

I believe that the broadcast flag is a mistake, a huge step backwards in providing Americans with unhindered access to programming. The restriction of this freedom is an attempt by ever more monopolistic media empires to harden their grip on broadcast content through legislation.

And these selfsame giants are notoriously poor at understanding what it is Americans want, and the consequences of innovations. For instance, in 1982 Jack Valenti (then, as now, head of the Motion Picture Association of America) said this about VCRs:

"I say to you that the VCR is to the American film producer and the American public as the Boston strangler is to the woman home alone."

and

"Now, these machines are advertised for one purpose in life. Their only single mission, their primary mission is to copy copyrighted material that belongs to other people..."

and in recent (2002) comments in the New York times:

"We're fighting our own terrorist war."

We should not trust the stance of people who have been so mistaken in the past.

Right now I have the right, as a citizen and a consumer, to record programming for purposes of time-shifting, or for viewing repeatedly at some later date. All I am demanding is the ability to continue to exercise this right with newer media. We have existing laws that prevent me from using these recordings for commercial gain, so an invasive extension of regulations that gives a commercial cartel control over my equipment without any clear evidence of intent toward wrongdoing is a heavy-handed, wrong-headed approach. Too, the introduction of this flag would make my home recording behavior, and that of millions and millions of other Americans, illegal. There is something very wrong, and very sinister about that.