by Echo Dot Kids Edition and FreeTime Unlimited, and for what purposes they have been granted access to this data. How will Amazon ensure that partners with whom it shares such information employ adequate data security measures?
6. Will the information collected by Echo Dot Kids Edition or FreeTime Unlimited be used for marketing purposes in any way, including, but not limited to, creating profiles about children’s likes and interests, making product recommendations on Amazon.com or the Amazon app, or delivering advertisements?
7. Within what range of distance can Echo Dot Kids Edition transmit and record the spoken voice of children? Describe all ways the recording and transmission functions are activated, the duration of recording/transmission mode after activation, and all methods for turning the device off.
8. Please describe the default setting for the Echo Dot Kids Edition, including default settings for voice recording, range of listening, activation methods, information storing, and methods for turning off the device. How can users change these settings, and how does Amazon make users aware of methods for changing these settings?
9. If a parent does not consent to Amazon collecting information on her child, including recording and retaining voice records and all other data, can the child still use Echo Dot Kids Edition with collection turned off?
10. Where does Amazon plan to post the privacy policy for the Amazon Echo Dot Kids Edition and FreeTime Unlimited offerings?
11. What steps does Amazon take to comply with the Children’s Online Privacy Protection Act (COPPA) in operating Echo Dot Kids Edition and FreeTime Unlimited? How does Amazon obtain verifiable parental consent before collecting personal information from children?

12. Did Amazon work with child development experts while creating the Echo Dot Kids Edition? What mechanisms are in place, if any, to understand the impact of using the Echo Dot Kids Edition on children's development?

Thank you for your attention to this important matter.

Sincerely,



Edward J. Markey
United States Senator



Joe Barton
Member of Congress

Exhibit 7 - 2: Amazon's Response to Congressional Inquiry



June 1, 2018

The Honorable Edward Markey
U.S. Senate
255 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Joe Barton
U.S. House of Representatives
2107 Rayburn House Office Building
Washington, DC 20515

Senator Markey and Congressman Barton,

I am writing in response to your letter on May 10, 2018 regarding the Amazon Echo Dot Kids Edition. Thank you for your interest in our approach to children's privacy and safety online. At Amazon, customer trust is our guiding principle in navigating privacy issues. We know that we must get issues of privacy right in order to meet our customers' high expectations of us. This is particularly true when our customers are parents.

We launched the Amazon Echo in 2014, and since then we have heard from customers how much they love using Alexa in the home. As we received more of this feedback, we started to think about the benefits our FreeTime and FreeTime Unlimited services could offer families on Alexa. FreeTime is a suite of parental control tools we initially introduced in 2012 for parents to use on their tablets. Today, FreeTime allows parents to manage usage limits, content access, and educational goals on compatible Fire, Kindle, and Android devices. Next we launched FreeTime Unlimited, an optional kid content subscription service offering access to thousands of kid-friendly books, movies, TV shows, educational apps, and games on compatible Fire, Android, and Kindle devices. FreeTime and FreeTime Unlimited allow children to explore quality educational content, while providing parents peace of mind with easy-to-access parental controls for personalizing screen time limits, setting educational goals, filtering educational content, and more.

By adding the FreeTime and FreeTime Unlimited services to Alexa, we have included many new features we hope parents will love, including kid-friendly premium skills, a family intercom, kid-friendly music stations, Audible books, and kid-friendly responses. Through our Amazon Parent Dashboard, parents can review their children's activity in FreeTime, set a bedtime, and pause the device. Parents can also review everything their child has said to Alexa in FreeTime through the Alexa app.

We have taken a very careful approach to these products and services and to our other products for children in order to maintain customer trust. The answers to your specific questions are as follows:

1. Is the audio of children’s interactions with Echo Dot Kids Edition and FreeTime Unlimited recorded and saved? If yes, will these files be converted to text or another format, where will these files be stored, and what data security measures will be taken to protect this information?

