

From: Garrett McWilliams
To: Microsoft ATR
Date: 1/23/02 11:54pm
Subject: Microsoft Settlement

U.S. Department of Justice, Antitrust Division:

I appreciate the opportunity to comment on the proposed settlement of the Microsoft antitrust case. There are several reasons why I do not support the proposal:

Firstly, the punishment is inadequate. By not pursuing a modification of the corporate structure, and by leaving gaping loopholes in the requirements for opening the Windows API, the Department of Justice effectively slaps Microsoft's wrist. Because of Microsoft's position in our society as the monopoly provider of the basis for most of our personal and business computing, it is gravely important that they not be considered above the anti-trust laws or deserving of softened treatment. The situation we find ourselves in now is almost exactly why these laws were enacted, the only difference being the industries in question. It has been proven that Microsoft has intentionally broken some of the laws that regulate our capitalist system. These laws exist for important reasons, and their power, as a deterrent if nothing else, is undermined by this proposed settlement.

Secondly, the expectation of Microsoft to practice good-faith self-restraint is unreasonable. They have been found guilty of breaking the law, and, referring back to my first statement, are being shown that the penalties for such actions are mild. Would it really be reasonable to expect their behavior to change under such circumstances? It is clear from the features of the newly released operating system, Windows XP, and the .NET initiative, that this expectation is in fact not reasonable.

I hope that the Department of Justice will reconsider the proposed settlement in light of these points, and the many objections raised by others. Effective changes would include changing the API disclosure requirements so as not to allow Microsoft to discriminate against Open Source developers, closing loopholes in the interoperability requirements, and requiring divestiture of technology developed as a result of past illegal monopolistic business practices. It would be a shame for Microsoft's wealth and power to enable it to escape appropriate punishment for its misbehavior and an effective deterrent for future illegal actions.

Sincerely,
James Garrett McWilliams, College Park, MD; Electrical Engineer

Do You Yahoo!?

Get your free @yahoo.com address at <http://mail.yahoo.com>