

COMMENTS FOR N A B
PANEL

The "legacy" of former Chairman Ferris--which received an extraordinary amount of favorable press across the country a few weeks ago--unaccountably reminds me of a statement attributed to Sam Rayburn: "It takes a carpenter with some skill to build a barn but any jackass can kick it down."

RELAXATION OF PRESENT BROADCAST RULES

It seems likely that both the Congress and the Commission will continue to look for ways to further relax rules in broadcasting which inhibit broadcasting's ability to compete with other media. Technology continues to outstrip the policy makers' ability to adequately deal with progress and this is doubly true in electronics-based industries because of the very rapid rate of technological development. Although we try to anticipate the future, the legislative and regulatory processes are very slow since they must ensure the widest possible public participation. As new competitors emerge and as competitive relationships change, the government should quickly recognize these changes and act rapidly to remove rules which tend to restrict competition. I believe that one general area which the Commission might well address in the coming weeks and months is the broad area of cross-ownership. I suspect that our rules in this area are more reflective of the past than the present.

LEGISLATION AND COPYRIGHT

Some legislation has already been introduced, of course, and there may be more in the area of broadcast de-regulation and I would expect some progress in the current session. I am neither willing nor able to predict the final form this legislation will take but I do believe that it will result in significant de-regulation.

I am somewhat less optimistic about copyright legislation because of the history of the current copyright law. It took

several years to write and enact that statute and many compromises were reached. It is clear, however, that it did not adequately address the cable problem and that some rather significant changes are necessary. I continue to believe that some form of retransmission consent is vital to any equitable solution to the problem which was enhanced considerably by the FCC's decision on syndicated exclusivity.

THE ROLES OF COMSAT AND AT&T NOW AND IN THE FUTURE

First, it seems clear that both companies must continue to play very significant roles in providing both domestic and international telecommunications services. It will continue to be the very heavy burden of the Congress and the FCC to define those roles so that they are not so dominant as to discourage innovative effort by others. We must be very careful that as newer and better modes of communication develop that we are not so impressed with the technology that we forget the real needs that technology must serve.

BROADCASTING IN 1990

Broadcasting's future will depend almost certainly upon its continued willingness and capacity to serve legitimate public needs. New technologies will develop and they will be implemented. New competing services will arise. And, to the extent to which they have real merits, they will be adopted by the public. It's clear that, even among broadcasters, those who do serve the public better than their competitors more often than not dominate their markets. If the public perceives that someone else provides a service you provide better than you do, obviously there will be difficult times ahead. I don't believe the public cares much about the means by which a television picture appears on its screen. It does care

about what that picture portrays. What it portrays must have some relevance to each viewer as entertainment, information, cultural or spiritual reinforcement or some other value. It seems to me that broad casters are well-positioned to meet future competition in two significant areas: first, the ability to provide relevant local service and, second, the ability to make your service universally available to your communities at low cost. As I have been saying even before I joined the Commission, local service is the keystone of our broadcasting system in this country and if we forget that simple fact, it will be at our peril. There are those who are so shortsighted that they sometimes sacrifice opportunities for service in the interest of enhancing the bottom line. Those will be the first to feel the impact of new technology. Most of the broadcasters I know, however, are very conscious of their own needs in providing service. They will continue to do well in the years just ahead.

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