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# The Constitution's Role in a Return to Normalcy



**Can the Constitution Survive?**

by  
**Brian W. Kelly**

# The Constitution's Role in a Return to Normalcy

## Can the Constitution Survive?

2020 so far has been a nightmare that is far from ending. When it seems like it is over, the end point gets stretched out—often past the point of tolerance and past the point in which the Constitution permits. Is there an escape?

Even New Yorkers and others from big cities who thought they could find solace in their lakeside or mountain retreats to escape the big city, have had to go underground in their cabins as their new small-town neighbors, being interviewed on local radio & TV complain of them bringing the big city to their small burgs.

The problem arrived with a vengeance in all countries of the world. Now, what? It is called novel, meaning new, and because of its newness, there are no cookbook solutions.

After we describe the predicament, we wrap this book up by offering a Constitutional approach for handling the situation sooner, not later with the Constitution as the guiding light. You won't be able to put this book down before you know what you can do to help yourself and your family cope. In this book, your author gives President Trump a few can't miss tips to both get the economy rolling, relieve the frustration, & keep the population safe.



**B R I A N W . K E L L Y**

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Author Brian W. Kelly

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# *Dedication*

*I dedicate this book to all of the great HC workers and first responders. God bless you and thank you for your great assistance during the recent attack*

*Thank You All!*





## Acknowledgments

*I appreciate all the help that I have received in putting this book together as well as all of my other 234 other published books.*

*My printed acknowledgments had become so large that book readers "complained" about going through too many pages to get to page one of the text.*

*And, so to permit me more flexibility, I put my acknowledgment list online, and it continues to grow. Believe it or not, it once cost about a dollar more to print each book.*

*Thank you and God bless you all for your help.*

*Please check out [www.letsGOPublish.com\(LGP\)](http://www.letsGOPublish.com(LGP)) to read the latest version of my heartfelt acknowledgments updated for this book. FYI, Wily Ky Eyely loves this book and recommends it to all. Click the bottom of the Main menu on the LGP web site!*

*Thank you all!*



# Preface:

This book that I wrote years ago is your first book to read to refresh your knowledge of the greatest laws of the land, & how our government works

When I wrote a first iteration, the book title was The Constitution 4 Dummies. I wrote it so you understand your rights & your freedoms, so that nobody in government, pandemic or no pandemic could even think about taking them from you!

When I wrote the book about the Constitution I suggested that the readers learned about their rights and freedoms by reading *The Constitution 4 Dummies!* It still is the best thing you can do to understand your role in assuring our great form of government. Those using the coronavirus as a ruse to take away freedom should be well warned. This book teaches all to not accept a government that wants to take away freedom.

The original Constitution 4 Dummies book has nothing to do with coronavirus other than it is your best starter book if you want to read a whole book to refresh your knowledge about the government and its most basic structure and laws. This book uses precepts from that book to show how the Constitution is designed to take on bad politicians even those working with the help of a pandemic virus such as COVID-19.

As a book which fully describes the Constitution, it was written to help you be better prepared to react to the over-reach of corrupt politicians at the highest levels of government. Politicians as high as the governors of your states today are taking away your freedoms during the big virus attack.

Without the knowledge that you can gain easily in this book, for example, you might think that your representatives in Congress control you instead of vice-versa. Smart people do not let their freedoms be taken from them, and you have entered into the realm of the intelligent by learning about the fundamental laws of America from the founders onward. That is why Brian Kelly wrote this book, These are the laws that assure your freedom. This book presents the

precepts of the Constitution in a conversational, understandable and almost fun way.

Today more than ever with our Governors and the Congress acting in a lawless fashion or permitting lawlessness to be the law of the land, Americans need to know our rights and the protections built into the basic framework of our government formed by the US Constitution. Why did we wait so long?

Just because powerful people choose to ignore our rights and freedoms does not mean we must endure tyranny. The first step of course is to understand the most basic written precepts in the Constitution. Reading this book is a must. Combined with a book with a title about the Coronavirus, there is no better combo for today.

Rarely does a book title explain exactly what a book is about. This book is the exception. This book explains in detail the rationale. There is no question about it. It then makes a recommendation to the President for the best way to handle the economy. The fact is that most attempts at a restart in blue states are actually fake restarts as the governors of blue states show no interest in opening America.

With the virus as the first cause, 2020 so far has been a nightmare that won't end. When it seems like it is over, government officials with newly discovered massive power and different objectives than making America OK again have in many cases chosen to stretch the shutdown out often past the point of human tolerance. Like the pandemic of 1917 and 1918, the Coronavirus is now the big excuse for Democrats to screw the people and get to blame it on a big bad virus.

Even New Yorkers and others from big cities who thought they could find solace in their lakeside or mountain retreats to escape the contagion of the big city have had to go underground in their cabins as they found their new small-town neighbors complaining about them bringing the big city bug to their small burgs.

The problem arrived in the USA with a vengeance as it did in all countries of the world. Now, what. It is called novel, meaning new and because of its newness, there are no cookbook cures. There are therapeutics than have been proven to cure the virus more often than

not but because some of them are not favored by the press, they are not considered.

So what to do? In this book we tell you about how it all got started and how it made its way across the world in record time. We talk about the measures the country has taken to keep America as safe as possible and we tell you about some promising therapeutics that in some cases cure the virus and in other cases, serve as a prophylaxis.

Americans were promised that all of the measures like hand washing, masks, and social distancing were needed so that hospitals were not overwhelmed by all of the sick people who would need beds and medicines and ventilators. Then, as Navy mercy ships and the Javits center were unoccupied as the curve flattened, the people caught on to the fact that the original objectives for the measures had been achieved.

## **Why did Brian W. Kelly write this book?**

Brian W. Kelly wrote this book because he cares. I am publishing this book because I care.

I hope you enjoy this book and I hope that it inspires you to take the individual actions necessary. Government should be a helpful tool in solving this deep moral and potentially existential dilemma for our country. It should not be the vehicle by which one party gets to shred America's Constitution in order to create a socialist or communist state of our great land.

I wish you the best.

Brian P. Kelly, Publisher  
Wilkes-Barre, Pennsylvania



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# About the Author



Brian W. Kelly retired as an Assistant Professor in the Business Information Technology (BIT) program at Marywood University, where he also served as the IBM i and Midrange Systems Technical Advisor to the IT Faculty. Kelly designed, developed, and taught many college and professional courses. He continues as a contributing technical editor to a number of IT industry magazines, including "The Four Hundred" and "Four Hundred Guru," published by IT Jungle.

Kelly is a former IBM Senior Systems Engineer and IBM Mid Atlantic Area Specialist. His specialty was designing applications for customers as well as implementing advanced IBM operating systems and software facilities on their machines.

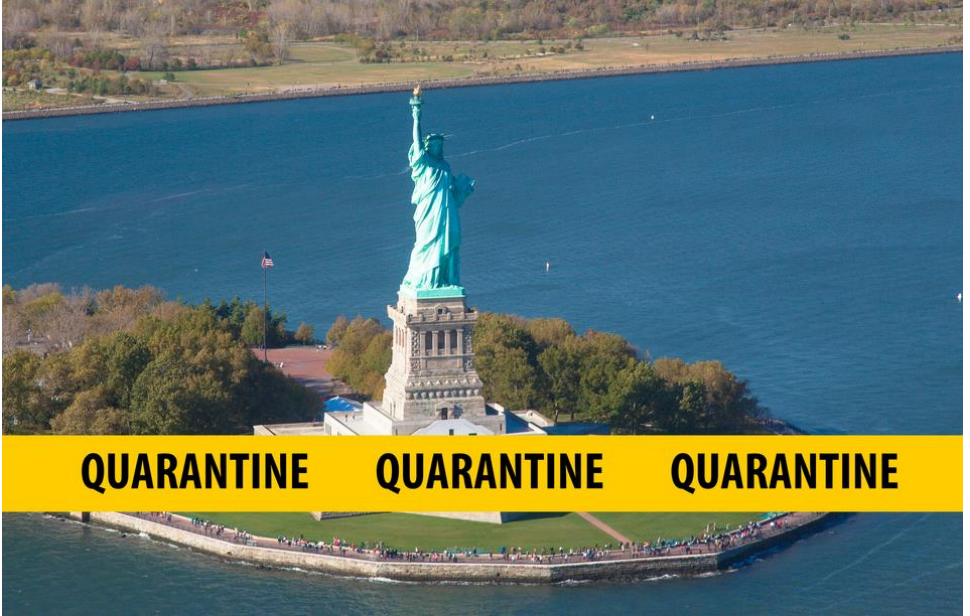
He has an active information technology consultancy. He is the author of 234 books and numerous technical articles. Kelly has been a frequent speaker at COMMON, IBM conferences, and other technical conferences.

Brian was a candidate for US Congress from Pennsylvania in 2010 and for Mayor in his hometown in 2015. He brings a lot of experience to his writing endeavors.

Brian Kelly knows that the Pandemic crisis can be solved with the right therapeutic in the short term. Regardless of the therapeutic, however, Kelly believes the Constitution is a remedy that cannot be ignored. Keep the faith, we'll be on the streets soon.



# Chapter 1 Liberty for All!



Ted Galen Carpenter of the Cato Institute noted in a March 30 article that public attitudes about the coronavirus outbreak have been exhibiting features of a collective panic. This is not good for a free country which through its history has exhibited liberty and justice for all. Let's all say the Pledge of Allegiance and then let's repeat it together soon before we are asked to forget about it permanently.

---

The Pledge of Allegiance was written in August 1892 by the socialist minister Francis Bellamy (1855-1931). It was originally published in *The Youth's Companion* on September 8, 1892. Bellamy had hoped that the pledge would be used by citizens in any country.

In its original form it read:

"I pledge allegiance to my Flag and the Republic for which it stands, one nation, indivisible, with liberty and justice for all."

In 1923, the words, "the Flag of the United States of America" were added. At this time it read:

"I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation, indivisible, with liberty and justice for all."

In 1954, in response to the Communist threat of the times, President Eisenhower encouraged Congress to add the words "under God," creating the 31-word pledge we say today. Bellamy's daughter objected to this alteration. Today it reads:

**"I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all." Let's repeat the above together.**

In World War II, the salute to the flag was said to resemble the Nazi salute, so it was changed to keep the right hand over the heart throughout the entire pledge.

Look at the highlighted pledge above, place your hand over your heart and repeat the pledge with whomever is with you at the time.

---

Ted Galen Carpenter is a conservative writer who is very concerned that such an attitude (collective panic) may give government the green light to steal away the people's freedoms. There is the danger that government measures designed to deal with a very real public health problem may lead to enormous collateral damage both to the economy and the freedoms that Americans take for granted.

Of course the people who most take these freedoms for granted are those who are most familiar with a document entitled, The Constitution of the United States of America. And, well they should as the Constitution is the singular document that guarantees all American freedoms. The Bill of Rights is a quick snapshot of those freedoms that is easier for Americans to recall than the entire Constitution. Together, the Constitution and its first ten amendment, aka The Bill of Rights are what guarantees all Americans the freedoms we have enjoyed all our lives—at least until the pandemic. That is what this book is all about.

## Does Government Have Rights?

### No! The Constitution grants rights only to the people!

The pandemic has found governments at all levels taking ever more extreme, even outrageous, actions in an effort to stem the outbreak. For example in some states such as New York and California and Michigan and other states have issued orders closing most private businesses and requiring residents not engaged in “essential” activities to remain in their homes. We’ve lived through it but the spirit of the US Constitution does not condone such acts.

Nevada’s governor took this one step further by greatly restricting doctors from prescribing an anti-malaria drug, hydroxychloroquine, because the Trump administration experts suggested it held promise for treating coronavirus. Trump is not well liked in official circles and if he were right, he would have a better chance at reelection.

Ostensibly the Governor’s ban was because in the governor’s opinion, such prescriptions might lead to hoarding. U.S. Justice Department officials secretly asked Congress to give the executive branch the authority to seek orders from federal judges to detain indefinitely any individual during the current emergency or any future one.

Although appalling, such attempted eviscerations of constitutional liberties are not be surprising but to remain free, we cannot tolerate them. Though Governments of all sizes invariably exploit crises to expand their powers—often to a dangerous degree, they have no power to do such things. Another issue is that after the crisis ends governments do not like giving up power they have gained. And so, a significant residue of expanded powers always persists after the crisis recedes and life supposedly returns to normal.

The historical record also demonstrates that “temporary” measures enacted to deal with a specific crisis frequently prove to be anything but temporary. One insidiously corrosive “temporary” change was the establishment of the withholding provision to the federal income tax during World War II. That temporary measure is still with us, and the effect has been revolutionary. Paying the tax in installments that show up as nothing more than an entry on an employee’s paycheck stub disguises the extent of the actual tax burden on that individual

and reduces the emotional impact. Citizens are less likely to object to high tax rates and hold their government accountable.

The major lesson from history is that Americans need to resist the casual expansion of arbitrary governmental power in response to the current coronavirus crisis. That is a good reason to protest governor actions that are beyond tolerance.

In early March 2020 without the people's blessing, authorities around the United States ordered schools to close and either prohibited large-scale public events or pressured the sponsors to take such action. Authorities did not have the power to so act and achieved their power only by the people's tacit and total acquiescence.

A growing number of jurisdictions soon went further. San Francisco ordered residents to "shelter in place," barring them from engaging in any "nonessential" activity outside their own homes. All of this occurred before California Governor Gavin Newsom and New York Governor Andrew Cuomo set a new, even more intrusive pattern by ordering statewide lockdowns. One of the common parts of such lockdowns and shut downs, is that they occur primarily in states controlled by Democrat officials.

Both the nature and scope of the expanding restrictions should alarm all defenders of liberty. In mid-March, North Carolina went beyond shutting down individual enterprises or even types of businesses; authorities there placed most of the Outer Banks off limits to tourists and other outsiders.

Police established checkpoints to examine identifications and required special permits for access. There is more than a small echo in that measure of the ubiquitous police or military checkpoints and "show your papers" demands that countries in the old Soviet bloc implemented, and various dictatorships around the world require today. It's an ominous policy and image.

Yet, there are "scaredy cat citizens" willing to grant all of their freedoms to the custody of a "caring" government. This is not wise. When should one give up his freedom? Never!

Sentiments in favor of comprehensive lockdowns to halt the spread of the virus do reflect understandable emotions, but panic is always a poor basis for policy decisions. The economic costs of such radical responses to the coronavirus outbreak are enormous, and the damage to basic liberties ultimately have proven even worse.

Ugly, potentially dangerous precedents are being set left and right. In virtually every case, officials imposed restrictions without any provisions for appeal—or even public comment. Worse, they do not seem to recognize any limits to their power with respect to a health crisis.

The steps taken to date go far beyond the longstanding authority of local governments to impose quarantines on individuals or families diagnosed with certain highly contagious diseases. Entire cities and states are now being put on similar lockdowns, even though the overwhelming majority of residents show no signs of coronavirus or any health issue whatsoever.

Yet, these same authorities permit in many cases upwards of 65% of the population's deaths to be in the most vulnerable categories—the infirm and the elderly in special homes.

Worries about expansive government diktats and precedents are especially warranted if the coronavirus outbreak is neither unique nor a crisis of short duration. Originally, as we all know, the promise was based on a pervasive assumption that the emergency would last only a few weeks. Americans believed the politicians that after the “lockdown,” life in America (as well as other countries) would return to normal.

But in Trump's March 16 press conference, both the president and his health policy advisers indicated that the outbreak might last until July or August. Some experts in Britain feared that it might last until spring 2021.

Citizens get nervous in the service as the saying goes. That possibility creates some very serious concerns. What if the coronavirus does not prove to be a one-time visitor, but resembles influenza outbreaks that ebb and flow each year. In addition to the adverse economic consequences, forcibly cocooned populations will have every

justification to become furious if arbitrary bureaucratic edicts repeatedly uproot their lives.

Bureaucrats need to be concerned also as their reign over the people, if it becomes a reign of tyranny and terror, will surely end with the officials in a not-too-happy state of affairs.

