



**Your on the
Street Reporter**



Uyless Black

**Politics in America
Internet Journalism**

Internet Journalism: Report 1

Journalism is the practice of investigation and reporting of events, issues, and trends to a broad audience.

Journalism's role is to act as a mediator or translator of these events, issues, and trends to this relatively uninformed audience.

Definitions taken from the Internet

September 21, 2011

Dear Judge Kithil,

Recently, you posted on the Internet several comments about HR 3200 (the health care bill). I gather that you are not in favor of this bill. After learning as much as I could about this legislation, I tend to side with you. We are in the same corner when we contend the bill does not address some of the major problems of America's health care issues.

That stated, some of my reservations about HR 3200 are different from yours. But that is another matter. You and I can debate this broader issue some other time.

The reason I am writing this letter to you deals with your comments about specific clauses in the bill. I think you have not only misread them, I think you have misrepresented them. If I have read a different HR 3200 document than the one you read, and my claims in this correspondence are incorrect, I welcome your response. I will post on my blog (Blog.UylessBlack.com), a statement reflecting my misunderstanding of your comments.

As a favor, if my impressions are not correct, please send me the link name of your copy of HR 3200, so I can download the version you reference.

Your correspondence has received a huge readership. I Goggled Judge Kithil and found page-on-page about you. From what I see in your Internet correspondence, you make a difference. By virtue of your title, "judge," citizens respect and value your opinions---even when you are off the bench. By your title alone, you have the respect of many people. In addition, assuming you exist, I gather you have been a successful attorney.

For this correspondence: I read your first two assertions about the health bill. I downloaded this bill and went to the parts dealing with your complaints. I read the content about your first two claims. There, I found no evidence supporting the statements in your email in which you said:

Page 50/section 152: The bill will provide insurance to all non-U.S. residents, even if they are here illegally.

You also stated:

Page 58 and 59: The government will have real-time access to an individual's bank account and will have the authority to make electronic fund transfers from those accounts.

Because I am addressing this email to a wide audience attuned to general matters (and not details), I am placing in appendix 1 and 2 the specific text of the pages dealing with your claims. Your assertions do not align with the clauses in the health bill that I read.

But my concern with what you have done goes beyond your specific actions.

One of the great powers of the Internet is its electronic broadcast capability. Through wire or wireless, it transports throughout the world to anyone who wishes to receive its messages (and many who don't). It has transformed the very nature of how we humans convey our non-face-to-face thoughts to one another. We still talk to each other in the same way in the shopping line. But our conventional letters and faxes, even our conventional cell phone conversations, are fading away into Twitter and Skype. Our ideas and thoughts are now able to reach millions of people...without buying a single postage stamp.

For all of us, this global connection has created a fundamental change in how and what we communicate.

With the almost effortless press of a computer key to send our views on a subject---a simple gesture that allows us to communicate with the masses---we become journalists.

For example, Judge Kithil, your email on the health care bill is an *investigation* and a *report* on the subject you have made available to millions of relatively uninformed readers. With rare exceptions, these readers do not do any further investigation. They accept your report as factual.

If your Internet posting is not a report, then it is certainly an OP/ED piece. But I think it is closer to a journalistic report, because it makes (factual) claims about other supposed facts (the health bill). And your report has been (likely) read by more readers than most local papers can claim.

I have an idea for you and the other readers of this email to consider: When making claims based on facts, Internet senders of messages have the responsibility to make their claims accurately. I am not speaking of passing *opinions*. I am speaking of presenting *facts* accurately.

Your honor, I receive scores of emails from people who passively pass-on incorrect stories without checking the accuracy of their contents. Why? Because most of these people relay articles that coincide with their own political beliefs. As far as I can determine, I've yet to receive an email that contains information that is at odds with the views of the sender.

It seems to make no difference if the relayed messages are little more than incorrect trash. The people who relay these messages seem not to care, one way or the other: "I've sent it. It aligns with my ideas. It's up to someone else to validate its truth."

