

Encapsulated Season 2 - Episode 9 of 9

FADE IN:

SUPER: One year later.

INT. SENATE CHAMBER - DAY

Note: this is filmed like a live C-SPAN broadcast.

The chamber is bustling with media as the senators slowly file in and take their seats. Notably Rosa Esposito, who is now a senator and a ranking member on the committee.

Across from them is Hector McKinley, sitting at a table by himself. He looks amused, even dismissive of the crowd, as if it's all a waste of time.

Once everybody is ready to begin, the chairman of the committee, SENATOR WEAVER (42), bangs the gavel and calls the meeting to order.

SENATOR WEAVER

The committee will now come to order, please settle down. The committee will come to order.

He bangs the gavel again - authoritatively, not angrily. Finally, the media quiets down and trains their focus on the chairman.

Text at the bottom of the screen:

Senator Jared Weaver, Chairman of the Senate Subcommittee on Communications, Technology, Innovation and the Internet.

SENATOR WEAVER

Good morning all. Today begins the first day of public hearings into Mind-Scape Incorporated. This is the second such investigation that this committee has undertaken. The first investigation took place in 2027. Our findings at that time revealed glaring oversights and flaws into how the Mind-Scape technology was being exploited and utilized. But the company displayed a willingness to take corrective action, address our concerns, and put safe-guards in place.

SENATOR WEAVER (cont.)

However... a recent series of damning articles have generated renewed controversy in the firm. There have been claims of cover-ups and fabricated results from company studies, flagrant disregard for this committee and our prior recommendations, anti-competitive corporate tactics, and a host of other illegal business practices.

In light of public calls to action, we are now in effect re-opening the original investigation. Over the next two weeks, we will be holding several hearings, reviewing written testimonies, and also reviewing evidence obtained from Mind-Scape audits. After which point the committee will make its recommendations.

Our first witness today is CEO Hector McKinley.

Focus on Hector. Text on Screen:
Hector McKinley, CEO of Mind-Scape Inc.

SENATOR WEAVER

Each committee member will have a chance to question Mr. McKinley. I will now turn the time over to ranking member Esposito for the first round of questions. Ms. Esposito.

Focus on Rosa. Text on Screen:
Senator Rosa Esposito, Wyoming (I)

The showdown between Hector and Rosa begins.

ROSA

Good morning Mr. McKinley. Always a pleasure.

HECTOR

Good morning, Senator. We really need to stop meeting like this.

Everybody laughs.

ROSA

That might be the only thing we agree on, sir.
(more laughter)

ROSA (cont.)

I'd like to start by asking if you would consent to a Mind-Scape audit? I think I know the answer, but it would certainly expedite the process and give us more authentic testimony.

HECTOR

I don't want an audit. And I think it's a sad statement that our culture expects its leaders to subject themselves to such an invasive and... no, that is not happening.

ROSA

Okay. Thank you, sir. Let's start with the claims that the original study was rigged and that participants were coerced into giving positive reviews and high scores. Is that true?

HECTOR

That is absolutely false. And I think it's a little too coincidental that all these so-called 'witnesses' are just now coming forward. Even if they're right, why wait almost ten years? Hmm?

ROSA

The timing shouldn't matter if what they're saying is true, sir.

HECTOR

Except it's not.

ROSA

But Mr. McKinley, all of them have willingly submitted to a Mind-Scape audit, and their memories corroborated their stories.

HECTOR

Says you.

ROSA

Actually, that's according to an independently contracted firm that we hired for the audit. Cognition Insights, an insurance subsidiary that your company contracts with. Or do you not trust their findings?

HECTOR

I'm not familiar with their track record, since we work with several auditing firms. I can't say for certain whether they're reliable.

ROSA

Noted. But you DO contract with them?

HECTOR

I believe so, but I'm not 100% sure.

ROSA

How convenient. Now, what is-

HECTOR

Sorry Senator, are you questioning my honesty?

ROSA

I wish I didn't have to. If you let us do an audit, you could make this easier for both of us.

(the audience laughs, Hector is embarrassed)

Let's move on from that original study though. On the topic of your audits and your numerous contracts with Mind-Scape auditors... Is it true, as per your own written testimony - and thank you by the way for submitting that - is it true that Mind-Scape Incorporated receives a percentage of every audit that these firms conduct?

HECTOR

That is correct. And I want to point out that we do NOT, repeat, do NOT under any situation receive more or less compensation depending on the outcome of the audit. That is a blatant lie that the media has been circulating.

ROSA

Just to be clear, you do receive a cut of the audits, period?

HECTOR

Yes. But if somebody is found guilty, or lying, or innocent, or whatever, then we get paid the same amount regardless. We have no incentive for an audit to swing either way.

ROSA

Noted. But you DO have an incentive to conduct as many audits as possible, right?