Consequently, there is an immediate and an imperative reason to monitor and curb some of policy precedents being set by a government that has gone too far. Future overcautious or egotistical, bully-like public officials will be tempted to impose drastic measures even in response to lesser health or other emergencies. They will answer harshly to any attempts to limit their illicitly acquired government powers to close private businesses fundamentally alter the relationship between individuals and the state in a dangerous fashion.

The governors may decide to prohibit freedom of travel within or outside the state. Travel restrictions that confine people to their homes or bar them from specific areas are a major cause for alarm. Such restrictions always have been a hallmark of authoritarian political systems and police actions. Need I mention WWII Germany?

Likewise, the postponement of elections to the mailman is unsettling. What if we cannot trust mailmen? Giving incumbent officials such authority creates an obvious potential for abuse—especially if the incumbents face the prospect of electoral defeat. Perhaps worst of all is the possibility of the federal government being able to seek the indefinite detention of people based on nothing more than a Justice Department request and a compliant judge's order.

How do you think worldwide atrocities occur? That is why Americans must not give up their freedom just to gain for another day a life without an infection from the coronavirus.

Given the historical record of how previous emergencies spawned corrosive policies that continue to menace basic freedoms years or decades later, it is urgent to seek effective curbs on the growing abuses of power in the current crisis.

We the people of America must resist being stampeded into endorsing whatever policies self-interested officials insist are necessary. Benjamin Franklin observed that “those who would give up essential liberty, to



purchase a little temporary safety, deserve neither liberty nor safety.” Americans must keep that wise admonition in mind during and after the coronavirus crisis.

The biggest friend of America is the framer’s Constitution and the second biggest friend is America’s declaration of freedom known for all ages as “The Declaration of Independence” What good is independence without freedom.



# Chapter 2 The Constitution is for Democrats and Republicans

Below is a montage of your favorite Democrats



Above is a montage of your favorite Republicans

## Can the US live without the Bill of Rights?

Democrat officials mostly naturally, but also Republican officials in their wimpiness in facing major issues and their ineptness when they have clear solutions that most Americans love, cannot seem to

reconcile their differences for the good of the country. What is wrong with them? They prefer to argue their point more than they would like to know what a preponderance of Americans think about a given matter such as their preoccupation with staying shut down.

The facts folks indicate that politicians have adopted a posture that simply leaves them free of guilt regardless of whether anything good happens when real decisions are necessary. Politicians have stopped caring because their entourage will get them elected regardless of what they do, by convincing the proletariat (us folks!) that they are the worthy candidates regardless of the issues. How else can you explain the current presidential candidate.

Because I believed once in my life that the people did not believe as the politicians. I ran for Congress and then one time I ran for Mayor of my own City. I lost big time after spending too much of my own money to convince the people that it was OK to elect somebody who was not among the politically elite.

By the way, I could use the few thousand today that I invested in my campaigns, hoping the people would not insist that I be of the politically elite to be elected. The papers in my home town and the people said I had no experience. I thought that meant I should be elected—all other things being equal—but the press said I had nothing to offer because I had never held office. Whew! Did I learn a ton.

So now in the waning hours of the pandemic, I find myself looking at politicians who no longer believe they must put up even a good face for the people. Governors in blue states punish their constituents if they take any action that puts their personal freedom and survival ahead of the dictates of their rulers. It is amazing. It's like they do not believe they will be held accountable because in the end nobody cares enough to make them accountable.

Certain officials know they are violating the Constitution to achieve their lockdown objectives. But, they don't care. By and large they continue their malfeasance even if the people protest en masse. The politicians seem to believe they are impregnable and unanswerable to the people. And so, the virus has a major ally in its fight against ordinary people—that ally is the political class beginning with many of the US governors. Yes, it is hard to believe. But, if you don't believe,

the governors may very well have you doing hard time for misjudging their fervor.

Make no mistake about it, the unholy alliance today is the big virus and the politicians. They have joined against the people and neither care a darn about the Constitution.

There is no win-win strategy being deployed. Either the virus gets you or you starve at the hands of public officials. Peter Navarro, director of Office of Trade and Manufacturing Policy, on Sunday May 17, 2020 asserted more Americans will die because of “quarantine and lockdown” than from COVID-19. He’s right and will stay correct until the Constitution is respected again.

Navarro spoke on this day in a formal interview with NBC News’ “Meet the Press.” Mr. Navarro also serves as policy coordinator for the National Defense Production Act, the group responsible for having masks and ventilators etc. He blamed the Centers for Disease Control and Prevention for dropping the ball in its initial testing effort.

“Early on in this crisis, the CDC which really had the most trusted brand around the world in this space, really let the country down with the testing,” he charged. “Because not only did they keep the testing within the bureaucracy, they had a bad test. And that did set us back.”

He said President Donald Trump rightly realized the risks and benefits of lockdown — and worried it would be worse than the coronavirus.

“We know statistically based on our experience with the China trade shock in the 2000s that unemployment creates more suicides, depression and drug abuse,” he said. When you get a virus besides these issues, you get more of them. A lockdown spawns a growth in a lot of stuff you would get in smaller measure anyway. The lockdown is its own pandemic and perhaps it is worse.

Protests in cities and state capitals have exploded around the country, with sign-toting and horn-blowing activists exhorting governors to ease stay-at-home restrictions put in place to combat the coronavirus. Governors have become dictators in their own right but in recent weeks, their demands for unquestioned allegiance is getting a lot of pushback. Americans are complaining in droves that their

constitutional rights are being denied, to the point that threats have been made against the life of a number of state's governors including the governor of Kentucky.

For example, a Facebook post this past Saturday in the "Boone County Neighborhood Group" contained what Kentucky lawmakers described as threats against Gov. Andy Beshear. The post started by saying Beshear's actions denied Kentuckians their constitutional rights. The citizens still believe in the Bill of Rights.

"By these unconstitutional acts on the part of Andy Beshear the Constitution protects us and gives us the authority to eliminate him by any means necessary via the Second Amendment," the user wrote. But the person who made the comments told The Courier Journal in a message Sunday that his post was "NOT threatening anyone."

We know that the Bill of Rights consists of the first ten changes, called amendments to the Constitution. The Second Amendment of the United States Constitution reads: "A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."

Governors who demand stay at home lockdowns are violating the Constitution. The people do have inalienable rights. Plus those specifically outlined in the Bill Of Rights.

The ACLU has stayed out of the abuse of state power so far but their web sites discuss this in simple terms for all to understand.

For example, they say there are at least these three principles to remember if you choose to engage your government in an act of civil disobedience.

## **1. CONDUCT, NOT CONTENT**

It's not what you say—it's the way that you say it. Your right to express your opinion is protected no matter what beliefs you hold. What matters is how you use that right. If you organize a protest that causes serious disruption, the government may be able to intervene. But with a few notable exceptions, nobody can restrict your rights simply because they don't like what you say.

## 2. FREE SPEECH IS FOR EVERYONE

Young or old; anarchist or evangelical; pacifist or hawk; Mormon or Muslim; these rights apply to you. It doesn't matter whether you're a U.S. citizen, whether you're of voting age, or whether you speak English. Free-speech rights are for everybody. Don't let anyone tell you otherwise.

## 3. WHEN, WHERE AND HOW

Consider when, where and how you use your free-speech rights. If you organize a rally that causes violence or unnecessary disruption, your event may be disbanded. Every municipality has regulations and it's your responsibility to understand them. You must observe reasonable regulations on time, place, and manner when you exercise your rights to demonstrate and protest.

So, the people have all the rights, not the government

Attorney General William Barr said a few weeks ago that he was on the side of the people in their protests against unlawful government actions. He said that some state governors' efforts to fight the coronavirus "infringes on a fundamental right" of American residents.

Barr made his comments in an interview on "The Hugh Hewitt Show" that state governments in the U.S. need to "do a better job" of ensuring coronavirus restrictions are "properly targeted" and do not unnecessarily infringe on constitutional rights. He added that the country is currently facing "unprecedented burdens on civil liberties." "When a governor acts, especially when a governor does something that intrudes upon or infringes on a fundamental right or a Constitutional right, they're bounded by that," the attorney general said. "And those situations are emerging around the country, to some extent." Every day we read about governors overstepping their bounds on restricting the rights of the people. Meanwhile the people have become quite restless.

The attorney general said the government needs time to adapt during a crisis and has the responsibility to "tailor its approach" after initially

issuing potentially “blunt” restrictions. Barr said since the country has had time to flatten the curve of coronavirus cases, it is now time for the government to adjust the original restrictions. Unfortunately, it seems that there are governors in many states, mostly blue states, who love their new found authoritative power and do not want to give it up.

Barr cautions governors to watch their use of power because there are limits. He said the stay-at-home orders are “disturbingly close to house arrest” but added, “I’m not saying it wasn’t justified.”

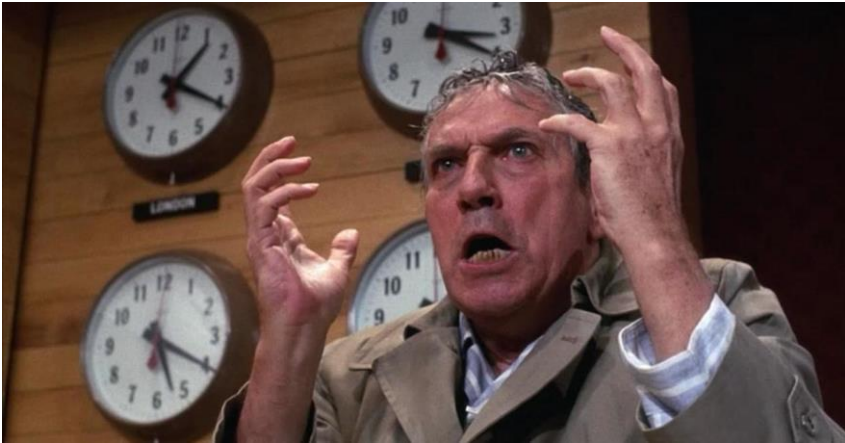
“We didn’t adopt them as the comprehensive way of dealing with this disease,” he said. “And we are now seeing that these are bending the curve, and now we have to come up with more targeted approaches.”

The attorney general said asking people to keep six feet apart, to wash their hands and wear personal protective equipment in public “are fine.” Permanent home confinement and a total business shutdown, however is not fine.

Barr’s comments come as governors are taking more steps to reopen after the coronavirus pandemic shuttered their economies. President Trump said this past week that some governors have “gone too far” in their restrictions to reduce the coronavirus spread.



## Chapter 3 Americans Are Mad as Hell About Government!



Howard Beale was “mad as hell”

### How mad can one get?

Democrat governors test the limits of making people mad today by locking down their states and making people grovel to be able to work. That’s how mad people can get. Democratic governors make it tough to get a great therapeutic at the pharmacy because Trump thinks it can cure the virus. Oh, by the way, it can!

While people’s lives and jobs are being devastated by the coronavirus pandemic (COVID-19), and there has been no FDA-fully-approved treatment, governors or state pharmacy boards in Nevada, Michigan, New York, Ohio, and Texas are issuing emergency orders to restrict which medications doctors can use to save lives. How’s them apples?

These governors and often their health directors have no background in infectious disease, medicine, research design, or epidemiology, yet they presume to dictate to front-line physicians who are reading the emerging research and caring for patients. They think they are hurting Trump by laughing at him and denying the doctors their opportunity to prescribe needed medicine. That’s unconstitutional folks.

Many doctors are using older medicines, FDA approved for more than 70 years and widely used worldwide to treat malaria, lupus, and

rheumatoid arthritis—chloroquine and hydroxychloroquine (Plaquenil). They often add azithromycin (Z-pak), a commonly used antibiotic with some activity against this virus. It works. President Trump himself uses it as a prophylaxis so that he does not get COVID-19 and he does not have to wear a mask or take social control measures.

The politicians are power hungry and they are presuming to decide that doctors may not prescribe these drugs “off-label,” i.e. for anything other than the disease for which the FDA originally approved the drug. Their pretext is that we do not have large randomized controlled clinical trials (RCT) for this new indication.

While governors have been handing down negative orders, doctors in the U.S. and overseas have been reporting tremendous success in treating COVID-19 patients: reductions in hospitalization, less need for scarce ventilators, less need for ICU and intubations, and significantly lower death rates.

Why should it matter what a doctor prescribes to today's liberal progressive governors. I'll tell you, it is another way to get trump and theoretically make him look like a good for advocating a drug that pharmacists won't fill.

Many are in favor but they are quiet at the risk of being ridiculed. Those in favor include Two studies from France, conducted by Dr. Didier Raoult, specialist in infectious disease and viral illness, are very promising. Besides helping relieve signs of illness, hydroxychloroquine plus azithromycin also appears to shorten the period of infectivity, which is critically important in controlling disease spread.

Data on safety and effectiveness of hydroxychloroquine and azithromycin are coming in almost daily from more than 10 countries, including Canada, Australia, Israel, South Korea, and China. It is a game changer but liberal progressive socialist governors don't care.

Several Governors jumped on this restriction bandwagon soon after President Trump announced at a recent Corona Task Force briefing that chloroquine and hydroxychloroquine showed hope in treating COVID-19, based on several small clinical studies from Johns

Hopkins, France, and (at last count) eight other countries. He did not say he recommended these medicines, as some media have falsely stated. Obviously he does now as Trump's own doctor, has prescribed it as a prophylaxis for him to avoid getting the virus.

The Constitution, the law of the land which you are about to explore in the next several chapters is unlawfully being bypassed by these opportunists in government. That makes a lot of US "Mad as Hell!" Howard Beale in the paragraphs below in this chapter represents all frustrated Americans. His story, though unrelated to COVID-19, really captures the mood and the emotions of America today regarding a government gone bad!

You may not remember because you are probably not old enough but many others of you have enough years to have seen the movie long after its debut in 1976. So, if you have some baggage, and you have some time on your bones, you may remember back in November, 1976 when Howard Beale, as played by Peter Finch, the long-time anchor in the movie "Network News," gets the bad news that eventually causes him to utter one of the most famous movie lines of all time.

Beale gets fired and is given two weeks. The long-time anchor has a very poor reaction to this news and he cannot control himself during the next news broadcast.

He promises to commit suicide on the air. The company immediately fires him—no second chances for a repeat performance. Beale is devastated and remorseful. He begs for the opportunity to say good-bye to his fans with dignity, and he is given his last opportunity ever for air time so that he can say his good-by's and also apologize. He gets his chance

Yet, once on the air, Beale is overwhelmed by his continuing circumstance. He goes into another diatribe starting off with a rant claiming that "Life is bullshit." He is so passionate that his ratings spike as he persuades his viewers to shout out of their windows: "I'm as mad as hell, and I'm not going to take this anymore!" That is the line heard 'round the world.

Well, my fellow Americans, I bet you saw this coming, and I am going to deliver it as passionately in words as I can: "I am mad as

hell, and I am not going to take this anymore.” I bet you are too. Let me remind you.

Living in Pennsylvania with a tyrant named Governor Tom Wolf who has never met anything reasonable in his life is bad enough. But, Pennsylvania has all of the other maladies affecting blue states.

Taxes are too high, elected officials are out of touch, government is too big, spending is out of control, the Affordable Healthcare has become a train wreck, and heroes are dying in the VA system, and nobody, after spending \$160 billion per year supposedly on Veterans, can tell us why they are neglected.

The people of America see the federal government as incompetent. We Americans have no voice. We exchange five top Taliban Officers from Gitmo for one PFC. Additionally, and this is the worst: too many of US are too lazy to hold government accountable, and too many of our finest are on the take.

It really is a train wreck. Corporate leaches have infiltrated our government. We have record unemployment; illegal aliens are smiling as they take American jobs; an unsustainable status quo supports special interests over the people's interests and when we look to the future we see a public education system that creates dummmies. The graduates are so dummm that they don't seem to mind being called dummmies. Scrooge would sum it up with a hearty “Bah Humbug.” It is that bad!

