

Dear FCC commissioners:

As a consumer of digital content, I encourage you to oppose the proposed "Broadcast Flag" which would include a signal into certain programming, keeping it from being recorded for consumer fair use. If the object of your proceeding is to convince consumers to buy digital television devices, the initial comments of the MPAA and others aligned with its position ignore the consumer's side of the digital television bargain.

The MPAA would have the Commission believe that the DTV transition is best served by forcing consumers to receive DTV content only by means of special-purpose DTV devices. The truth is that general-purpose computers can do more while costing less. The more proprietary the technology and the more the consumer electronics devices are burdened with keeping pace with fallible copy-protection technology, the less likely we are to see cost-effective widespread adoption of DTV.

I am very concerned about the fair-use implications of the broadcast flag. I can record TV to watch later; clip a small piece of TV and splice it into a home movie; send an email clip of my child's football game to a distant relative; or record a TV program onto a DVD and play it on different devices in different locations for my own fair use. The broadcast flag seems designed to remove this control and flexibility that I enjoy.

I believe that piracy should be prevented and prosecuted. However, if theoretical prevention comes at the cost of prohibiting me from making legal, personal use of my content, then the FCC should be working to protect all consumers rather than the rights of Hollywood that in the end curtail my legal rights. While I may be required to purchase consumer electronic devices that cost more and allow me to do less, piracy will not be diminished.