(Hector is silent)

Mr. McKinley, I'm just extrapolating based on your own written testimony. If you do more audits, then you make more money. Correct?

HECTOR

Technically, yes.

ROSA

Okay. Thank you. I'm not accusing you of trying to influence them, but you do have a vested interest in the auditing business?

HECTOR

Again... technically, yes, our revenue is higher if we do more audits.

ROSA

Thank you. I'd also like to discuss your contracts with the DoD. You have a contract with them worth almost a billion dollars, correct?

HECTOR

I mean, what tech company doesn't?

The audience laughs along with Hector and Rosa.

ROSA

So is that a yes?

HECTOR

Yes, we have a very strong connection with the military, because we believe in supporting our troops, Senator.

ROSA

As do I. In what ways do you support them?

HECTOR

Well, obviously the big area is mental health, ensuring that soldiers have access to the best treatments for PTSD, specifically.

ROSA

Which is odd, and you had also mentioned that in your written testimony. Any Mind-Scape treatments, therapies, or counselling sessions would be automatically covered by their health insurance. So are you doing ADDITIONAL treatment, or is that money going toward other areas such as mass surveillance or interrogation research?

HECTOR

I can't say for certain. I'm not always privy to how the money is spent.

ROSA

Again, convenient. But we'll be hearing from the Inspector General for Army Cyber Command later this week. I'm sure he'll be able to fill us in on the details you aren't privy to.

(they laugh, Hector is again embarrassed)

Now, another firm you work with extensively is Legacy-Scapes LLC. An architecture firm that designs memorials for the deceased based on their Mind-Scape. Is that correct?

HECTOR

It is.

ROSA

In fact, that division of your business earns tens of millions in revenue each year, correct? Making real-sized versions of a Mind-Scape as a tribute for the person? This is all from your own written testimony, by the way.

HECTOR

That's right. There's a market for it, and I don't see the harm if that's what people want. Personally, I think it's extravagant, but if you want to drop a hundred grand on a memorial, then LEGALLY we have a right to some of that money.

ROSA

And when you say that 'legally' you have a right to the money... for everyone's benefit, what's the legal rationale behind that?

HECTOR

The algorithm we use to generate the Mind-Scape file is patented. As I understand it, if you're using the Mind-Scape outside of its intended use - it's a patent, there are protections in place.

ROSA

In other words, without your company, we wouldn't have the Mind-Scape at all, so it's only fair that you make money every time somebody else 'modifies' one or profits from it.

HECTOR

Listen, I don't write patent law. But as long as the Mind-Scape is protected, we certainly want to do right by our programmers and compensate them for their hard work. And besides, isn't that all the GOVERNMENT'S fault, giving out patents?

ROSA

That's what I thought. But your company has a multi-million dollar lobbying team that targets the Patent and Trademark Office... but I'm sure that's just a coincidence.

(they laugh, Hector is silent)

It's worth noting that you have virtually zero competitors, ZERO, in the market of turning the brain into a data file. Lucky you.

HECTOR

I mean, the Mind-Scape is a very unique idea, that's the whole point of protecting it. Without patents, nobody would invent anything.

ROSA

It's certainly an innovative idea, yes, but what if I wanted to map somebody's brain as a forest? Or convert their stream of consciousness into a literal text file? Wouldn't that be legally distinct from your software, which converts a snapshot of the brain into a house?

HECTOR

I don't know if those would be legally distinct, since I'm not a patent clerk.

ROSA

Lucky for you, a clerk will be testifying later. And both of those ideas HAD been submitted by other firms, but were dismissed as being too similar to the Mind-Scape. The clerk will discuss undue pressure that your team exerted on their office to reject any applications that were remotely similar, under threat of force.

HECTOR

News to me. I'm appalled!

ROSA

I'm glad. I'd hate to think you were complicit. But as the CEO, you should be aware of these sorts of incidents. You seem to know a lot about the good things your company does, not the bad.

HECTOR

I mean, YOU seem to be an expert on the bad, so I'm just saving us both time.

They all laugh.

ROSA

Good to see you still have your sense of humor.

HECTOR

Anything for you, Senator.

(more laughter)

And I'd like to say, we have no problem with competition. We welcome competition, just as long as it doesn't infringe on our patent. Not that they would make a product as superior as ours.

ROSA

But you agree they should at least have a chance to try?

HECTOR

Certainly. This is America, anything is possible.

ROSA

As long as it doesn't infringe on your patent.

(laughter, Hector is silent)

ROSA (cont.)

Now, going back to Legacy-Scapes. I personally have no problems with people spending money how they see fit. It just concerns me that YOU are willing to spend all this money, research, and effort making Mind-Scapes of the deceased - and a lot of them are for the wealthy, based on the data you provided in your written testimony -

HECTOR

It's THEIR money.