Trump has rescued America from a lot of this already but he Democrats want the power to bring back the poorest economy since the depression, excessive welfare and income redistribution; institutionalized lying; a corrupt stat-loving press carrying water for government; a debt large enough to kill America; huge student debt stopping graduates' successes; tyranny v. democracy; government lawlessness; freedom and liberty in jeopardy; American stagnation, and a big loss of America's world prestige.

And, on top of that, the press beats its breast about its importance by suggesting that the president learns about what's happening across the world from reading the newspapers. Everybody in Washington gets a free ride with no accountability. It is that bad.

Our big government has become such a problem that most Americans believe that it can never again be the solution. Our finest hope, our youth; go through colleges in huge numbers only to be unemployed and sacked with debt for life. As a Democrat, I am smarter than most. I know that the Democratic Party is the source of their ill fortune. But, millennials do not believe it so they are not willing to fight the bad guys to make America great again!

This group of youngins known as millennials are the smartest by cranium but they are the stupidest offspring America has ever produced from anybody's loins in terms of their gullibility and their willingness to sacrifice their future for a promising promise.

They have no clue what life is about and they actually protest American heroes such as Condoleezza Rice and Dr. Ben Carson. Both came to visit universities and were disrespected by the students. Rutgers for example in 2013 picked a boardwalk babe, Snooki, rather than an American who loves America to give them their final addresses at their Universities. Hope is reserved for people who have never met today's millennials.

Students are guided by communists' professors in universities and the students now accept that communism is OK. These are the elite progressives in their universities who believe free speech cannot be tolerated and who fill the heads of the millennials with mush. Their importance is endorsed by the universities when they get to be adorned in their finest plumage at commencement ceremonies, and they process before all others to the stage. With such guidance, students have learned that they really do know it all, though their parents have no clue what happens to them on campus.

In 2014 on through 2016, the administrators and the progressive / communist faculty and student lemmings at a once respected university named Rutgers, embarrassed conservative speakers including a fine American, Dr. Condoleezza Rice. Rice was scheduled to be commencement speaker. She is a major US historical figure besides being an academic in her own right.

The students, faculty, and administration were nasty and unwelcoming to her and they protested her choice as commencement speaker. Rice appropriately rescinded her acceptance. The children

have taken over guided by the communists. Parents need to understand what is happening on campuses across the nation.

The student loan burden prevents former student borrowers from buying homes, cars, and having a family. Yet students do not blame their elite faculty and their establishment universities for anything. They blame George Bush for everything still because some talk show host once told them that works for him. It is great to have brains today, it is just not respected if one decides to use them for the public good.

Only retirees in their 90's can afford honeymoon cottages while looking for their next spouse. As many as 37 million student loan borrowers are too broke to engage in basic life. College loans, instead of lifting people to the top, have created a new race to the bottom,

On the International stage, America is a bad actor, and frustrated zealots from the left are making sure nobody gives America a break on the world stage. The US now seems to want to make the rest of the world strong by making America weak. The weaknesses of America are highlighted by a corrupt press because Americans have been doing too well and their perspective because of white privilege.

None of this helps command respect for our country from anybody but the guilt-ridden university students and their "lucky to have a job" mentors on the faculty. Having been a faculty member, I know how bad things are. The only people who seem to care have names like John Q. Public. Thank you John for choosing this book about the US Constitution.

Nobody in the world gives America standing ovations anymore. Nobody asks us for curtain calls. Our leaders turn their backs on our friends and seem to pay homage to our enemies. How is this? In mid-2014, we gave up five top command level terrorists from Gitmo for a POW who was a PFC when captured and promoted twice while in captivity.

The POW is accused of desertion, and the Congress accused the administration of not following the law in the exchange. Has Congress lost all its power? Who has the power in the US? The Constitution says it is the people!

Smaller and weaker countries such as Russia, Iran, and North Korea continue to push US around and laugh at US, and our only response is to see if somehow it might have been because we may have offended them.

We show our greatness by counting the number of hits on a *hashtag of bring our girls home*, when no Americans are missing, and we expect terrorists to cower when the number of twitter resends hits a million.

We also refuse to have an honest discussion about why four Americans, including the US Ambassador, were permitted to die in Benghazi when the military says they were prepared to save them. The then Secretary of State responsible for their deaths is then able to run for President as if their deaths did not matter.

We have an administration that blames the Christian Government of Nigeria for not reaching out enough to the Muslim killers who kidnapped 300 girls for sex slaves. Boko Haram had captured and killed 49 boys just a few weeks before.

The captors boldly announced they would sell them on the sex slave market, and the US is powerless in its feeble response. The new strategy is to have time go by so those who are at fault can claim that it is old news.

What has happened to our good sense? Should there not be a set of laws written by sane people so that insane acts cannot occur without retribution? Why do our representatives, especially Republicans who have lots heart not represent America?

For me, these are the worst days of America that I have ever witnessed. COVID-19 has made it even worse. Yet, our government seems to have no problems that need solutions. Clear-thinking Americans look at today's leaders as buffoons, without the wherewithal to tie their own shoes. We are glad we have a guy like Donald Trump to come forth to save us. These leaders would like all Americans to be happy in a state of mediocrity, rather than being outstanding. "Don't worry: Be Happy!" Too bad Trump gave control to the governors.

If you have been paying attention, and I sure hope you have been as it is a civic duty, you know that there are even more issues than the

exhaustive list we just walked you through. Isn't that a shame on US? I think this is the reason that you bought this book. Thank you very much. The Constitution is a survivor's guide to dealing with a corrupt nation; a corrupt press; a corrupt government and corrupt politicians who believe they can trick you into finding them acceptable.

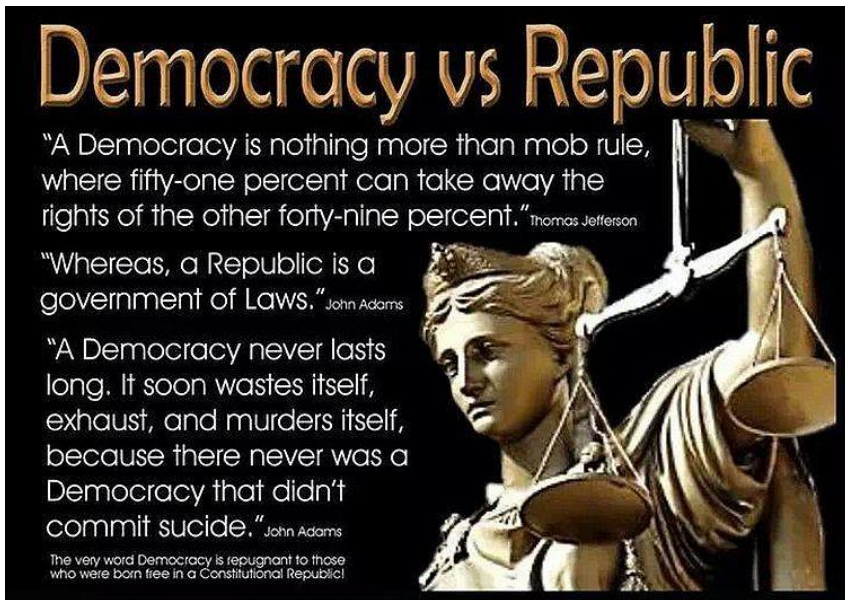
Since you bought this book, I know you and I are on the right side and thankfully we are on the same side. Together, we can all help arrest control of our government back from perpetrators wishing to destroy US.

We first must understand what is going on and we then must understand our rights. Even before you and I and everybody else are on board, just like Howard Beale, we must start the first wave of solutions by opening our windows all the way and shouting as loud as we all can: "I am mad as hell, and I am not going to take this anymore."

Then, make sure that you talk to all of the other "dummmies" out there that you know—people like you and I and others, and let's help them know that unless we all fully engage in America, when we wake up from our deep fog, there may be no America left for our progeny. We will have blown it for sure if that is permitted to happen.



# Chapter 4 The USA is a Constitutional Republic!



## A Representative Democracy

The Constitution prescribes that the US is a representative democracy, which as you will see, along with having an elected chief executive and a constitution also makes the US a *Republic*. The pledge of allegiance notes the words: "...and to the *Republic* for which it stands," for our country is both a representative democracy and a republic.

When we think of the very important notion that "America is a representative democracy," watching the "clowns" from both parties who occupy our central government, it is a sane question to ask if this is really true.

The song, "Is that all there is?" comes to mind. We are nothing like our parents and nothing like our Founders. We have reason to be ashamed of our government, but then again, our country today is so far off the Founders' mark that even shame is not politically correct.

A representative democracy is the foundation of America. However, what makes America—America is that we are also a Republic, the finest form of government ever brought forth from mankind.

We also have a set of laws, beginning with our Constitution, the primary law of the land. These laws govern all people and all politicians in perpetuity—as long as we hold them accountable.

The simple definition of a republic (from Latin -- res publica, meaning is as follows: a state in which supreme power is held by the people and their elected representatives, and which has an elected or nominated president rather than a monarch.

In practice in a republic, the government is ruled by elected leaders run according to law. The law in our country is The Constitution. Unlike a democracy, a republic is not based on majority rule. The law of the land, a Constitution gives the minority a voice.

Our biggest and most important laws within the US Constitution are written so that the government cannot hurt the people (US) or impose its will upon US. Our country was founded by some very smart people and they knew that without constraints on any government, which could potentially go wild, the people would not be able to win.

The constraints in the Constitution are implicit in that all of the rights are owned by the people, and only those rights explicitly given to government are for the government. In our time from 2014 to 2016, and for most of the Obama years. The people's rights have not counted. Obama's rights as an apparent dictator have been what has mattered. Even Republicans back down fearing Obama as an instrument of the people.

In 2016, the full body of people in the US had gotten fed up with Obama and Hillary Clinton and all of the dishonest politicians in America. Though the press and the esteemed Republican establishment tell the people that Donald Trump is not worth their vote, the people have rejected the establishment on both sides and Donald Trump turned out to be the only good guy in town. God bless him in his victory!

This great body of law known as the Constitution, therefore makes politicians and others in government fear a backlash when they attempt to deny the people, even just one person our liberty and freedom. In a pure democracy, if the majority decided that you or I should be killed, nothing would necessarily stop it. But, in a republic, our form of government, it is the rule of law which prevails and the rule of law starts with the Constitution. The current president unfortunately does not like the rule of law.

It seems for sure that many in our nation today, mostly on the far left, are trying real hard to kill America's America by demeaning the Constitution and the Bill of Rights in particular. You more than likely selected this book to help fight them off. Thank you.

If you could figure any way to put an unmovable grip on corrupt politicians, right now or in the future, would you not do it? The founders of America put such a stranglehold on all political agents of the future when they wrote and adopted the US Constitution, the greatest body of law ever written in any civilization.

Of course, if we the people do not know what is written in the Constitution, it cannot help us much. Can it? So, it is time for all Americans who have not been paying attention to stop being dummies and political sport for the elite. It is time to rule America as our birthright as citizens of this great country commands US. Let somebody else eat cake!

And, so, my fellow Americans, that is the number one reason that in order to form a more perfect union of the original thirteen colonies / states, and with more states expected after the first thirteen, our forefathers built the finest Constitution ever fashioned by the pen of human hands.

The Bible, from the hand of God, may be the greatest story ever told in the greatest book ever written, but the Constitution is as good as it gets for the goodness of man, written by the hands of our first patriots, and surely this document was written with the guidance of God.

In this day and age, there are everyday attempts by the government to undermine our lasting Republic, which is an almost pure constitutional representative democracy. The attacks most often

come from the left side of the political spectrum. Democrats can be better patriots for sure.

## Democracy is the opposite of communism

The ideology of the progressive left favors Marxism and its simpler forms of socialism and communism. Since Americans do not typically vote for socialists, communists, or Marxists, other than some who vote for Bernie Sanders rather than crooked Hillary, these are things that nobody other than a crooked politician should want.

If you are unaware of this in today's government, it is time you considered paying more attention. No politician wanting to be elected will admit they are more communist than American. Yet, as much as it pains me to tell you, unfortunately, they are!

These overtures, which demean the Constitution, the fabric of our democracy, originate from corrupt politicians who have been caught up in a leftist movement, which would like to end capitalism, and bring on a socialist / communist order to replace the American Dream, and all the dreams of *We the People!*

Our Republic as noted is a representative democracy constrained by laws. The Constitution is the biggest constraint that prohibits government from taking over—and that is good. Yet, we do have representatives.

One midnight, I asked myself one of those haunting questions: "Isn't it about time that we real Americans actually had some real "representation" from the so-called representatives in our so-called representative government? I said to myself: "Yes it is!" It doesn't have to be a dream.

If we believe, it can easily again be made a reality. And, we should scream it out at the polling places and at our representative's offices as often as we can. We should accept nothing less. Americans rule America. It is our birthright given to us by the founders.

## **The people have the responsibility of keeping government honest!**

It is up to all people in this great country to understand our laws, first the Constitution, and then to pay attention that our leaders follow those laws. When the top officials in our government do not follow the laws of the land, we must learn to send them home every two, four, or six years, as determined by the term lengths as set forth in the Constitution for our House (2 years), the President (4 years), and the Senate (6 years) respectively.

To say it more clearly: We get to throw the bums out and replace them with people of character on a regular basis; so don't give up! Donot let the politicians think they run the country! That is why our government has worked well for over 225 years. When we get bad apples, we throw them away by voting them out. Of course that means we must vote in order for our choices to matter. And we must be willing to vote our own representatives in the House or the Senate out of office when they choose to not do their jobs.

## **Representatives are of the people?**

Though the representatives are supposed to come from the people, a type of political class of elites has come about and seldom do we get to vote for representatives anymore, who are truly representatives of the people. By understanding America better, and especially by understanding our Constitution, Americans have a far better chance of bringing good and honest government back to the people. We must not be afraid of casting out the evil politicians in our government.

The way it now works, there is far too much separation between US, the electors, and them, the elected officials. Most officials choose to live in gated communities, unaware of what is happening on our streets.

The Constitution provides that elected officials are given the task to coordinate our pooled resources for the intended benefit of "everyone." But everyone is often not included. And politicians often take credit for spending treasury dollars on things that simply

buy themselves votes. Nobody wants this and so it is up to all of US to change it.

Do our representatives in the second decade of the twenty-first century have a genuinely compelling concern for the people and our government or is this simply our notion of Nirvana? We know that Nirvana is the name in Buddhism as its final goal—a transcendent state in which there is neither suffering, desire, nor sense of self; and the subject is released from the effects of karma and the cycle of death and rebirth.

If it is not Nirvana, perhaps it is a Disney-like Utopian myth perpetrated on US by these same “benevolent politicians?” Of course, it may be that our representatives do not care because we do not hold them accountable. We elect them even when they are knaves—even thieves and criminals. Do any of US think politicians really care about the people?

I propose the latter. Our government is wholly unaccountable to We the People. Today, our government rejects the fundamental principles of our founding and has no real legitimacy the further it drifts from the precepts of the Constitution.

The US was not designed this way. The Constitution is the blueprint for our Country's design. It was designed by a group of artisans to not only represent their artistic touch, but to be held as the behavioral creed of the people, for the people, and by the people, forever. What thinking human being blessed to be part of America, could ask for anything more?

If you think that life, freedom, liberty, and the ability to pursue your own happiness are simple notions, and givens in any civilization, get out your thinking cap, and think again. Why do people from all over the world crash our gates just to get in? Americans are exceptional in that we have full freedom and liberty in our country, and with that we can exceed all limits. Go to any other country, and this exception no longer applies.

Traditionally, the USA has been the freest nation in the world with rights withheld from government and rights given to the people by our Constitution. Today as our country's foundation is being threatened from within, more than likely you are reading about the

Constitution so you can help protect your rights as well as this great nation which provides them.

Which would you first give up? Your freedom? Your life? Your liberty? Your family? Or your ability to do what you need to do to be happy? The sanest answer of course is “none of the above.”

Who could ask for anything more than being an American? Ask the last arriving immigrant! We are free! But, if Americans do not care about our founding precepts, maybe our freedom, our lives, our liberty, our families, and our ability to do what we need to be happy, will be taken from us one day—perhaps in the not-too-distant future.