Such a view is a reversal of journalistic responsibility. Okay, if my notion about all of us being journalists is too far-fetched, then it is an abnegation of personal responsibility.

The originators of these mistakes are guilty of the sin of commission (creating it). Those who pass the falsities on to others are guilty of the sin of omission (not checking it, or at least stating they do not know if it is correct).

Regarding the two points in your email, it took me about 20 minutes to download the house bill and look-up the clauses relating to your two points, and compare them to yours. It was not intellectually challenging, as anyone who can read could have done it. That is not asking too much of people: Do some homework! If we are too lazy to check ideas and philosophies we are propagating, then we should not propagate them in the first place.

But your sin of commission is more serious than the couch potatoes who relay your claims. Their omissions (not fact checking) pale in comparison to what you did: You made up "facts."

That is the sobering part of this episode. In relation to America's future well-being, we are confronted with serious problems. In the long run, our decisions about them will affect our security and happiness and those who come after us. We have an obligation to those who follow to accept the facts about our situation and use these facts to address solutions.

I have looked for reasons to believe your claims, but my research reveals the pages of the legislation contain no such clauses supporting your contentions. I will not waste my time or the time of others with the remainder of your statements. Two of them suffice.

Thanks for reading, your honor. I am hoping you and I read two different versions of the health care bill. If we did not, I'm hoping---for your sake and your judicial conscience---that you are a virtual figment of the Internet.

APPENDIX 1

I read the pages of this bill (HR 3200) that refer to two of Judge Kithil's comments. The first is this claim:

**** Page 50/section 152: The bill will provide insurance to all non-U.S. residents, even if they are here illegally.**

Section 152 reads as follows:

"SEC. 152. PROHIBITING DISCRIMINATION IN HEALTH CARE.

22 (a) IN GENERAL.—Except as otherwise explicitly permitted by this Act and by subsequent regulations consistent with this Act, all health care and related services (including insurance coverage and public health activities) covered by this act shall be provided without regard to personal characteristics extraneous to the provision of high quality health care or related services.

(b) IMPLEMENTATION.—To implement the requirement set forth in subsection (a), the Secretary of Health and Human Services shall, not later than 18 months after the date of the enactment of this Act, promulgate such regulations as are necessary or appropriate to insure that all health care and related services (including insurance coverage and public health activities) covered by this Act are provided (whether directly or through contractual, licensing, or other arrangements) without regard to personal characteristics extraneous to the provision of high quality health care or related services."

I wondered if the judge had thought "personal characteristics" had to do with being an illegal resident or if the government had its unique interpretation of this phrase. Consequently, I did a search on the term and found a government site (www.tsa.gov) that defined what constitutes personal characteristics. They are: "Conscientiousness, Integrity/Honesty, Emotional Maturity, Cooperativeness/Sensitivity to the Needs of Others, Self-Presentation, and Flexibility."

Not one word about "illegal" anything. Furthermore, I did a search of HR 3200 for "personal characteristics" to see if it might define something different or have more specific references to illegal residents. No, the only citations of this phrase are in Section 152.

The health bill may indeed contain clauses that stipulate providing insurance to illegal residents. But I cannot read this provision in the clause that the judge uses for his claims. Citing the specific source regarding such a huge, controversial issue is essential if we Americans are to have an effective debate on the subject.¹

So, where did the judge come up with his claim? Unless someone can show me Section 152 has some hidden meaning that deals with illegal residents, I can only conclude that he invented it out of thin air and his ideological zeal.

¹ For what it's worth, this writer is not in favor of granting much of anything to lawbreakers. The practice insults legal immigrants and sullies the laws of our nation. But the ineptitude of Uncle Sam's protecting our borders has let the toothpaste out of the tube many years ago. For my Red readers, who abhor how this came about, cast your net over the business world (mostly Republicans) who made it known to their Congress representatives that they needed cheap labor.