As with all Amazon Echo, Echo Plus, or Echo Dot devices, when the Echo Dot Kids Edition detects the wake word (Alexa, Amazon, Echo, or Computer), the light ring around the top of the device turns blue to indicate that the device is streaming audio to the Amazon cloud. In the Amazon cloud, our systems for speech recognition and natural language understanding convert the audio to text and determine the meaning of that text so Alexa can respond appropriately to the child’s request. Data security is foundational to all Amazon services and was built into the Echo Dot Kids Edition and FreeTime on Alexa from the ground up. All audio streamed to the Amazon cloud is encrypted in transit, and voice recordings and the text transcripts of those recordings are securely stored in the Amazon cloud.

2. Please explain parents’ ability to review and delete any recordings of their children’s interaction with Echo Dot Kids Edition and FreeTime Unlimited. Will parents also have the ability to delete other information collected by Amazon, such as records of content accessed by the child?

Parents can review and delete specific voice recordings associated with their child's device by going to History in Settings in the Alexa App. Parents also can delete all voice recordings associated with their child's device at the Manage Your Content and Devices page at www.amazon.com/mycd. Parents can also contact Customer Service to request deletion of their child’s profile and all personal information associated with their child’s profile.

3. Will Amazon maintain a profile on each child that uses Echo Dot Kids Edition or FreeTime Unlimited? If yes, what information will be kept in the profile? Will Amazon maintain a “voiceprint” that can be used to identify individual children?

When a parent sets up Amazon FreeTime, the parent will first add a child profile to the Amazon Household in the parent’s Amazon account. The parent provides their child’s first name, birthdate, and gender when creating the profile. The parent can view the child’s profile in the Amazon Parent Dashboard, where the parent can see their child’s FreeTime on Alexa activity, including which skills (the equivalent of apps for Alexa) their child has used. We are always looking for opportunities to innovate to create better experiences for our customers. In the FreeTime on Alexa experience, we do not enable the creation of voice profiles and do not otherwise create a “voiceprint” to identify individual children.

4. If a parent does not delete her child’s data, how long does Amazon keep the recordings and other information collected by Echo Dot Kids Edition and FreeTime Unlimited?

Voice recordings are retained for the parent’s review until the parent deletes them in the Alexa App or at the Manage Your Content and Devices page described above. Parents can also contact Customer Service to request deletion of their child’s profile and personal information associated with their child’s profile (including voice recordings).

5. Please list all third parties that have access to the data collected by Echo Dot Kids Edition and FreeTime Unlimited, and for what purpose they have been granted access to this data. How will Amazon ensure that partners with whom it shares such information employ adequate security measures?

None of the experiences included with FreeTime Unlimited have access to or collect personal information, and we do not share audio recordings with third parties.

Parents can choose to grant their children access to regular Alexa skills that are not part of FreeTime Unlimited. If a parent grants access to any regular Alexa skills, those skills work the same way in FreeTime as they do in the normal Alexa experience. For instance, if a parent has granted a weather skill permission to access the device address and zip code to provide localized weather information, and the parent grants their child access to that weather skill in FreeTime on Alexa, the weather skill will continue to have access to that address and zip code information when used by the child. For all Alexa skills that collect personal information, we require the skill developer to (a) provide us with a privacy notice, which we post on the detail page for the skill in our skill store, (b) use and authorize others to access and use that information only for the purposes permitted by the user, and (c) ensure the information is collected, used, and transferred in accordance with the developer's privacy notice and applicable law.

In some cases, and as described in our Privacy Notice, we use third parties to perform services on our behalf, such as providing certain customer service functions. Those third parties have access to personal information needed to perform their functions but may not use it for other purposes.

6. Will the information collected by Echo Dot Kids Edition or FreeTime Unlimited be used for marketing purposes in any way, including, but not limited to, creating profiles about children's likes and interests, making product recommendations on Amazon.com or the Amazon app, or delivering advertisements?