If the design of our nation, America, which the founders labored to create is so great, you might ask, why is it that our current lawmakers ignore it? Republicans and Democrats alike appear to be indifferent to the needs of the people they represent.

They have no trouble going with the flow and committing US to years of debt without even taking the time to read the debt-ridden legislation for which they vote. Neither the Constitution nor the Founders would approve of what our representatives, including our president, have done to our country.

Even worse, members of Congress, our alleged civil servants, are able to get away without doing their jobs, while collecting more and more remuneration for their main act of harming the American people at large.

The true answer to that question is very unfortunate for Americans. There is tacit collaboration in undermining the principles of our Democratic Republic by our supposed representatives, their supporters, the special interests, and their corporate interests. We the people now come last. They think we are not paying attention. Maybe we have not been paying enough attention but don't you agree that is about to end. Pay attention is about to become the motto of the free!

## Legitimate immigration was necessary

Americans are all pro-immigration to the extent of our laws. If Americans were not pro-immigration for example, Columbus and his shipmates and their families more than likely would have withered away from disease or cold winters or they would have lost their battles with Native Americans. All fifty states; at least the mainland forty-eight, would probably now have Native American names, and they would be run by the same financial wizards who run today's highly successful casinos.

After the USA was in operation as a country with a Constitution for just several years, its population was approaching 4 million people. This is just a million more people than the annual flow of illegal immigrants from south of the border.

On March 26, 1790, almost 225 years ago, the second session of the first Congress (operating under the Constitution with a House and a Senate) approved the new nation's initial effort to create the rules under which foreign-born persons could become U.S. citizens.

From this point on, our borders were not open per se, and we had laws (rules) for how those wishing to be Americans could come to visit or to become Americans. All Americans after this point who immigrated were to follow the law of the land.

The Naturalization Act of 1790 specified that "any alien, being a free white person," could apply for citizenship, so long as he or she lived in the United States for at least two years, and in the state where the application was filed for at least a year. The new law also provided that "children of citizens of the United States that may be born ... out of the limits of the United States shall be considered as natural born citizens."

In effect, it left out indentured servants, slaves, and most women. It also mandated that one must "absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty." Though these terms were seen as quite generous, still the law denied the right to naturalize to "persons whose fathers have never been resident in the United States."



Immigration law was becoming more important and the laws have been changed several times since 1790. For example, in 1795, as anti-immigrant feeling began to grow, the necessary period of residence to become a citizen was increased from two to five years. Immigration law became firmer as the nation aged.

Enter special interests, who like to bypass laws and have their friendly “owned” politicians let them get away with whatever. Regarding immigration, you already know that there are two major special interests. The first special interest is the Democratic Party, which believes that if all illegal foreign nationals were immediately made citizens, the Democrat Party would never lose another election. That is a great motivator to bring all foreigners in immediately and make them all citizens of this nation.

And, so, even though they have taken American jobs and driven down the average weekly wage, your Democratic Representatives in Congress still advocate amnesty and citizenship for them, promising less prosperity for all American citizens. And, unfortunately, most Americans, not seeing that the representatives have become socialists and communists, looking for a poor continually underserved underclass, they will vote them back into office to their own peril.

Their major concern as corrupt politicians is that the Democrat members of Congress get reelected and a Democrat president can be elected each time. Bringing in poor people from south of the border, who feed from our welfare system, assures the Democratic politicians of their votes.

The second special interest is also against the people. They do not gain at the ballot box. However, illegal foreign nationals do provide huge gains in the wallets of American Business. American businesses, represented today by the elite Republican establishment, love paying the smallest wage possible. Since illegal foreign nationals work for peanuts, this is a perfect marriage of needs.

Traditional Republicans have great alliances with businesses. The only groups, who align with the majority of Americans and who oppose blanket amnesty and who are 100% pro-American citizen philosophically, are conservatives, such as those who once claimed allegiance in the TEA Party. They differ on immigration with elitist Republicans, and opportunist Democrats. No American citizen

suffering from the worst economy since the depression would be asking the government to invite in more wage lowering workers.

After Republicans chose to side with Democrats when becoming the majority in the house and senate, Tea Party advocates have gone underground in disgust. Many of the same people who once made up the tea party transformed from idealistic Tri-cornered hat wearing patriots who believed that Republican campaign rhetoric that mirrored their beliefs have changed their orientation. They have become a much savvier and in some ways more cynical electorate. That is why Donald Trump is doing so well. The elitist establishment Republicans are held in poor regard.

Thomas J. Donahue, President of the US Chamber of Congress, a disgusting voice for the establishment told Republican lawmakers that if they did not pass amnesty, the Republicans shouldn't even bother to run a candidate in 2016. Populist conservatives go the message loud and clear that establishment Republicans could not be trusted.

The C of C cares nothing about workers' salaries but cares a lot about corporate profits. Donohue demanded that lawmakers to pass amnesty rather than pass on funding from the Chamber for their reelections. Observing the establishment has begun to make populist conservatives suffer from nausea.

The US Senate, controlled by Democrats, passed a global amnesty bill in early 2014, and they were pressuring the House of Representatives to do the same. The conservatives in the House would not budge thankfully. Of course if they pass this scourge on America, just as Marco Rubio got beaten by Trump in 2016, the people will revolt and with no excuses left, throw out both houses of Congress and start over. The people have lots of power when we "pay attention."

The immigration issue is being put forth early in this book to demonstrate that our legislators care more about other factors such as reelection and donations than they do about the people. We have enough people in the country right now or else our real unemployment picture would not look so bad. Why bring more "slave labor" into the country when we know it will make the

problem of making ends meet for American families that much worse?

Perhaps too many of US, until things got this bad, had been hoping George would do it! Well, George Washington, one of our finest patriots is long gone, and unless you know of a recent George with the time, it is up to US to do it. Those in Congress who bow to special interests and liberal instincts should be made to take their final bows.

And, by the way, the two George Bush's did not get it done either. But, today's President and his Attorney General don't even try. They are on the other team. They choose not to enforce any immigration law. They do not follow the law of the land, the Constitution. This is tyranny, yet with a Republic Congress that defers to the president, it is tough to get action on behalf of the people.

This book is not about immigration, but it is about the Constitution and the Bill of Rights. Both of these documents help all Americans to know that the laws are made for Americans to benefit. To demonstrate the lawlessness of the current administration and the disdain they have even for war heroes, here are a few anecdotes.

Without a scintilla of Constitutional authority, just recently, today's President ordered well over 30,000 imprisoned criminals in illegal status to simply be released so "they could be reunited with their families in the US." Among them are rapists and murderers. The homicide victims got no say. The criminals were released from prison into the US—not deported.

They are back on the streets of the US. Did we really need 30,000 more criminals on our streets? Yesterday's President, Barack Obama thinks we should cajole and love the 60,000,000 souls in our illegal population, and he acts like our laws do not apply to him or to foreigners. Meanwhile 30,000 American citizens in prison were not released to be with their families. I agree American criminals should not be released but neither should foreign national criminals.

There is another true story that shows how ridiculous it is for the US to bend over backwards to coddle 30,000 criminals with illegal foreign national status. Mexican authorities know how to handle immigration. They punish Americans in Mexico for the smallest of

infractions and will not free them even when there is national outrage in the USA. About a year ago, many of you may recall that Mexican authorities were holding Sergeant Andrew Tahmoore, a Marine war hero from Florida.

US outrage was expressed in a headline from Memorial Day Weekend, 2014: "Leave no man behind: Why is Team Obama unable to bring home Marine held in Mexico?" Later many were wondering how today's president could free a deserter from the Taliban and completely ignore the plight of a hero marine.

While on the battlefield, this brave Marine saved eight fellow Marines from the Taliban, and in a separate incident he saved a Marine from bleeding to death after he stepped on an IED and lost his legs. Tahmoore also suffered a concussion when his vehicle hit an IED.

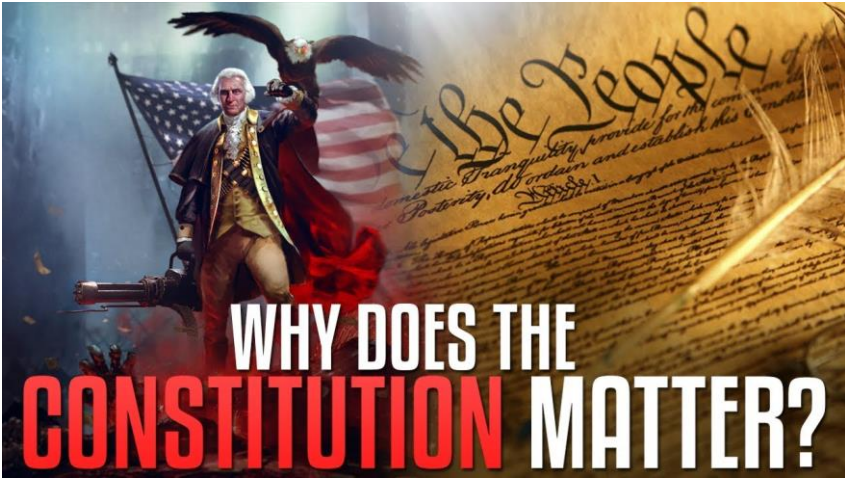
On March 20, 2014, the U.S. Department of Veterans Affairs diagnosed this young soldier with Post-Traumatic Stress Disorder (PTSD). Yet, even our President cannot get him freed from a Mexican Jail. Maybe the President has not yet made the call, or maybe he simply does not like Marines? Or maybe he has no power? Who really knows?

This unlucky former Marine simply mis-navigated the San Diego highways and ended up in Mexico. Rather than being treated with respect and returned, this hero Marine was apprehended and incarcerated and after two to three months, he was still there fearing for his life in a dreadful and very dangerous Mexican prison.

After a night in which he avoided death from a prison "Hit Squad," he was placed in solitary confinement with his four limbs chained to a bed. We treat no illegal foreign nationals with such cruelty. Maybe Mexico is trying to teach the US how to treat border violators?

Can it be that too many of US and too many of our friends have been constitutional dummies for too long? Perhaps understanding our rights and government limitations from the Constitution, as well as your exhortations to all your friends will help many Americans awaken to what happens in a country in which government, rather than the people, has the stronger hand.

# Chapter 5 Why Does The Constitution Matter?



## Americans are too trustworthy

Our representatives are in office far too long and they gain relationships with other politicians who make up the ruling class. Instead of thinking about the folks in Danbury or Wilkes-Barre, or Clarks-Summit, or Santa Rosa, or Chicago, or Avoca, or Great Plains, or Orlando, our esteemed politicians begin to think they belong in Washington DC, not their home cities.

The social life in DC is lots better than most home towns, and our devoted representatives get to rub elbows with the hoity-toity, and the progressive Marxist communists that do not exist in their home areas. They get corrupted. All of a sudden they are important, and being from Podunk or Plymouth does not matter. They begin to like the trappings of Washington more than being with their loved ones back in their home states.

And they try to please the lobbyists and the communists and even those on the other team. They want to be liked and they want something in return that they don't get from the home town folks. Sometimes it is gifts, sometimes it is invitations to the best parties, and sometimes it is the promise of a great job if not reelected. The

longer they are in Congress or in politics per se, the greater the opportunity for corruption.

Unfortunately for all Americans, the new “important” relationships trump the notion of fair representation for the people (US) from back home. When they take their oaths of office and they promise to represent US, most are sincere at the time. That may be the last time.

Once they come to Washington, they experience the trappings and the temptations. And, because humans are only human, way too many of our finest stray from the mark and contribute to the re-creation of a country of which few thinking Americans are proud today.

Yet, we Americans are either too kind or not enough self-assured that we trust them even after innumerable lies and self-aggrandizement. We can't believe they would do “that,” yet they do. So, like dummies, we go ahead and we call them hizzoner or herronner and we reelect them because we think they really cannot be that bad.

Ladies and gentlemen, they are that bad. Stop electing them. Their biggest fear is that someday all Americans will understand the Constitution chapter and verse. On that day, we have all the rights, and they have zero.

Think about our Forefathers, especially George Washington, who guided our troops in the revolution against England's tyranny. Think about honest Abe Lincoln, who freed the slaves and saved the union. They would weep to see what their political successors, our representatives, have done to our nation.

So, our fair haired representatives (figure of speech) choose to represent themselves and their special interests, rather than the areas of the country that sent them to the Congress of the USA to represent the people. Perhaps a dose of Lincoln's “honesty,” is all that is needed to save the day. Wouldn't that be nice?

Our “honorable,” do not even seem to care for our well-being. They do, however, care for their leadership positions, which make them big shots. They care for themselves for sure. Unfortunately, they just can't get it into their heads that we the people are the reason they are in their positions in the first place.

We the people are the employers of all members of Congress, and they serve at our pleasure. The more we all understand that the tighter the reins we can place on errant politicians, the more the people are in charge. It is not too late. The Constitution is our guide and it is our license to rid ourselves of a poor government.

We must understand the Constitution in order for it to work again for US and for America. The last thing we should consider doing is to permit corrupt politicians that we unfortunately have already elected to serve the people, to disembody our Constitution through legislation or through executive actions.

Part of the problem is our fault since we do not check them out well enough before we slam them into office. To make it simple to understand this notion—if there is a rotten piece of fish in the market and we select it for dinner, whose fault is it when it doesn't taste so good and our guests get sick? So, when we pick a rotten person to represent US—whose fault is that? You see, we do not have to be dummies. We simply choose to be.

Does it matter whether the government is controlled by Democrats or Republicans? Democratic leaders have become socialist progressives, just this side of communists over the past several years. The Democrats at home are not far leftists but their leaders are. Republicans still seem to love the American way and are not moving the country towards communism. But, Republicans are too passive in dealing with Democratic leadership that appears hell-bent on destroying our country.

Our country's demise rate grows at a higher rate when leftist progressive communists are in office. When Republicans take over, though it lessens, it does not go to zero as it should because a number of Republicans have become progressive also.

So, right now at least, Republicans, especially conservative Republicans are a better choice for America than Democrats. As a conservative Democrat myself, that is very tough for me to say. I wish it were not so. The best thing for America is to vote for conservatives, even if they are Democrat. But, the facts show most conservatives are either Republican or Libertarian.

The people have been short-changed on the notion of representation and honesty. Honesty is the first thing to go when a representative must lie in order to get the extra benefits their positions can deliver.

When has any incumbent representative run effectively on honesty? Is that because we the people do not care about honesty or are we all smart enough to know that they are kidding. We do not need the Constitution to know that but it might help us to be more honest if we knew and loved the Constitution just a little bit more. Either way it is our fault. We voted all of these 545 miscreants to run our government. We get the government we deserve.

Somebody once said that if you like your honesty, you will be able to keep it and it should save you about \$2500.00 per year. Do you remember who that guy was? He was talking about us all saving \$2500 on Obamacare policies. How'd that work out for you? Helping fight a guy like that is a great place in which we can use our knowledge of the Constitution.

Nobody said that exactly but some president at some time in the last several years did tell Americans that we could keep our doctors, health policies, and that in so doing we would save at least \$2500.00. I am not kidding. He still tells lies because no person in Congress feels strong enough to take him on.

My objective in this book as in many others, which I write, is not to have you know who said that or to get you upset whether he or she did or did not say it. I just want you to think about what the Founders promised and what American government had been delivering to the people before the liars took charge of the government. There is a chasm. We the people can fix that. Learning the precepts of the Constitution can inspire US to get that task done.

My objective is to help smarten you up so that guys like that, whether they are the president or not, do not get to treat you like a chump. Each time I write about this topic, I get smarter also as we all must keep learning all our lives and we must be watchful to keep our freedoms.

America is built on fairness, goodness, and individual strength. We are not supposed to give politicians an even break. The Constitution



is our law and it is our obligation to pay attention so our rights are not violated by grabby politicians. If you happen to be in this low information / overly nice category, thank you for visiting this book. I hope that through these writings, you will become a better American.

