From: Dave Jones
To: Microsoft ATR
Date: 1/10/02 6:40pm

Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice

I have written today to comment on the settlement between the Department of Justice and Microsoft Corporation. While I understand the honorable intentions of the judge and court in settling the case in order to prompt the economic recovery of the nation's largest company and thereby, in theory, to prompt economic recovery of the nation, I deplore the toothless settlement that has been accepted by the Department of Justice prosecutors.

There are three things I feel must be included in a settlement that would enact real change in the operating system market and allow for true competition:

1. Any remedy seeking to prevent an extension of Microsoft's monopoly must place Microsoft products as extra-cost options in the purchase of new computers, so that the user who does not wish to purchase them is not forced to do so. This means that for the price differential between a new computer with Microsoft software and one without, a computer seller must offer the software without the computer (which would prevent computer makers from saying that the difference in price is only a few dollars). Only then could competition come to exist in a meaningful way.

2. The specifications of Microsoft's present and future document file formats must be made public, so that documents created in Microsoft applications may be read by programs from other makers, on Microsoft's or other operating systems. This is in addition to opening the Windows application program interface (API, the set of "hooks" that allow other parties to write applications for Windows operating systems), which is already part of the proposed settlement.

3. Microsoft's success, while due in some part to internal innovation, relies heavily on technologies developed by the public sector. The Internet and much of the networking and software technology essential for Microsoft Windows have been fostered by federal grants and Department of Defense research money. As such, any Microsoft networking protocols which build or modify these publicly developed standards must be published in full and approved by an independent network protocol body. This will prevent Microsoft from using their market position to seize de facto control of the Internet.

I trust that you will attempt to enact real and meaningful change in the operating system market. This is a true national security issue. Microsoft

may be important to the nation's economy in the short term, but long term economic security can only come from a free and efficient market for operating systems and networking technologies.

I care about these issues and I vote.

David M. Jones
1142 Key St.
Houston, Texas 77009
713-880-4233

CC: Senator Gramm,Senator Hutchison