ROSA

It is. My concern is that you don't spend any of that on improving the usability costs in rural or Native American areas. Specifically, you have NO investments in CT equipment unless it's in a major city where-

HECTOR

Actually Senator, after our last encounter with this committee, we worked with tech companies to drive down the cost EXPONENTIALLY, as the committee had requested. In the last few years, we have cut the price in HALF, which has made the Mind-Scape ridiculously affordable.

ROSA

And we appreciate that. But our request was that you make it more universal. Being inexpensive is only one part of that. If I have to drive more than a hundred miles just to get the CT scan, some cases over two hundred miles... I don't care how much the actual file costs.

HECTOR

I can't help where people live.

ROSA

But you can help invest in more accessible CT machines in rural and Native communities, couldn't you? You certainly have a knack for finding the profit. Isn't tapping into tens of millions of unreached consumers so lucrative that even YOU couldn't pass it up?

They all laugh, Hector isn't embarrassed this time.

HECTOR

Senator, you're right, I hate to say that we overlooked that. I'm pledging right now that over the next five years, we will be investing over one hundred million dollars in improving CT capabilities across the country, specifically in underserved and remote areas.

Everyone applauds, including Rosa. Hector stands up, beaming with pride, and takes a bow. Senator Weaver finally interrupts and bangs his gavel.

SENATOR WEAVER

Order, order. Mr. McKinley, please sit down.
(they quiet down, Hector takes his seat)
Ms. Esposito, please continue.

ROSA

Thank you, chairman. And thank you Mr. McKinley, I appreciate your commitment.
(Hector smiles and winks at her)
Now, on to the Unraveller.

HECTOR

Ahhh, yes, the Unraveller. And THIS is exactly why people hate politicians. At our last hearing, and I'm sure you can say this more eloquently, but this was MY recollection: apparently people are becoming more racist, more hostile, and less open to change. Not in spite of the Mind-Scape and its promise to change minds, but BECAUSE of the Mind-Scape. You all found that people can reinforce their destructive thought patterns and even revive old ones MORE easily if they have a Mind-Scape. So of course, the burden is on US to make sure they don't do that.

Which, if I'm being blunt, is ludicrous. It is NOT our responsibility to ensure people use our technology ethically. BUT, NONETHELESS, we agreed to make the Unraveller SPECIFICALLY to address those concerns. And now it's being dragged through the mud. Unbelievable. UN-believable.

ROSA

Mr. McKinley, If *I* may be blunt, the Unraveller doesn't work the way we intended. If we ask you to build us a swimming pool, and then you fill it with soda, that's not what we actually want.

HECTOR

Well, those claims that it doesn't work 'the way you intended' are completely false.

ROSA

Would you care to elaborate?

HECTOR

No, I shouldn't have to.

ROSA

Noted. For everyone else's benefit -

HECTOR

Here we go...

ROSA

According to your head of programming, and also your CTO - both of them will testify in-person tomorrow - at YOUR request, the Unraveller was NOT designed to target pain points, stressors, prejudices, and violent thoughts. Rather, it was built to target specific thought patterns that YOU decided were worth targeting, without identifying whether or not said patterns were actually CAUSING harmful or aggressive behavior in the specific user. In other words - and I'm not a programmer, so bear with me.

HECTOR

Me neither.

ROSA

(chuckles)

In other words, let's say somebody gets angry whenever they see the color blue. In theory, the Unraveller would say 'let's highlight this thought pattern so that you DON'T lash out whenever you see the color blue'. Right?

HECTOR

Yes, it targets behaviors specific to the person. If blue doesn't trigger you, it won't flag your feelings about blue as being harmful.

ROSA

Except that's not how it works. Your own team will testify that it DOESN'T do that. Instead, the program uses a fixed set of thought patterns, about three hundred total, and assumes that those thought patterns make people act more violently across the board.

HECTOR

Again, that's not how it works.

ROSA

But we also have proof. For instance, studies show that some of the most commonly 'unravelling' beliefs included tenets of Christianity and Catholicism. Those beliefs are being flagged as 'dangerous' across the board. Which makes sense, given your company's ties with megachurches.

HECTOR

What is it with you people? It's one unfounded conspiracy after the next. But back to the POINT... if those beliefs are making you act dangerously, then they will be targeted by the algorithm.

ROSA

But they aren't! I agree with you - any beliefs making you act dangerously SHOULD be unravelled on a case-by-case basis. But for most people, they're being targeted REGARDLESS of whether they actually lead the person to be violent.

HECTOR

Well, that's something I'd have to investigate.

ROSA

What do you think this is, Mr. McKinley? Why do you think we're here? Your pleading ignorance is one thing. But deliberately making people think their religion is dangerous? Shame on you.

Hector is silent. The flurry of cameras captures his indifferent, arrogant expression. Rosa shakes her head at him disapprovingly.