The low information gullible people in America must smarten up or we are all toast. Everybody's vote counts the same. When those who choose to not pay attention vote, it is a big plus for dirty politicians and a big loss for real Americans.

When you have the time, please finish reading this book, and you will understand how smart you can be and how much power you can wield against those who care nothing about you or me, or America. Always keep your eye on the ball and do not give the ball up to an opponent just because they lie and they schmooze you.

A book I wrote during the Obama times was titled, *The Constitution 4 Dummies*. It was written so that we can all know the truth even when the corrupt media lie to our faces. The not-so-free, very dishonest and corrupt press provides cover for the government as an ally, not as the fourth estate. It is propaganda for the government and too many gullible Americans sop it up as if it is the truth. The media would have us all believe in the "*Tooth Fairy*." Any of US that live by believing their lies, need to reevaluate so that we do not remain chumps.

Regardless of which party is responsible for the mess, Americans are on edge anticipating that somehow, because there are big problems, we will all get nailed by one or another of them in one way or another. Many of US think that we will lose our jobs, lose our ability to work full time, lose our health insurance policies, and not be able to afford the new government issued policies coming our way.

When I was growing up, it was not this way. It is time we went back to the better days when there was a real American Dream for everybody. .

We may get sick and we may die because of the "Affordable Care Act." Thank God the president is not under Obamacare so at least he will be available for a eulogy at any of our funerals.

Illegal immigration and amnesty is another of the bad jokes perpetrated on the American people. In this instance, both the Democrats and the Republicans share the same vision – *to stiff the American people*, and to give priority to illegal foreign nationals rather than American citizens. What happened to America and Americans first?

We discussed this topic in detail in a prior chapter. Some truths stand forever. Even Obama, when he met with Pope Francis could not think of anything positive to say, so he quoted his buddy Harry Reid as you can see in the “cartoon” below. The bubbled exchange with the Pope is funny but too true. Pope Francis must have a great sense of humor. Don't we just love his simplicity?



And, so, I decided that this book about the US Constitution v the COVID-19 virus would not be too political and it shall not be. It is anti-political. But, we must tell the truth about how things really are—don't you think? Obama is no longer the perpetrator but the governors in his Party sure are.

I have admitted previously that I am a registered Democrat but for twenty years or more, I have not been proud of my Party. The Democratic Leadership can do a lot better. Right now the Party that is the lesser of two evils is unquestionably the Republican Party

though it is an unholy combination of both Democrats and Republicans that have given us this sad state of affairs in the USA.

To help you and your family cope with the times, this book will be truthful and fact-filled and it will make each political party seem like they, and they alone, along with the two party system—are responsible for the problems that America has been suffering while it is trying to stay America.

I know that when you and I think about it, we are on the same page for the same reason. We are all trying to preserve the American way of life—which cannot be found anywhere else in the universe.

Because I love the Constitution so much, I wrote this book so that I can share my sense of what America really is, and why, until the millennials got shut out of the American dream, with no jobs after college; this was the place in which anybody could succeed with some hard work.

America not only promised an American Dream. It delivered. And during that time, the government followed the precepts of the Constitution. Today as government ignores the American Dream or suggests it never existed, life simply is not as good.

Do not accept the communist doctrine that this is the new normal. They want to dummm you down and then take your freedoms. We can do much better and we will. It all starts by paying attention.

I hope this book helps to wake up Americans of all ages from the fog that has affected our brains. We have not changed but we have permitted our government to change. Our representatives and our government has changed so much that they have forgotten who we are and who we are supposed to be.

Without using those exact words, our Constitution gives us a government of the people, by the people, and for the people. It gives government only powers that are specifically enumerated by the people. Yet, somehow, Americans have become lazy and we have permitted corrupt politicians to be reelected regardless of whether they represent US well or not.

Abraham Lincoln is the most famous historical figure to use this patriotic phrase. It was in his Gettysburg Address from November 19, 1863. For posterity, here is Lincoln's last paragraph. It is chilling:

*"It is rather for us to be here dedicated to the great task remaining before us -- that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion -- that we here highly resolve that these dead shall not have died in vain -- that this nation, under God, shall have a new birth of freedom -- and that government of the people, by the people, for the people, shall not perish from the earth."*

Big government doesn't work. Big agencies don't work. Big corporations don't work. Big doesn't work well at all, especially if you are one person looking for freedom and liberty.

Government has grown so big that we the people, who own the government according to a deed known as the Constitution, can no longer sort through all the lies and the empty promises. So, we must all help reduce the size of government for the people to ever matter again. We get our chances each election cycle. When we vote to favor corruption, we get the government we deserve.

If all Americans understood America, and were taught to respect America in our schools, instead of blaming America first for everything—we would not have to worry about being defeated from within.

In this way, if any American political party comes-by led by Democrats or Republicans, and it wants to change America into a Communist-Russian-like, or Communist-Chinese-like, or Nazi-German-like country, we will be equipped to fire off a quick nyet, or a mhai, or simply, a hearty and guttural nein!

We can surely add no-way Jose for effect if we choose, simply because we are Americans and we are exceptional. We are the exception to the rule that freedom and liberty cannot work with regular people. What we cannot do is accept and believe the propaganda from the corrupt, socialist progressive communist owned press in the US. Yes, that includes the New York Times, the Washington Post and of course MSNBC. Trying to find the truth in today's news is like trying to find a white glove in the snow.

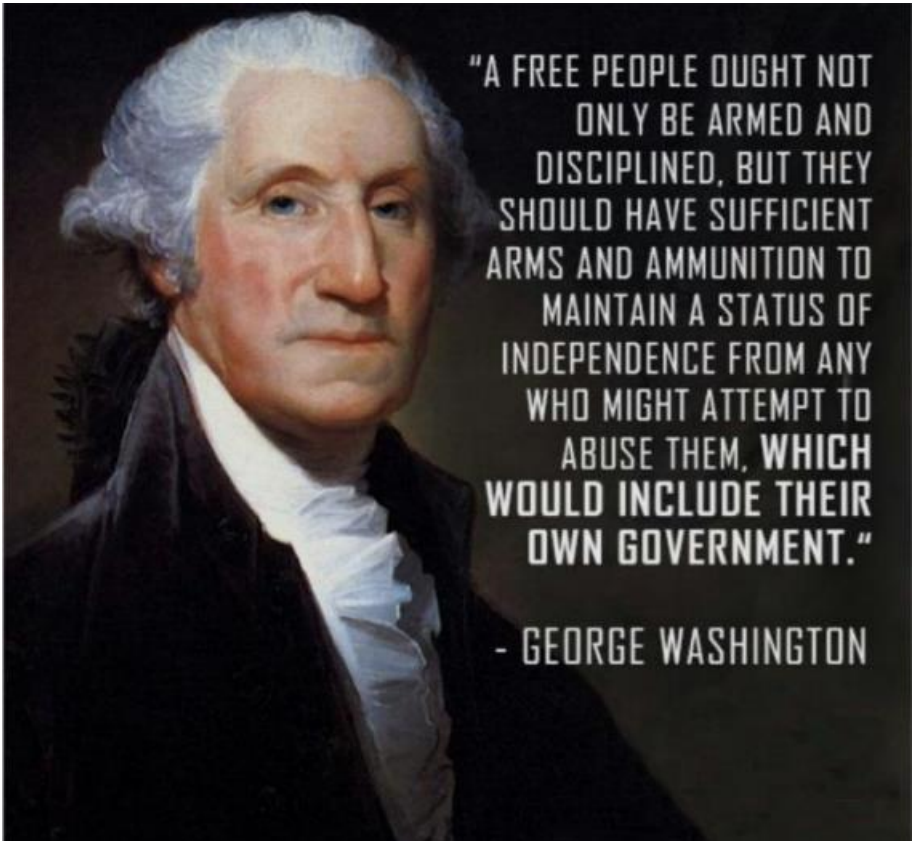
America, from its inception, along with mercantilism, has used capitalism to create the strongest country in the world. Those who do not like America have already removed mercantilism from the landscape and now hope to replace capitalism with socialism / communism. Yet, small-c-communism has never worked anyplace.

Their replacement scenario is a promise of the best of small “c” communism in our later evolution, or revolution, but they may not permit freedom lovers to live when they gain control, if we are not totally happy with their form of control.

If you believe in any of these socialist philosophies and you also like your freedom, it might be a good time to visit the tombstone makers in your area and pick out a good one. In memoriam! You are gone!



## Chapter 6 The Founders Wrote the Constitution to Protect US from Tyranny



### **Socialism, progressivism, Marxism, and communism were considered but rejected**

America has always been a capitalist country in which hard work pays off, and the same goes for our economy. If any American political party comes-by led by Democrats or Republicans, and it wants to change America into a communist, socialist, or Marxist country, once you understand the Constitution, and you are no longer part of the dummy crowd, you will be well-equipped with the information you are absorbing in this book to fire off a resounding “NO” in our native language of English.

Many of the founders, and our relatives from long ago, risked their lives to engage George III of England so America could be free. I mean so that the people could be free and have unbounded liberty. Nobody of sane mind at the time wanted a revolution, but they eventually agreed that freedom is worth a revolution and a free America proves it every day.

Those from countries other than England who came to America engaged other Kings and royalty in addition to King George III. But, all came to America to be free. All Americans in the twenty-first century need to wake up to realize that freedom is not free.

The Founders never envisioned that tyranny would come from the people itself or from the supposed independent press, the so-called fourth estate. The press is known as the fourth estate, an entity whose job has always been to keep government honest. Today that's like enlisting a weasel to guard the hen house.

The true role of the free press is not to take sides with corporations or government or any party. It is not to bring in the most ad revenue and tell falsehoods as if they were fact. Yet, we have no fourth estate today in America because our press leans communist, and they back every word of the administration as if they are a branch of the Democratic Party.

The Founders never expected the citizenry to stand by and permit the powerful to take away liberties for which the revolutionaries shed blood. Our founders would not be happy with many of US today, because we sit idly and let things happen to US.

These brave souls said no to the repression of freedom and they took matters into their own hands, risking life and limb, to provide US all with a free America. In this country, all of the people are free. Go get yourself a breath of fresh air. It is free. Only the corrupt press today will tell you to pay homage to something or somebody to get your clean air.

Today, it is a phenomenon that the well-to-do politicians have become very popular with the dummest of Americans, who want what they can give to them. Today's politicians, disguised as representatives of



the people are sharp and cunning, and they are always ready to say or do anything that would help them advance to important offices of the city, the state or in the federal government.

The word “politician” is used in the book in its most derisive form and always un-complimentary. Who are politicians? Politicians of the worst order are scoundrels who gain the people’s trust and get elected to office and then they turn on the people for their own self-interests. Today they dupe the lowest level of information citizens and they tease them with handouts to gain control of them.

The founders were well aware of politicians in England and other countries in Europe, and the treachery they caused. Back in the late 1700’s as the Constitution was prepared for ratification, the founders were so tickled that George III was no longer in control, they almost universally felt that the new America, which they were creating, would remain pure over time. Who would ever give up freedom?

Using the Constitution, they tried to build a set of laws that would never ever, ever, require another popular revolution to purify the government. They knew there was the risk of scoundrels who may in later years attempt to take control of the government. In the twenty-first century, those scoundrels are here in droves, and the corrupt press has joined them to keep the people down.

That is why the founders rewrote the first Constitution known as the Articles of Confederation “*in order to form a more perfect union.*” Though their work was excellent, scoundrels still flourish. The union under the Constitution is much more perfect than under the Articles of Confederation (the first iteration of national law); but it is not perfect enough to stop all scoundrels at the doorstep.

To understand that the Founders advocated dissolving and re-forming a government gone badly, this section of the Declaration of Independence does the trick:

*“...That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to affect their Safety and Happiness. Prudence,*

*indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shown that mankind are more disposed to suffer, while evils are sufferable than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security.”*

Though the Founders did not specifically add anything in the original constitution permitting the government to be overthrown by force, it is implicit as that is exactly what they did as leaders of America to answer Britain's tyranny.

Since the people have all rights in the Constitution, as you will see shortly, the Second Amendment to the constitution in the Bill of Rights provides all citizens the right to bear arms and it prohibits government from impinging on that right. And thus, the Declaration of Independence shows the willingness of the Founders to use force to overthrow a government if the government goes bad. Meanwhile, the 2nd Amendment gives the people the means – most notably guns and ammunition.

Ron Paul, Mark Levin, Andrew Napolitano and others see it exactly the same way as I do!

**Ron Paul:** *the Second Amendment, ironically, and a lot of people don't understand this, but it was to protect against abusive government.*

**Mark Levin** *said that the 2<sup>nd</sup> amendment wasn't for target shooting or hunting or anything else in that realm. He said that “whether you like it or not or whether you agree with it or not, the reason why 2nd amendment exists is to arm the population in order to overthrow a tyrannical government. That's it.”*

**Judge Andrew Napolitano:** *The historical reality of the Second Amendment's protection of the right to bear arms is not that it protects the right to shoot deer. It protects the right to shoot tyrants,*

*and it protects the right to shoot at them effectively with the same instruments they would use upon us.*

The fact that Americans are armed is unusual in the world today. America is the exception to all other countries. Our armed population has helped us win wars or at least avoid defeat. For example, a big reason why the Japanese never launched an invasion of the mainland US, even when we were at our most vulnerable after Pearl Harbor, was because they knew the people were armed. America's "hunters" represented the world's largest army.

In just one state, Pennsylvania, for example, just about a million hunting licenses are sold each year. I know that many non-hunters in Pennsylvania also have rifles, and pistols for self-protection.

So, how many guns are there in the US? According to the Geneva-based Small Arms Survey – the leading source of international public information about firearms – the U.S. has the best-armed civilian population in the world, with an estimated 270 million total guns. That's an average of 89 firearms for every 100 residents. It is far ahead of Yemen, which comes in second with about 55 firearms for every 100 people, or Switzerland, which is third with 46 guns for every 100 people.

The Founders did not spend a lot of time on documentation necessary to overthrow the government because they had a difficult time envisioning a scenario in which the recently freed people in the colonies, post revolution, would join an oppressive and tyrannical government, such as ours is today.

Where we are today, it assures that the worst of the worst get to decide which freedoms and liberties should remain with the people, and which ones an all knowing government should take away.

The Founders had created a set of rules, known as The Constitution to assure that all the people would be left with all freedom and all liberty in all cases. They did not want any scoundrels (politicians) messing with this notion or this nation.

Unfortunately, our legislators and at least one of our presidents in modern times have stopped full adherence to the Constitution and

consequently, our freedom is now in jeopardy. Our representatives can stop this tonight or tomorrow or tomorrow night if they wish, the very next time Congress is in session. Ask them why they have not stopped the lawlessness already?

## **Americans must act at the voting booth**

Unfortunately, last time I checked, the legislature (Congress in both Houses but mostly the US Senate) are more interested in being important in Washington than helping the folks back home. As we learn more about the Constitution, we may become brave enough to call them home and replace them with patriots from the ranks of normal citizens.

Only Americans, who hope to be in control of a communist state, advocate against the American way. Egalitarian principles of socialism simply mean that nobody gets to be part of the cream of the crop since the most equal spot for all is the bottom of the barrel.

Before this is fait accompli, Americans who love freedom have to do a little more than just speak up. We have to know what the founders would do to protect liberty and freedom and we simply have to do it or suffer the consequences. Reading this book is a good start. Thank you for taking the first step.

I do not have to preach freedom to 99% of Americans out there. We are all either products of good people who came here to be free or we came here ourselves to be free.

Permitting politicians from either party to talk us out of our birthright is not only dummm... it is asinine.

Yet, we can choose to be the dummmest Americans of all time or we can choose to engage, smarten up, stop being chumps, and take on these bad guys. They do not care at all about us.

Think of the leaders of the regimes that committed the atrocities that prompted our forefathers or us to come here. They were evil. They

were bad. They would love to have their boot on your neck right now if you would let them.

I have had the pleasure of writing a lot of patriotic books. I write tech books and patriotic / political books. This is book # 53 of 66. It is really fun to help people with clear thinking.