This is the second occasion his claims have been sent to me via the Internet. (The first was a few weeks ago. I responded with a short reply.) It is obviously getting a lot of circulation; probably hundreds of thousands of readers.

Because its claim is false (again, as far as I can tell from my research), it becomes dangerous propaganda. It is passed along as political gospel and accepted by many people, when it has no basis in fact.

The Internet is greatly empowering, both to elucidate and to obfuscate. For this situation, it has been used to...not only obfuscate, but to falsify.

I also did some research on his second claim:

APPENDIX 2

**** Page 58 and 59: The government will have real-time access to an individual's bank account and will have the authority to make electronic fund transfers from those accounts.**

Here is the text on pages 58 and 59 that pertain to this issue:

"(C) enable electronic funds transfers, in order to allow automated reconciliation with the related health care payment and remittance advice"

"Enable" has no relationship with the text above that is in yellow highlight. None whatsoever. It's incredible that someone could read clause (C) and come up with the "yellow" text. It is astounding that a person could infer the conclusions (highlighted in yellow) from the facts cited in the HR passage.

But that's Internet journalism. Put it into cyberspace and it somehow takes on a magic appeal.

Internet Journalism: Report 2

September 26, 2011

Hello from Your on the Street Reporter. I am filing this report to amplify Report 1, which commented on some aspects of the health care bill and the seeming distortions about the bill that are being sent through the Internet.

I use the word *seeming* in deference to some of my readers. Some responses to my first report offered that the clauses were so general that---when the final, detailed wrappings are put around them---they could mean exactly what Judge Kithil is saying.

In relation to the second clause that Judge Kithil addresses, another reader told me that Uncle Sam has had electronic access to citizens' bank accounts for many years. He is an authority on matters of security and intelligence, so I bow to his view. But if so, I find this situation deeply disturbing.

A number of people who read Report 1 let me know that my lofty thought about Internet users accepting responsibility for the contents of what they send to others was hopelessly unrealistic; that my notion of ordinary citizens taking on the role of journalists was a pipe-dream.

I did not say it was a realistic concept. I even suggested it was far-fetched. But I stand by my contention that the supreme ease by which we can instantaneously send a message to millions of people changes the playing field in regards to personal responsibility.

I also think each of us would do well to remember our personal address is on the "send" line of our Internet email. That unto itself should at least give us pause about what we relay to others.

Read!

I am certain most people who read the judge's claims did so without examining the source documents; of doing their own due diligence.

What is needed in our debates on these vital issues is for citizens *to take on just a bit of responsibility* themselves and do their own examinations; to read the *primary* sources pertaining to these debates.

It does not take much effort to download these documents and read the *specific* clauses that are cited in inflammatory letters such as the one written by this judge. You do not have to read the entire document to check if a person's claims are valid. Just read his or her references.

Whether we like it or not, the Internet---with its blogs, Twitters, and Facebooks---has placed the hands of (at least some) journalism responsibilities onto the fingers of an Internet user. In the past, we could usually rely on a report from the newspaper we read each morning to have been fact-checked. We just assumed this level of due diligence.

Back to the Real World

Okay, I yield to the realists. So, I propose “journalism” responsibility with these caveats...which dampens my idealistic idea about a world full of reporters:

1. We state in our email that we have not verified the contents of the specific diatribe. (“I don’t know if this person knows a hill-of-beans about what he/she is talking about. I just thought it is interesting enough to pass on to you.”)
2. We do not make up so-called facts about other facts that we have not read. This practice is intellectually phony.
3. We do not make up so-called facts about something we have read, but have purposely distorted. This practice is reprehensible.

With democracy, comes responsibility. Responsibility carries with it staying actively informed, not simply passing something passively (it’s so easy to do) from someone else to yet another someone else, who then passes it along to the next passive someone else.

Small wonder this country is in trouble. We are too busy listening to talking heads to use our own.

By the way, the health bill is hopelessly complex. I cannot see how it can be implemented as it is now written.