We use the data collected by Echo Dot Kids Edition or FreeTime on Alexa to provide and improve the Alexa and FreeTime services. For instance, we may use information about the books, music, and skills a child uses to recommend other books, music, and skills available in the FreeTime Unlimited subscription that the child can access without any additional purchase. Children's FreeTime on Alexa activities are not used today for advertising or for purchase recommendations. However, we know customers find Amazon purchase recommendations valuable. If in the future we identify opportunities to provide more helpful recommendations to parents or otherwise improve parents' experiences by considering their children's FreeTime on Alexa activity (such as recommending to parents movies their family might enjoy watching together), we may pursue those opportunities.

7. Within what range of distance can Echo Dot Kids Edition transmit and record the spoken voice of children? Describe all ways the recording and transmission functions are activated, the duration of recording/transmission mode after activation, and all methods for turning the device off.

The Echo Dot Kids Edition device is designed to hear users from across the room. It uses on-device keyword spotting to detect the wake word (Alexa, Amazon, Echo, or Computer). When the device detects the wake word, it streams audio to the Amazon cloud to begin processing the request, including a fraction of a second of audio before the wake word. Users can also press the action button on the top of the device to begin speaking to Alexa. As with all Amazon Echo, Echo Plus, or Echo Dot devices, when

the Echo Dot Kids Edition detects the wake word or when the action button is pressed, the light ring around the top of the device turns blue to indicate that the device is streaming audio to the Cloud. The stream stops automatically once the question or request has been processed. If parents would like an additional indicator when audio is streaming to the cloud, within the sounds settings in the Alexa App they can enable a 'start of request sound,' a short audible tone that plays after the wake word is recognized to indicate that the device is streaming audio, and an 'end of request sound' that will play at the end of the request to indicate that the connection has closed and the device is no longer streaming audio. The parent or child can also turn off the device's microphone entirely by pushing the microphone on/off button on the top of the device. When the microphone on/off button turns red, the microphone is electronically disconnected. The device will not respond to the wake word, nor respond to the action button, until the microphone is reactivated by pushing the microphone on/off button again. From the Amazon Parent Dashboard at parents.amazon.com, parents can also pause Alexa, which prevents Alexa from responding until the parent unlocks it or the lock time expires.

8. Please describe the default setting for the Echo Dot Kids Edition, including default settings for voice recording, range of listening, activation methods, information storing, and methods for turning off the device. How can users change these settings, and how does Amazon make users aware of methods for changing these settings?

The default wake word for the Echo Dot Kids Edition is "Alexa." Parents can change the wake word to "Amazon," "Echo," or "Computer" in Settings in the Alexa App. The parent or child can turn off the microphone of Amazon Echo, Echo Plus, and Echo Dot by pushing the microphone on/off button on the top of the device. Just like with other Alexa voice recordings, parents can review and delete specific voice recordings associated with their child's device by going to History in Settings in the Alexa App. Parents can also delete all voice recordings associated with their child's device at the Manage Your Content and Devices page at www.amazon.com/mycd. Shopping, news, and local search for restaurants and businesses are automatically disabled for FreeTime on Alexa and cannot be turned on. Parents can choose whether to enable Alexa Calling & Messaging for FreeTime on Alexa. Parents can access parental controls through the Amazon Parent Dashboard at parents.amazon.com. On the Parent Dashboard, parents can review their child's activity, choose which skills their child can use, set a bedtime, and pause Alexa on the device. We inform parents of these settings and options through our Help content for Echo and Alexa, which is available in the Alexa app and on our website, and during the FreeTime on Alexa set-up process.

9. If a parent does not consent to Amazon collecting information on her child, including recording and retaining voice recordings and all other data, can the child still use Echo Dot Kids Edition with collection turned off?