Each time I write a book, I hope that I can attract another person into a love affair with America and its almost perfect Constitution. If you have read any of my other stuff, you know that I point out the bad guys and I pull no punches in my description of what we must do to escape from their reach. They will destroy us if we do not pay attention and escape their grasp.

## Read the Federalist Papers

Before the patriotic “4 Dummies” series, my last book was titled *The Federalist Papers*, by Hamilton, Jay, and Madison. Since these eloquent founders had written the papers, my job was merely to arrange them in a 21st century orderly style and set them to print, I wrote no more than twenty pages of original introductory text to help persuade the potential reader that the rest of the *Federalist Papers*, for which they had paid was worth reading. I admit I did a bit more.

I took the patriotic essays of Alexander Hamilton, John Jay, and James Madison, known as *The Federalist Papers*, and I separated all of the two page and single page paragraphs, and half page paragraphs, and other large paragraphs, and I chopped them into smaller, more readable bits and pieces. Whether you buy a book or you download these essays free of charge, there is a lot of learning to be had in the *Federalist Papers*. But navigating the long paragraphs is a chore.

I literally had to wake myself up too many times in my initial reading of the *Federalist Papers* because they are tough to read in their natural form. Yet, they are very insightful. I know how tough it is to get through them as written in the original. I did not eliminate a word of the original. I just made it more readable. Check it out at [amazon.com/author/brianwkelly](https://amazon.com/author/brianwkelly).

By the way, just like *The Constitution 4 Dummies*, My version of *The Federalist Papers* by Hamilton, Jay, And Madison also contains the full text of the US Constitution, The Declaration of Independence, The Articles of Confederation, The Bill of Rights, and lots of other good stuff that many of US over the years have forgotten.

Once you get back into these writings of the Founders, you will fully understand that they are the glue that keeps Americans free. They can help provide US all with liberty and freedom and justice forever and ever and ever... as long as we pay attention.

Having read the *Federalist Papers* myself, I feel like I should not be the one to offer this exhortation, but I shall anyway. If you can read every one of the *Federalist Papers* in the original, as offered on the Internet for free, you will have passed a great love test for America. And, if you do all the other things you need to do to be the citizen you would be proud to be, you then become worthy of the title, American.

Those of US, who read the *Federalist Papers*, though it is an arduous journey, know we have accomplished a lot. These papers—eighty-five articles written by Alexander Hamilton, John Jay, and James Madison, available for free on the Internet, quickly show US all that the founders were very concerned that the bad aspects of any other foreign government would not become part of the new American Democratic Republic. Today's administration in Washington and some others would give them pause for sure.

The founders were well aware of politicians and all of their negatives; but since they never put the notion of welfare, food stamps, and cell phones in the founding documents, they did not believe that the people would permit the Republic to be tainted by notions like socialism, progressivism, Marxism, or communism.

In the early days, the people were all aware of the sacrifices the early colonists had made to secure the new America. Never in the history of man was so much patriotism shown for a nation that might not ever make it into the future.

After enduring tyranny from England and other monarchies, Americans fought for and won the revolution against England et al for the cause of liberty and freedom. So that liberty and freedom would

continue as long as possible and perhaps, forever, they built The Constitution.

Here we are 230 plus years later after eight years looking for hope and change rather than looking to the spirits of our founders to rebuild our fallen country. Hope will deliver nothing when action by well spirited citizens is required but discouraged.

I have found so many people, including myself, who at one time have forgotten the sacrifices of the revolutionaries and the gifts of freedom and liberty that were bestowed on all of US at the time of the revolutionary victory. All of these gifts have been emblazoned forever in our Constitution.

We Americans have been so blessed that we have not reminded ourselves enough over the years of our great heritage. Fourth of July celebrations are picnics, and though our parents have tried, the work of our founders and the great Constitution they built as the basis for all of our laws, is often lost in the celebration. Next boom you hear on the 4th, remember why and thank God for such brave men.

Neither freedom nor liberty come cheap so the next time an engaging politician offers you something for nothing, and in your heart, you know it is wrong; stick to your guns. Remember the words of Ben Franklin, a favorite US and Pennsylvania patriot:

“Those who desire to give up freedom in order to gain security will not have, nor do they deserve, either one.”  
Amen!





## Chapter 7 Throw the Bums Out!



### Write opinion letters and call your representatives

One of the reasons for this book and others your author wrote about America and its founding documents such as the Constitution, The Bill of Rights, and the Declaration of Independence is to help US all be better Americans. We do this simply by understanding the Constitution along with America's founding.

In 2020 with the big virus and big blue colored politicians bullying the people it is more and more important for Americans to understand the precepts in the Constitution that give us rights. These rights give us absolute power over bully politicians such as many of the state's governors.

Most of us have seen or read or heard parts of the Constitution and if they have been presented properly, we more than likely, really like them. The Constitution is a friend to all freedom-loving Americans.

It is the defining document of our country. It is the place to go to find out what America is all about! It is about the U.S. of A.—our nation. Our Country is what it is because its definition is embodied in the Constitution, which is America's most fundamental and most prized set of laws.

Our job, moving through life, of course is to learn what we can about our government (as defined by the Constitution). In this endeavor, we should all pay attention that our representatives actually spend their time representing US according to the laws of the founders, not according to their own whims.

When our representatives do not do the will of the people in-between elections such as in these virus times, we need to write letters to the editors of newspapers and other media, and write our Congressmen and Senators so they know they cannot snooker us. We must realize that every two years for Congress and every three years for the Senate, we the people, because of the Constitution have the right and in fact the obligation to replace officials in government who choose not to exercise their duties according to the will of the people.

If they don't listen, then we must do the honorable thing and write them even more letters, and letters to the editor and when they choose not to respond in our favor, we then can un-elect our leaders their next time out on the ballot.

## **Un-elect them! They would hate it!**

Unfortunately for Americans, our representative in the Congress, the Supreme Court, and the Presidency, and our representative who sits in our governor's chair is not always a guy like Jefferson Smith from the movie *Mr. Smith Goes to Washington*. His honor is impeccable. But, the honor of our representatives many times is quite questionable.

Our representation has been getting progressively worse each year—not better. Over the past few years, since 2009 through 2020 especially with the healthcare debacle in 2010, and now again with COVID-19, it is clear that the voices of the people are not being heard in Washington, DC or the state capitols across the nation.

Just as Jefferson Smith in the Frank Capra classic movie, *Mr. Smith Goes to Washington*, found out, the corrupt purposes of elected officials is now in the open. It is to serve themselves by serving special interests. Adherence to Party dictates and philosophies does not come before serving the people in the best way possible.

In the sunlight of the day, therefore, the existing Congress—yes, both houses must go. Not the institution of Congress, just the corrupt members who choose not to serve the people. Today, we also have issues with rogue governors and officials further down the line in the chain of officials who are sworn to enforce their state constitutions as well as the US Constitution. Today, with the COVID-19 state responses, most of the bad decisions are coming from state governors.

We must bid them sayonara. We must say adieu. And when it comes time to elect our next Congress; and our next governor, etc. let's not forget to bring in an honest person who loves America as much as we do. If the mess we have today is not the governors' intentions, and in some cases, the governors' direct fault, then whose fault, I might ask, is it? Might it be Stanley Laurel's or Oliver Hardy's—for it surely it is a comedy!!

## Surprise in email

Several years ago, before President Trump was elected, before I got to the email that prompted this pause, I got another surprise again today. It happened back then when I was re-editing one of my Constitution books, hoping to clean it up for another printing.

Before I show you the picture and the remarks I received, let me tell you this story. I was shopping at Malacaris, a great produce market in Wilkes-Barre PA today when I was joking around with the checkout person and the person behind me. I admitted that I was unemployed but I did not say I was writing books as gigs, hoping the big ship would come in. Hah!

I said that I was thinking about running for President but it seemed that everybody was so happy with the current president (Obama at the

time) that I figure I will have to look someplace else for employment. I then said that everybody loves him so much, I would not have a chance.

The cashier stopped in her tracks and said, that may have been a while ago but you should check again; it is not that way now. The lady behind her said that she did not think anybody liked him anymore. I have relatives in my family who are still doing well and they still love the president, so I figured the president was still doing OK.

But, when these Jane Q Publics told me they were retired and collecting and still felt they had to work 'til they died, I started to think maybe you can't fool all of the people all of the time. It is encouraging that people have begun to think. Thinking is the first step in preserving our democracy and our freedoms.

In the same vein, another surprise from a famous artist and a magnificent painting that I show below.

This is the intro to this email before I show you the picture

Dear John, I thought this an interesting fw so true.

**From:** Trish

**Sent:** Saturday, June 07, 2014 9:39 AM

**To:** great people

**Subject:** RE: New Painting

**If you are familiar with Jon McNaughton's paintings, you will love this one.**

This is one of his latest---his opinions on the current situation are stated very clearly by his paintbrush and his comments below, but no comment is really needed.



McNaughton felt compelled to add text to his painting as follows:

*Many Americans today feel a sense of dismay and horror as we see our country in a downward spiral; economically, morally, and politically. President Obama's indifferent attitude and the continuous list of scandals and bad policy are leading the country to ruin. As an artist I am reminded of the old saying "Nero fiddled while Rome burned." History believes that Nero himself may have set the great fire that burned a part of Rome during his leadership. Afterwards, he blamed it on the Christians who suffered great persecution under his rule. I see great similarities to what we are experiencing today. Obama fiddled, while the people witnessed the demise of America.*

**Jon McNaughton**

Again, it is not my intent to cast aspersions on the past president. My purpose in the next few chapters is to teach the Constitution to help all Americans know what to do to get from under the yoke of this or any president, governor, or representative. The fact is that in the first sections of this book, in which I discuss the founding documents, my intention was to build the case for the book. Why is this book necessary?

Look at McNaughton's painting and you get it clearly. America is falling apart and we want to save it. If President Obama is an innocent bystander then maybe someday, we can find a leader to help rescue us from his intransigence. Maybe!

Of course that was then and this is now, several years later and we have a new president who has reversed Obama's negative and corrupt course. This is not a book about Presidents but about the Constitution and the virus, and that is the purview today of the governors of the 50 states. In case you are wondering however, I believe that President Trump is one of the best presidents this country has ever seen.

The email explained immediately below is also reflective of today's major problems. If the President Obama were to have called me the night after the first run of this book was released and asked me to remove all of the parts that were not favorable to him. I would do so immediately. I would replace those pages with my rationale for doing so. I don't expect a call, and that concerns me as an American, but at least I have no additional work after this book is published. I often asked God to have Obama do the right thing.

Every now and then, we all get encouraged when somebody speaks out exactly how we all should be speaking out. As a conservative Democrat myself, trying to make this book apolitical, I thought about redacting parts of the note above and the email below that discuss people and party in specific terms. But, it is what it is.

I'll let the emails that I received speak for themselves and then after you read them both, we will move to the next section of this book. I once used this coming email in a book titled America 4 Dummies, and I think it also fits US well here also, as we make our points about the virus and the constitution in this book. Please note the context for this email is at least four years ago in the thick of the Obama Administration. Here it is:

Sent from my iPad

Begin forwarded message:

From: Roger

To: undisclosed-recipients;;

Subject: Fwd: FW: Two Americas

## Two Americas

To add balance to the president's speech last night, read the below;

This is as well said as anything I have seen. Take the time to read it. No matter your political affiliation, Democrat, Republican, or Independent, it should be clear that this country is in a lot of trouble. Some of us will live long enough to see the consequences, but I really fear for our children and grandchildren's future. The damage that can and will be done over the next three years will likely be irreversible or take years to overcome.

In early January 2014, Bob Lonsberry, a Rochester talk radio personality on WHAM 1180 AM, said this in response to Obama's "income inequality speech":

*To Americans*

*The Democrats are right, there are two Americas.*

*The America that works, and the America that doesn't. The America that contributes, and the America that doesn't. It's not the haves and the have not's, it's the do's and the don'ts. Some people do their duty as Americans, obey the law, support themselves, contribute to society, and others don't. That's the divide in America.*

*It's not about income inequality, it's about civic irresponsibility. It's about a political party that preaches hatred, greed and victimization in order to win elective office. It's about a political party that loves power more than it loves its country. That's not invective, that's truth, and it's about time someone said it.*

*The politics of envy was on proud display a couple weeks ago when President Obama pledged the rest of his term to fighting "income inequality." He noted that some people make more than other people that some people have higher incomes than others, and he says that's not just.*

*That is the rationale of thievery. The other guy has it, you want it, Obama will take it for you. Vote Democrat. That is the philosophy that produced Detroit. It is the electoral philosophy that is destroying America.*

*It conceals a fundamental deviation from American values and common sense because it ends up not benefiting the people who support it, but a betrayal. The Democrats have not empowered their followers; they have enslaved them in a culture of dependence and entitlement, of victimhood and anger instead of ability and hope.*

*The president's premise - that you reduce income inequality by debasing the successful - seeks to deny the successful the consequences of their choices and spare the unsuccessful the consequences of their choices.*

*Because, by and large, income variations in society is a result of different choices leading to different consequences. Those who choose wisely and responsibly have a far greater likelihood of success, while those who choose foolishly and irresponsibly have a far greater likelihood of failure. Success and failure usually manifest themselves in personal and family income.*

*You choose to drop out of high school or to skip college - and you are apt to have a different outcome than someone who gets a diploma and pushes on with purposeful education. You have your children out of wedlock and life is apt to take one course; you have them within a marriage and life is apt to take another course. Most often in life our destination is determined by the course we take.*

*My doctor, for example, makes far more than I do. There is significant income inequality between us. Our lives have had an inequality of outcome, but, our lives also have had an inequality of effort. While my doctor went to college and then devoted his young adulthood to medical school and residency, I got a job in a restaurant.*

*He made a choice, I made a choice, and our choices led us to different outcomes. His outcome pays a lot better than mine.*

*Does that mean he cheated and Barack Obama needs to take away his wealth? No, it means we are both free men in a free society where free choices lead to different outcomes.*

*It is not inequality Barack Obama intends to take away, it is freedom. The freedom to succeed, and the freedom to fail. There is no true option for success if there is no true option for failure.*



*The pursuit of happiness means a whole lot less when you face the punitive hand of government if your pursuit brings you more happiness than the other guy. Even if the other guy sat on his arse and did nothing. Even if the other guy made a lifetime's worth of asinine and shortsighted decisions.*

*Barack Obama and the Democrats preach equality of outcome as a right, while completely ignoring inequality of effort.*

*The simple Law of the Harvest - as ye sow, so shall ye reap - is sometimes applied as, "The harder you work, the more you get." Obama would turn that upside down. Those who achieve are to be punished as enemies of society and those who fail are to be rewarded as wards of society.*

*Entitlement will replace effort as the key to upward mobility in American society if Barack Obama gets his way. He seeks a lowest common denominator society in which the government besieges the successful and productive to foster equality through mediocrity.*

*He and his party speak of two Americas, and their grip on power is based on using the votes of one to sap the productivity of the other. America is not divided by the differences in our outcomes, it is divided by the differences in our efforts. It is a false philosophy to say one man's success comes about unavoidably as the result of another man's victimization.*

*What Obama offered was not a solution, but a separatism. He fomented division and strife, pitted one set of Americans against another for his own political benefit. That's what socialists offer. Marxist class warfare wrapped up with a bow.*

*Two Americas, coming closer each day to proving the truth to Lincoln's maxim that a house divided against itself cannot stand."*

-----

Wow! Isn't that why you are reading this book? Thank you Bob Lonsberry! We need more of you in our America!



# Chapter 8 The Saga

## Tell me about the problem?



Javits Center, NYC conversion to a 2900 bed hospital

### **The United States is the leader in the world**

Different parts of the US have been experiencing different levels of activity.

The United States nationally is coming out of the acceleration phase.. The duration can vary depending on the characteristics of the public health response.

Hydroxychloroquine has shown some promise as a prophylaxis and as a cure for the virus but there are no confirmed studies of this as of yet.