ROSA

One more topic I want to cover, which we had also discussed at the last hearing. There were a number of concerns about privacy. Specifically, who should have access to the Mind-Scape.

Simply put, we are not satisfied that adequate protections or protocols have been implemented to ensure that only the owner of the Mind-Scape has control over who can access their file.

HECTOR

Can you be any more vague?

ROSA

Of course I can, I'm a politician.

(they all laugh)

To date, there is no encryption, no unique access code or password, and no limits on how many times the file can be copied.

HECTOR

Some of that is out of our control, Senator, that's just how technology works. Wasn't that clear from our last meeting?

ROSA

With all due respect, you found a way to map the human brain onto a computer file. I think you're more than capable of making it secure.

(laughter, Hector is perturbed)

Or is that too complicated?

HECTOR

If users want to distribute a Mind-Scape, then we can't realistically stop them. People are smart, they are experts at finding loopholes. And also, isn't it YOUR responsibility to make laws so that somebody has LEGAL RECOURSE if their Mind-Scape is unfairly or illegally distributed? But we can't stop EVERYBODY.

ROSA

You're not trying to stop ANYBODY. And you're right, it IS our responsibility to make laws to protect people, which we have. Hundreds of laws, actually, there's no shortage of them. But it's difficult to enforce them when everybody's Mind-Scape is being compromised.

HECTOR

Well, again, that's out of our hands. And I'm personally in favor of leaving it up to the users to secure their Mind-Scape. The idea that WE have an obligation to 'protect' them - I was against it at the last hearing, and I'm against it now.

ROSA

So you admit you ignored us on purpose?

HECTOR

We explored our options, but it's simply not feasible for us to protect every file the way YOU want us to. And besides, you of all people should be in favor of having them made public.

ROSA

For CEOs, senators, the president - absolutely. But not for everyday people, unless they WANT it to be public. Many of them want to be left alone, and they should have that right.

HECTOR

(throws his hands in the air)

So they don't buy a Mind-Scape! Let them get an inhibitor! That's how the free market-

ROSA

I'm sorry to interrupt, but your lobbying team also supports anti-inhibitor legislation.

(Hector is silent)

I understand that it's impossible to protect everybody, I do. And I echo your sentiment that the free market should be allowed to thrive and run its course. But some restrictions need to be in place, otherwise monopolistic corporations like yours will be free to-

Hector's had enough. He unleashes his fury.

HECTOR

Like ours?? LIKE OURS?? We have done MORE GOOD with this ONE product than you will EVER DO as a God-damned Senator! Now I'm sorry that we're not PERFECT like you, I'm sorry we aren't as FAIR or TRANSPARENT or that we don't PLAY NICE the way you want us to! I'm sorry that every time we FIX something that's wrong, you find TEN things that are broken.

But you know what, Senator? We live in America. Land of the FREE. We are FREE to do whatever we want with our technology. We are FREE to make money and invest it how we want. We are FREE to just stop making Mind-Scapes altogether, wouldn't THAT be fun?

And other people are FREE to ignore us, to find a better alternative to us, to MOCK us, to NOT BUY from us, because that's how capitalism works!

I think what's really going on is that you can't look past all the GOOD we've done. We have almost ELIMINATED the mental health crisis that once seemed SO unsolvable. The Mind-Scape did that - not YOU, US. We can now use people's MEMORIES as EVIDENCE, which has revolutionized the criminal justice system like NOTHING ELSE.

But none of that matters, because your job DEPENDS on people like me breaking the rules. Without ME, what are YOU worth? So you make up new rules, keep moving the goalposts, which, painful though it is, we TRY to keep up with.

Admit it, Senator. All this talk about how government is our best solution, how politics is always the answer, about how only with your VOTE can you change the world... WE changed the world. NOT YOU! You just can't accept that, can you?

He leans back in his seat, proud, but still fuming, and scoffs at Rosa. The room is dead silent.

Finally, Rosa speaks up, taking a gentle, deliberate, and brilliantly patronizing tone.

ROSA

Mr. McKinley. I don't deny that this is the most important technological breakthrough of the last decade, maybe the last century. Which is WHY it's under so much scrutiny.

Think of it this way. You have created a path that will lead us to a better world. But now, you're blocking the path. We want to keep walking down it, but you won't let us pass. If you won't move on your own, we'll move you ourselves.

Ideally though, you should WANT to move without being pressured. I actually heard a good Ted talk about this once. The guy said that if YOU want to be part of the change, if YOU want to move aside, that is far more effective than if you're FORCED. He said that only THEN can we change the world.

(she winks at him)

I yield the rest of my time. Thank you.

The room erupts into applause. Senator Weaver tries to restore order. Hector glares at Rosa. She looks rather satisfied and smiles in return.

FADE OUT.