Echo Dot Kids Edition is a voice-controlled speaker that leverages the Alexa voice service in the cloud to recognize and respond to children's requests. Echo Dot Kids Edition cannot be used without Amazon processing voice recordings. Alexa retains FreeTime on Alexa voice recordings to allow parents to review and listen to the requests their children make to Alexa, and to improve the child's experience and our Alexa and FreeTime services (such as training the speech recognition and natural language understanding systems mentioned above so Alexa can better understand children's requests). Consistent with the Children's Online Privacy Protection Act, we require permission from a parent before FreeTime on Alexa can be used on Echo Dot Kids Edition. Parents have the options to delete

their child's voice recordings and other personal information associated with their child's profile as described above.

10. Where does Amazon plan to post the privacy policy for the Amazon Echo Dot Kids Edition and FreeTime Unlimited offerings?

We provide customers multiple places to view our privacy policy. When parents set up the Echo Dot Kids Edition or FreeTime on Alexa, they must give verifiable parental consent, consistent with the Children's Online Privacy Protection Act. In the set-up experience, we provide key information regarding how Amazon handles personal information collected from the Echo Dot Kids Edition, and we provide access to our Children's Privacy Disclosure. Parents can also visit our Children's Privacy Disclosure at any time in the Alexa App or at www.amazon.com/help/childprivacy. There is also a link on the product detail page for the Echo Dot Kids Edition labelled, "Children's privacy is important to Amazon. [Learn more.](#)" This link takes customers to the Alexa and Alexa Device FAQs page, where they can learn more about FreeTime on Alexa and how FreeTime on Alexa voice recordings are used, along with other information about Alexa and the Echo Dot Kids Edition device. Parents can also ask Alexa directly, "Alexa, what is your privacy policy?"

11. What steps does Amazon take to comply with the Children's Online Privacy Protection Act (COPPA) in operating Echo Dot Kids Edition and FreeTime Unlimited? How does Amazon obtain verifiable parental consent before collecting personal information from children?

We require verifiable parental consent before kid services like FreeTime on Alexa can be used. Unless a parent has granted permission previously, the first time the parent attempts to set up FreeTime on Alexa, the parent will be prompted to provide verifiable parental consent on the Alexa app through either credit card verification or a one-time code sent via SMS. The parent can review or change permissions by visiting the Manage Parental Consent page at www.amazon.com/manageparentalconsent or by contacting Customer Service.

12. Did Amazon work with child development experts while creating the Echo Dot Kids Edition? What mechanisms are in place, if any, to understand the impact of using the Echo Dot Kids Edition on children's development?

We consulted third party child development experts during the development of FreeTime on Alexa and will continue to do so as we evolve the customer experience. Because all families and children are different, one of our guiding principles in the development of all of our FreeTime experiences is to empower parents by providing robust and easy to use controls to manage their children's digital experiences. Since we launched FreeTime on tablets six years ago, this approach has resonated well with millions of parents.

We believe Alexa provides an exciting opportunity for children to engage with educational and enriching content and explore their curiosity. Children can listen to books, play music, challenge themselves with trivia games, and get answers to questions about science, nature, art, language, history, math, and countless other topics, all without needing to know how to read or engaging with a screen. FreeTime on Alexa and FreeTime Unlimited provide parents the tools to manage these interactions between their child and Alexa as they see fit. For example, parents can review and listen to all their children's voice recordings in the Alexa app, review their children's FreeTime Unlimited activity via the Parent

Dashboard, set bedtime limits, and easily pause the Echo Dot Kid's Edition whenever they like. We have not designed, and do not intend, Echo Dot Kids Edition to be a digital babysitter or replacement for parenting. In fact, one of the things that customers love about Alexa and Echo is the communal nature of the device – parents and kids can join in the learning and fun together.

Thank you again for your interest in these issues, and in our approach to building products for kids.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Huseman". The signature is fluid and cursive, with a large initial "B" and "H".

Brian Huseman
Vice President, Public Policy