The good news is that most people have mild illness with the disease and are able to recover at home without medical care. Some have major illnesses however, and need hospitalization.

If you are returning from a country with travel restrictions, you should stay home and monitor your health. All other international travelers please follow CDC instructions during this time. Your cooperation is integral to the ongoing public health response to try to slow spread of this virus.

### **Risk Assessment**

Risk depends on characteristics, including how well it spreads among people; the severity; and the medical or other measures available to control the impact (for example, vaccines or medications that can treat the illness). There are no vaccines or medications yet but the future is hopeful. .

In the absence of vaccine or treatment medications, nonpharmaceutical interventions become the most important response strategy. These are community interventions that can reduce the impact of disease.

The risk to Americans can be broken down into risk of exposure versus risk of serious illness and death.

### **Risk of exposure:**

Cases of COVID-19 and instances of community spread are being reported in all states.

People in places where ongoing community spread has been reported are at elevated risk of exposure, with the level of risk dependent on the location.

Healthcare workers actively caring for ill patients are at an elevated risk of exposure. Close contacts of persons also are at elevated risk of exposure.

Travelers returning from affected international locations where community spread has occurred also are at elevated risk of exposure, with level of risk dependent on where they traveled.

### **Risk of Severe Illness:**

Based on currently available information and clinical expertise, older adults and people of any age who have serious underlying medical conditions might be at higher risk for severe illness from COVID-19. Based on what we know now, those at higher risk for severe illness from COVID-19 are:

- People 65 years and older
- People who live in a nursing home or long-term care facility
- People of all ages with underlying medical conditions









## Chapter 9 Simple Recommendations

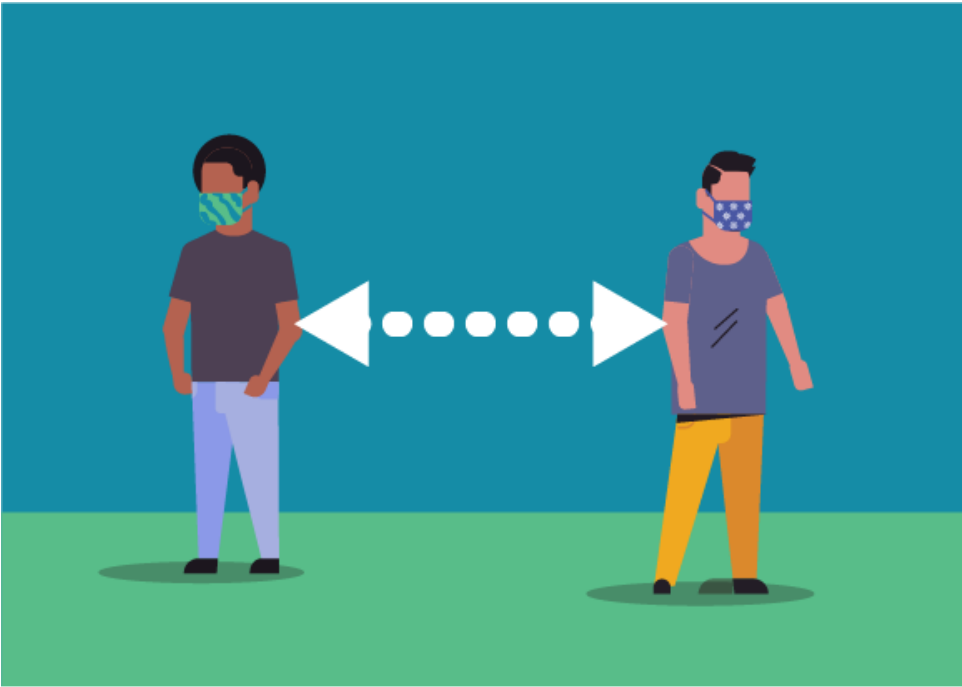
As of today, there are 208 countries and territories that are affected by the coronavirus. It is worthy of note that Sub-Sahara Africa's numbers of cases and deaths are substantially less than most countries which have the virus.

Why? Because the areas discussed are mosquito malaria prone. The people who live there, if they are living, after DDT was banned have already been treated with chloroquine or hydroxychloroquine for years to prevent and to cure their malaria in this area of the world. For many years US travelers have taken prophylactic shots (small dosages with effects lasting several or more weeks) to not get malaria while they hunted big game in Africa.

Almost simultaneously, countries adopted similar approaches to keep from contracting this deadly virus. Still the officials suggest that limiting face-to-face contact with others is the best way to reduce the spread of coronavirus disease 2019 aka (COVID-19). Besides quarantine, a major recommendation is to wash hands frequently with soap and water or hand sanitizers and practice as technique that has been dubbed as social distancing.

Social distancing is also called "physical distancing." It is a self-described term in many ways meaning *keeping space between yourself and other people outside of your home*. To practice social or physical distancing, here are some basic rules:

- Stay at least 6 feet (2 meters) from other people
- Do not gather in groups
- Stay out of crowded places and avoid mass gatherings



Picture is worth a thousand words What is social distancing?

In addition to everyday steps to prevent COVID-19, keeping space between you and others is one of the best tools we have to avoid being exposed to this virus and slowing its spread locally and across the country and world. Since there are no recommended therapeutics and there is no vaccine for the COVID-19, the objective is to not get it. Stay away from other humans who do not live in your immediate residence.

**Here are some other recommendations:**

When it is spreading in your area, everyone should limit close contact with individuals outside your household in indoor and outdoor spaces. Since people can spread the virus before they know they are sick, it is important to stay away from others when possible, even if you have no symptoms. Social distancing is especially important for people who are at higher risk of getting very sick – those with other health issues and those over 65-years of age.

## **Why should I practice social distancing?**

Cynics and perhaps realists have begun to substitute the term social control for the term social distancing. The reasons are obvious.

It spreads mainly among people who are in close contact (within about 6 feet) for a prolonged period. Spread happens when an infected person coughs, sneezes, or talks, and droplets from their mouth or nose are launched into the air and land in the mouths or noses of people nearby. Just because you don't see it happening, does not mean it is not happening. Imagine that everybody you speak with or come closer than 6 feet or so to you is spreading these contagious droplets and this makes you even safer.

The droplets can infect just by being in the opening passages of your airways but can also be inhaled into the lungs. Recent studies indicate that people who are infected but do not have symptoms likely also play a role in the spread.

You can also get sick by touching a surface or object that has the virus on it and then touching your own mouth, nose, or eyes. However, this is not thought to be the main way it spreads. The problem can live for hours or days on a surface, depending on factors such as sun light and humidity. Social distancing helps limit contact with infected people and contaminated surfaces.

Although the risk of severe illness may be different for everyone, anyone can get and spread the problem. Everyone has a role to play in slowing the spread and protecting themselves, their family, and their community. For some people, the risk of not paying attention to social distancing can be to suffer death after a long illness with the virus.

## **Here are some tips for social distancing**

- Follow guidance from authorities where you live.
- If you need to shop for food or medicine at the grocery store or pharmacy, stay at least 6 feet away from others.
- Use mail-order for medications, if possible.
- Consider a grocery delivery service.

- Cover your mouth and nose with a cloth face cover when around others, including when you have to go out in public, for example to the grocery store.
- Stay at least 6 feet between yourself and others, even when you wear a face covering.
- Avoid large and small gatherings in private places and public spaces, such a friend's house, parks, restaurants, shops, or any other place. This advice applies to people of any age, including teens and younger adults. Children should not have in-person playdates while school is out. To help maintain social connections while social distancing, learn tips to keep children healthy while school's out.
- Work from home when possible.
- If possible, avoid using any kind of public transportation, ridesharing, or taxis.
- If you are a student or parent, talk to your school about options for digital/distance learning.

### **Stay connected while staying away.**

It is very important to stay in touch with friends and family that don't live in your home. Call, video chat, or stay connected using social media. Everyone reacts differently to stressful situations and having to socially distance yourself from someone you love can be difficult. Read tips for stress and coping.

### **What is the difference between quarantine and isolation?**

We have heard there is some concern out there about the differences between isolation and quarantine. The following should help in their differentiation:

#### *Quarantine*

Quarantine is used to **keep someone who might have been exposed away from others**. Someone in self-quarantine decide on their own to stay separated from others, and they limit movement outside of their home or current place. A person may have been exposed to the virus without knowing it (for example, when traveling or out in the

community), or they could have the virus without feeling symptoms. Quarantine helps limit further spread.

### *Isolation*

Isolation is used to **separate sick people from healthy people**. People who are in isolation should stay home. In the home, anyone sick should separate themselves from others by staying in a specific “sick” bedroom or space and using a different bathroom (if possible).

## **What should I do if I might have been exposed? If I feel sick? Or have a confirmed case?**

**All people should self-monitor all the time.**

**When monitoring yourself, be alert for symptoms; do the following**

- Watch for fever,\* cough, or shortness of breath.
- Take your temperature if symptoms develop.
- Practice social distancing. Maintain 6 feet of distance from others, and stay out of crowded places.
- Contact a physician if you believe you have symptoms

**What should you do if you feel healthy but: you recently had close contact with a person with the disease, or you recently traveled from somewhere outside the U.S. or you just came from a cruise ship or river boat**

- Self-Monitor
- Self-Quarantine
- Check your temperature twice a day and watch for symptoms.
- Stay home for 14 days and self-monitor.
- If possible, stay away from people who are high-risk for getting very sick.

**If you feel healthy but have been diagnosed positive, or**  
 Are waiting for test results, or have symptoms such as cough, fever, or shortness of breath

- Self-Isolate
- Stay in a specific sick room or area and away from other people.
- If possible, use a separate bathroom.
- Read as much important information about caring for yourself or someone else who is sick.

**Look up such important information on the Internet or ask your family doctor about:**

- How to Protect Yourself
  - Social Distancing
  - Face Mask
- Cleaning and Disinfecting Your Home
  - Lysol
  - Wash hands with soap & water
- Gatherings and Community Events
  - Social Distancing
  - Masks

# Chapter 10 Hydroxychloroquine

## Approved for emergency use by US FDA

On May 18, the President announced that he was using hydrochloroquine as a prophylaxis to prevent him from getting the virus.

For President Trump, whether patients should take a once-obscure malaria drug is not even a close call: “What do you have to lose?” he said during a briefing a little more than a week ago. “And a lot of people are saying that, and are taking it.”

For physicians on the frontlines, the question of whether to use that drug or other unproven medicines is among the most challenging they’ve faced: They’re trained to make decisions based on rigorous data but have little to go on in treating patients with an entirely new disease. The claim that the results of studies in which none of the patients were denied the drug are not scientific and though in referenced published studies, the patients did well, because the clinical scientific method was not used, they declare the results anecdotal, meaning invalid for scientific purposes.

Based on Trump’s urging, however, and despite Dr. Fauci’s concern for the science of testing, The US Food and Drug Administration (FDA) looked at these two drugs and approved limited emergency use for chloroquine and hydroxychloroquine as a treatment for COVID-19.

The President of the United States, Donald Trump, had announced on 19 March that chloroquine and hydroxychloroquine, also known as Plaquenil, used to treat malaria, arthritis, and Lupus were approved by the FDA to be tested as a treatment.

Chloroquine is being tested in various clinical trials conducted by government agencies and academic institutions and New York hospitals. Hydroxychloroquine is a derivative. It is my favorite of all the hopefuls because it has those anecdotal studies as backup, and

doctors swearing it has helped their patients. President Trump has acquired over 300 million doses for the US stockpile as soon as he heard that it might be in short supply as it is becoming a preferred treatment outside the US.

Is this evidence from Dr. Smith non-anecdotal? You decide. He has already decided.

Laura Ingraham has a section on her show that she calls her Medicine Cabinet. It discusses the effectiveness of hydroxychloroquine, whether diabetes increases risk.

Drs. Ramin Oskoui, cardiologist and CEO of Foxhall cardiology, and Stephen Smith, founder of the Smith Center for Infectious Diseases and Urban Health, join Laura Ingraham on 'The Ingraham Angle.' Almost every night to offer their perspectives and review new facts.

Dr. Stephen Smith, founder of The Smith Center for Infectious Diseases and Urban Health, said on "The Ingraham Angle" in early April that he is optimistic about the use of antimalarial medications and antibiotics to treat patients, calling it "a game-changer." Nobody put words in the Doctor's mouth. Nobody has disproven his theory



Dr. Smith



Dr. Oskoui

**Ingraham's 'Medicine Cabinet' on effectiveness of hydroxychloroquine, whether diabetes increases COVID-19 risk**



“I think this is the beginning of the end of the pandemic. I’m very serious,” Smith, an infectious disease specialist, told host of the Fox show, Laura Ingraham.

Currently there is no known cure for the coronavirus pandemic ravaging the globe.

Smith, who is treating 72 patients, said that he has been treating “everybody with hydroxychloroquine and azithromycin [an antibiotic]. We’ve been doing so for a while.”

Dr. Smith pointed out that not a single COVID-19 patient of his that has been on the hydroxychloroquine and azithromycin regimen for five days or more has had to be intubated (go on a ventilator).

“The chance of that occurring by chance, according to my sons Leon and Hunter who did some stats for me, are .000-something,” he said, adding that “it’s ridiculously low.”

Smith explained that “intubation means actually putting a tube down into your trachea and then you’re placed on the ventilator for respiratory support.”

The Food and Drug Administration recently announced an emergency-use authorization for several drugs, including hydroxychloroquine and chloroquine, despite a lack of clear scientific clinical trial-type evidence of their effectiveness. The drug has been used for malaria for 65 years with minimal issues.

A study published earlier this month by French researchers suggested that patients could be treated with antimalarial medication and antibiotics in the battle against the novel coronavirus.

Smith noted on Wednesday that he thinks his data supports the French study.

“Now you actually have an intra-cohort comparison saying that this regimen works,” he told the show’s host.

Speaking on “Fox & Friends” the same week as Dr. Smith, Dr. Mehmet Oz brought up an “important randomized study still unpublished...”

He said that his team spoke to the medical leadership and vetted the study.



Oz supports Hydroxychloroquine Regimen

“We think it's real,” Dr. Oz said on Thursday.

He then went on to explain what the study, which looked at 62 patients, showed. He noted that half of the patients got the traditional therapy being offered in China and the other half got the traditional therapy plus hydroxychloroquine. Technically, though the sample of 62 is small, it is not insignificant and it can be thought of as a valid clinical trial.

“In terms of symptoms, their temperatures, their fevers broke instead of three days, which is the norm over there on this treatment, they got two days,” Dr. Oz said.

He added that “in terms of coughing, the other big symptom you have, again it takes a little over three days oftentimes for that to go away and that was dropped at two days.”

Dr. Oz then pointed out the part that “really caught my attention.” “They did CT scans of the chest in all the patients. All the patients had pneumonia when they started. Over the course of the five-day treatment with the hydroxychloroquine and 55 percent of the control population where they just got the normal therapy there was resolve and resolution of the pneumonia in 81 percent of the patients on the hydroxychloroquine, there was improvement in the lung's images,” he pointed out.

Dr. Oz noted that these results are “statistically significant.”

He went on to say that even though the study only monitored a small group of people, “they still got the measures that we like to see.”

