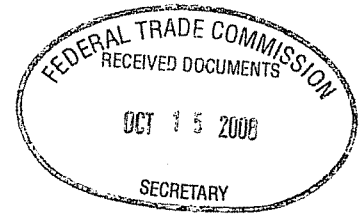


ORIGINAL
THE SWAIM 390 COMPANIES
PRIVATE INVESTIGATIONS • BUSINESS INTELLIGENCE • LITIGATION SUPPORT

Donald S. Clark
Office of the Secretary
Federal Trade Commission
Room H-135
600 Pennsylvania Avenue, NW
Washington, DC 20580



Re: Proposed Consent Order
In the Matter of Reed Elsevier and ChoicePoint, FTC File No. 081-0133

Dear Mr. Clark:

I am writing regarding the proposed consent order and acquisition of ChoicePoint by Reed Elsevier. The private investigations business is comprised of those who provide critical services to government agencies, attorneys, state and US courts and others. We provide valuable information in civil and criminal matters; background checks and due diligence and other matters of the public interest. We rely extensively on data provided by Reed Elsevier, ChoicePoint and their subsidiaries to support us in serving these clients.

Over the past several years there has been an alarming degree of consolidation among providers of public records services. This proposed acquisition will further reduce competition in the industry. Although there are several providers of data services in the marketplace, they are resellers of data provided by the respondents.

The Commission's complaint found that this acquisition would be anticompetitive and a violation of antitrust law in the market for the sale of public records information to law enforcement agencies. The same effects would be felt in the market for sale of public records to the private sector.

It is critical to have access to data from several suppliers during the conduct of an investigation. Limited resources reduce both the quality and quantity of information available. Our members, the majority of whom are sole practitioners, do not have the financial weight to bargain with large entities in a non-competitive environment.

We urge that the Commission not approve the acquisition until respondents can divest themselves of public records services provided to private industry and law enforcement.

Unless an appropriate remedy is offered, our members and their clients will suffer irreparable harm. When competition is reduced, incentives for innovation are reduced, prices rise and service suffers.

Thank you for your consideration to this critical business issue.

Sincerely,

Nancy Swaim
President