



November 17, 2005

Chairman Ted Stevens  
Co-Chairman Daniel K. Inouye  
Committee on Commerce, Science, and Transportation  
United States Senate  
508 Dirksen Senate Office Building  
Washington, D.C. 20510

Dear Chairman Stevens and Ranking Member Inouye:

Consumers Union writes to express our support for passage during the Committee's executive session today of the managers' amendment to S. 687, the SPY BLOCK Act.

The managers' amendment narrowly targets certain software-related practices that are particularly frustrating to consumers: software that effectively seizes control of a consumer's computer; software that surreptitiously collects information about the consumer; and software that delivers pop-up ads while concealing their source. The amendment also provides for stronger FTC enforcement against unfair and deceptive spyware practices. Finally, the amendment, strikes an appropriate balance on preemption. It does not preempt state consumer protection, or privacy laws and limits preemption to state spyware laws.

Proposals on matters such as spyware can provide some protection to consumers on specific matters of immediate concern. Consumers Union therefore supports passage of the SPY BLOCK Act, as it would be amended by the bill's managers at today's executive session. We look forward to working with you to continue to improve the bill as it moves through the remaining steps of the process.

Thank you.

Sincerely,

A handwritten signature in black ink that reads "Kenneth DeGraff".

Kenneth DeGraff  
Policy Advocate  
Consumers Union