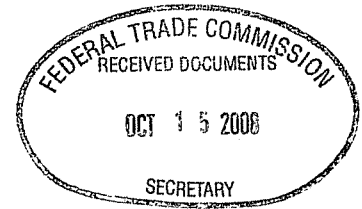


October 8, 2008



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 write to the Federal Trade Commission ("Commission") concerning the Reed Elsevier/ChoicePoint merger. I am chairman of the Board of the Boys & Girls Clubs of the Mississippi Delta, am on the Board of Big Brothers Big Sisters of Mississippi, and sit on several other boards dealing with children. What impact will this merger have on the costs of background checks for those working with children? Some of our groups used ChoicePoint (AutoTrack); others used LexisNexis (Accurint). Now that the two have merged, what is it that will keep the price per check from going up?

I understand that the Commission's proposed Consent Order requires ChoicePoint to divest to Thompson-Reuters (West) the AutoTrack data base and search tools. Most explanations of the deal say that the primary areas that West will offer AutoTrack will be in the law enforcement market. That does not help competition for the non-profit world. This 2% divestiture of ChoicePoint's business cannot possibly prevent price increases, can it?

I have been told by Attorneys General and others familiar with the deal that there is nothing that would prohibit West from offering services outside the government and law enforcement market, but from my review there is nothing that requires it or makes certain there is competition there either. How is the Commission going to make sure there is real competition outside the Government (law enforcement) segment of the public records aggregation market? Private investigators, the healthcare industry, employment agencies, and the mortgage/banking/insurance industries are a few businesses that could also be adversely impacted. West's public announcement on September 22 emphasizes the creation of West Government Services to provide technology to "law enforcement and government agencies."

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My client, Hank Asher, who created both AutoTrack and Accurint and sold those products to LexisNexis and ChoicePoint, made himself available to the Commission's staff during the investigative process and relayed this same information. Mr. Asher has a covenant not to compete that has a little less than a year left on it. Who is it that is "ready to go" in all the other markets besides law enforcement and government? Where is the competition now? West has developed a strong competitive business with attorneys and some law enforcement agencies, but is not really present in the other arenas that make up over 90% of this market. Is there another company that I have missed that will provide the non-profits, insurance companies, private investigators, hospitals, nursing homes, employee screening agencies, and many others a fair price? If so, can the Commission let me know what company that is? If not, I respectfully urge the Commission to take another look at this deal to make sure that competition will be preserved in all of the affected segments of the public records aggregation market.

Thank you for your consideration of these comments.

Sincerely,

MIKE MOORE LAW FIRM, LLC

Mike Moore

MM:ac

c: State Attorneys General