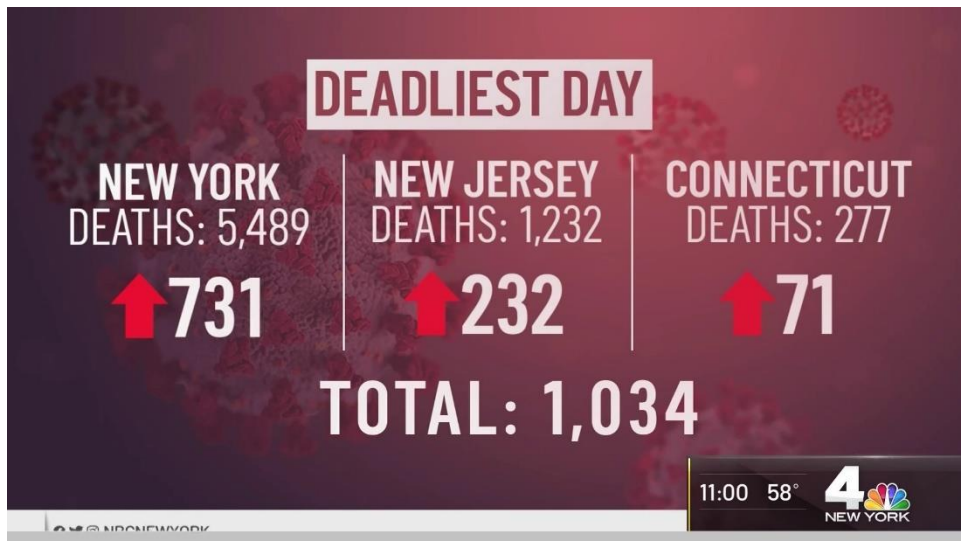
Dr. Oz acknowledged that a bigger clinical trial is still needed, adding that the Chinese study “is an early effort to try to show a lot of people whether this is the right way or the wrong way to go.”

“I should point out in the 31 patients that were the control group, four patients had bad outcomes, they got significantly worse. None of the patients in the hydroxychloroquine group got significantly worse,” he said.

“Other countries are using this as part of their routine treatment. They have a national protocol for measuring the disease. I think we ought to consider something like that in this country, but at least physicians and patients should be able to discuss this a bit more comfortably until we have the bigger randomized data from studies done in this country.”



# Chapter 11 New York State Update



## Inching up on Easter

**1771550 cases total deaths 108532 212 countries & territories**

People keep getting sick and keep getting admitted to hospitals, being put on ventilators, and many unfortunately, die without family present.

As of Easter Sunday, April 12, 2020, as I am penning the last several chapters in this book, the outbreak of the coronavirus disease (COVID-19) has been confirmed in around 212 countries or territories worldwide. By Easter, the virus had infected 1,780,684 people worldwide, and the # of deaths totaled 108,837. The most severely affected countries include the U.S., Italy, and Spain.

In the US, more than 21,000 people with the coronavirus have now died, according to a New York Times database. The country's death toll increased by more than 2,000 in a single day for the first time on Friday Apr 10, and has now, NY alone has surpassed the number of reported deaths in Italy.

# Cases in the U.S.

[Other Languages ▾](#)
[Print Page](#)

Last updated on May 19, 2020

[cdc.gov/coronavirus/2019-ncov/cases-updates/cases-in-us.html](https://cdc.gov/coronavirus/2019-ncov/cases-updates/cases-in-us.html)

TOTAL CASES

1,504,830

24,481 New Cases\*

TOTAL DEATHS

90,340

933 New Deaths\*

As of Sunday (Easter) afternoon, the US statistics show at least 546,341 people across every state, plus Washington, D.C., and four U.S. territories, have tested positive for the virus. This again, is as reported by the New York Times database.

## Cases & Deaths from Feb 26 to Easter—April 12, 2020

<u>State Name</u>	<u>Cases/100K</u>	<u>Deaths/100K</u>
New York	88,694	9,385
New Jersey	61,850	2,350
Michigan	23,853	1,391
Pennsylvania	22,896	522
Massachusetts	22,860	686
California	22,439	633
Louisiana	20,595	840
Florida	19,339	451
Illinois	19,180	682
Texas	13,557	325

Of course there are 40 states not listed and as of Easter Sunday, April 12, 2020, all states have at least one case. New York, which is an international City in a state of international people has the most cases. Most of the cases were caused by people to people transmission.

Before President Trump called off the travel from China, hundreds of thousands had come in and had already infected New Yorkers.

As the number of known cases reached into the hundreds, then the thousands, then the hundreds of thousands, life all over the country changed in profound ways. Malls, salons and dine-in restaurants have been forced to close or in many states risk police action. High school proms, college graduations and professional sports have been cancelled or postponed. Some states have told people arriving from elsewhere to quarantine themselves for fourteen days. Others have warned that the pause on communal life will likely last weeks more, and that the eventual return to work and school will come in stages.

The President's recommendation first was a shutdown of two weeks but when the disease seemed to be winning in the race for Easter, the President raised the ante to the end of April. We offer our thoughts on how to get the country back to work in a later chapter.

President Trump had sounded the alarm on January 30, long before many in the country were taking the threat seriously and yet, the Democrats deride him still for being a laggard on addressing the pandemic.

Yet, Governor Cuomo and House Speaker Pelosi and Mayor De Blasio were three of the last officials to take the pandemic seriously. It was not until March 20, 2020 that Governor Cuomo, for example began to take things in NY seriously.

Prior to being hit in the face with reality, Cuomo and Pelosi and De Blasio were rather cavalier in their concern about the potential magnitude pandemic.

Earlier on March ;N.Y. Governor Andrew Cuomo joined FNC's "Sunday Morning Futures" host Maria Bartiromo suggesting that while the situation with the coronavirus is severe, people should avoid panicking and all efforts should be made to avoid "shutting everything down for two weeks" like China has done." Cuomo had no idea what he would face just a few weeks later. Yet, he had no problem hurling blame at Trump for a poor response.

"Remember what we're really trying to do here is avoid the massive disruption of closing everything down for two weeks, the way China did, the way Italy is doing. And we're trying to protect the vulnerable populations for whom this Coronavirus could really be dangerous, senior citizens, immune-compromised," he said.

Bartirromo asked whether mass transit systems should be shut down as a precaution, citing the outbreak in Westchester county linked to a passenger on the MetroNorth rail system.

"At this time, there's no reason to close down mass transit, Maria. We haven't had -- to the extent, we have big numbers in New York, it's actually in Westchester, which is a suburban community, as you know, where you have a cluster of cases," Cuomo replied. I bet the Governor would like to have those words back. But, as a realist, he did the right thing just a few weeks later.

The head of the Democrats in Congress, Speaker Nancy Pelosi was not concerned about COVID-19 until it seemed that she might be able to poke fun at Trump about how his response was perceived by Democrats.

She was concerned as it seems to have played out about her district San Francisco's economy but had no desire to engage with the notion of protecting anybody from anything infectious in February. She had previously damned Trump's travel ban as racist in January and she seemed not yet convinced in February about the dangers of the disease.

On February 24, for example, the San Francisco KRON reported that House Speaker Nancy Pelosi was in San Francisco spending several hours visiting Chinatown to encourage people to visit the shops and restaurants there amid fears of the coronavirus.

Business in Chinatown had really slowed down over the prior month, mainly due to concerns about the coronavirus. Pelosi did a walking tour of the area starting in the Golden Gate Fortune Cookie Shop.

She also visited several other businesses and talked to people. There were neighbors, including the owner of the cookie shop, who says the last month has been difficult.



“Business is slow. People don’t want to come, they are scared,” Kevin Chan said. Pelosi would not believe it. She took this opportunity to encourage people to come back to Chinatown to spend their money.

“You should come to Chinatown. Precautions have been taken by our city. We know there is concern about tourism throughout the world but we think it’s very safe to be in Chinatown and hopefully, others will come,” Pelosi said.

Really Nancy! And you blame Trump’s January 30<sup>th</sup> response to limit air travel from Chinas as racist? Really!

Governor Cuomo also had to deal with his own little Napoleon in NY City, a man who is also known as comrade De Blasio by some Fox celebs. He had made some proclamations that gave the Mayor apparently more power over the virus precautions than even the Governor. Mayor Bill de Blasio said he has no regrets about his actions early on.

Think about his recklessness. He told New Yorkers to visit their local watering holes (bars) less than a day before restaurants and bars in NY state shut down to help contain the spread of the coronavirus. De Blasio and Cuomo did not always communicate well.

“I look back to March 15, New York City had limited occupancy at restaurants but that was a time when we were seeing a big increase *in infections* in a state like Washington, and the Mayor put precautions to the wind when he suggested that it was OK to say to New Yorkers, ‘If you love your neighborhood bar, go there now.’ I mean, on reflection, were comments like that a mistake?” asked NPR’s “Morning Edition” host David Greene in a live interview with the mayor Thursday.

Digging in, the Mayor suggested: “No, because I said that literally about a day before they were all about to be shut down,” de Blasio answered.

At the time, the City had just 330 confirmed coronavirus cases and five deaths. Just four days later, there were 2,468 cases and 22 deaths. We all know NY leads the world today so should there have been more caution than inviting the world to shed its masks in NY.

Researchers now believe the deadly disease was likely spreading in the city as early as February, weeks before the Big Apple's first confirmed case.

de Blasio also waited until March 15 to close city schools after teachers threatened a boycott and Gov. Andrew Cuomo negotiated a shutdown with unions. Now what—the City and the state agree things are not good in NY.

The news consuming public is outraged that President Trump has been working hard of this crisis in more ways than one and no matter what he does, the fake news media and even city and state Democrat politicians are slamming him and threatening impeachment on the coronavirus. Meanwhile, they are so concerned about the sliver in Trump's eye that they can't see the logs in their own eyes.

Until recently when the President ordered FEMA, and others in the administration to satisfy NY's equipment needs, the governor and the Mayor of NY were slamming Trump's efforts. This was very unfair. It is not as bad as it was. But, consider this big log in Governor Cuomo's own eye:

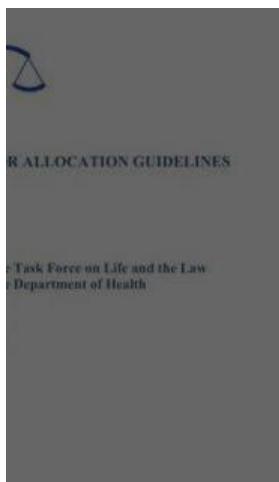
Sean Hannity, one of the most popular anchors on cable television recently blasted Governor Cuomo for not having the State of NY prepared for the crisis though he knew the state was not prepared as of 2015.

Here is what Hannity said. You will notice there is no love lost between him and Governor Cuomo.

Every New Yorker needs to know that Gov. “all talk no action” Andrew Cuomo has failed to deliver for the people of his state during the crisis created by the coronavirus pandemic.

While the Democratic governor continues to blame President Trump for a ventilator shortage in New York, a state Health Department report warned Cuomo all the way back in 2015 about this exact problem.

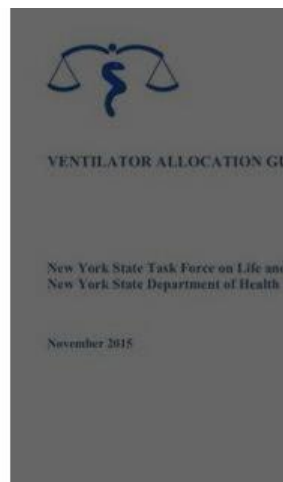
Everyone needs to read this report.



## VENTILATOR ALLOCATION GUIDELINES

New York State Task Force on Life and the Law  
New York State Department of Health

November 2015



On Page 30, the Health Department report on ventilator allocation guidelines states: “during a severe influenza pandemic, there is likely to be a projected shortfall of ventilators (-15,783) during peak week demand.”

But that’s not all. At the beginning of that report the New York State Health Commissioner, Dr. Howard Zucker wrote: “Dear New Yorkers, Protecting the health and well-being of New Yorkers is a core objective of the Department of Health. During flu season, we are reminded that pandemic influenza is a foreseeable threat, one that we cannot ignore. In light of this possibility, the Department is taking steps to prepare for a pandemic and to limit the loss of life and other negative consequences.

“An influenza pandemic would affect all New Yorkers, and we have a responsibility to plan now. Part of the planning process is to develop guidance on how to ethically allocate limited resources (i.e., ventilators) during a severe influenza pandemic while saving the most lives.

“As part of our emergency preparedness efforts, the Department, together with the New York State Task Force on Life and the Law, is releasing the 2015 Ventilator Allocation Guidelines, which provide an ethical, clinical, and legal framework to assist health

care providers and the general public in the event of a severe influenza pandemic..."

Hannity was outraged and asked: "Where was the response from the governor? Where was the sense of urgency after such an explicit warning?"

Gov. Cuomo refused to act. He did not listen. He bought zero ventilators. The cost to purchase the needed ventilators was only 0.4 percent of the 2015-2016 state budget.

Instead of buying life-saving ventilators, Cuomo wasted hundreds of millions of dollars on failed projects, like \$750 million on a failed solar panel factory, \$90 million on a partnership with a California light bulb company that went nowhere, and \$600 million on a computer chip factory that went bust.

End of Cuomo ventilator story

When the governor finally was prompted to take action it was near the end of March. Shortly after Cuomo's March 20 announcement of a shutdown of NY state, Illinois made a similar declaration. This showed how states and cities were operating on their own when it came to making momentous decisions in the fight against the virus. President Trump said he depended on the cities and states to do the right thing.

"We're all in quarantine now," Cuomo (D) said at his first shutdown news conference. He said: "Think about it. We're all in various levels of quarantine."

His order was for nearly 100 percent of New York's workforce to stay home. He knew it would be painful and costly. The governor noted that it was deemed the only way to prevent the surge of coronavirus patients requiring intensive hospital care from outstripping New York's capacity to provide ventilators for the worst cases of the covid-19 disease. Cuomo had taken his time to get serious but when he did he meant it.

He noted that "These actions will cause disruption. They will cause businesses to close. They will cause employees to stay at home. I

understand that. They will cause much unhappiness,” Cuomo said. The governor said that he accepts full responsibility for the decision and that if people are unhappy about it, “Blame me.” The governor showed that he cared about what happened in NY and the people accepted his words but not all abided by the shutdown order.

Governor Cuomo also agreed to trials of the drug hydroxychloroquine beginning in the last week. Cuomo is serious about shutting down this deadly virus in NY State.

Despite the trials that Cuomo has OK'd in NY hospitals, many liberal progressives in the main news media have been mocking the potential benefits of hydroxychloroquine as a pet therapy of “Dr.” President Trump’s. They do not want to credit the drug with any success because it might help the President get elected. That is sick but true.

White House economic adviser Peter Navarro said President Trump was correct to talk about “the possibility” that the long-used anti-malaria drug hydroxychloroquine can treat some symptoms of the coronavirus. Notably, Navarro did not deny a report from Axios that he got into an argument with Dr. Fauci about recommending hydroxychloroquine during a White House coronavirus task force meeting on the first weekend in April.

The epicenter of the United States’ COVID-19 pandemic has started clinical trials on pharmaceutical drugs that could potentially treat the virus. According to a news release by New York Governor Andrew Cuomo, the observational studies began on Tuesday.

Cuomo’s office said that the state of New York acquired 70,000 doses of hydroxychloroquine, 10,000 doses of Zithromax and 750,000 doses of chloroquine in the past few days in hopes of testing the results among patients suffering with the deadly coronavirus.

During a press conference on the last Tuesday in March, the governor showed confidence in the face of unprecedented concern. “We hope for optimistic results,” Cuomo said of the clinical trials. “The President and the FDA accelerated that drug coming to New York, so the hospitals will start using that drug today.”

CNN's John Berman pressed Navarro about his (or the president's) qualifications to weigh in on the use of any medication.

"The issue wasn't about me offering my medical opinion," Navarro said. "The question was whether we should take the 29 million doses in the FEMA storehouses and surge them into the zones, and it was unanimous in that task force meeting to do so. So, that's the only question I posed."

"You may find this interesting," he told the CNN host. "In the city that you live in, in New York, in the New York health and hospitals system, virtually every patient now that comes in presenting COVID-19 symptoms is given a cycle of hydroxychloroquine, and when I discussed this last night with Mitch Katz, who is the head of that system, I asked him, are you doing that because the federal government is telling you or because you think it may work? And he said quite clearly that it may work."

Regarding Cuomo's shutdown order, from the beginning, the order said that businesses that failed to comply with it, would be fined, although the state was not initially planning to sanction individuals found in violation, NY officials said.

Cuomo's move came as state and local authorities faced the prospect of running out of beds in hospital intensive-care units, and also grappled with an urgent demand for masks and protective gear for the health-care workers treating coronavirus patients. To try to keep more hospital beds free, the state urged and later demanded that all hospitals cancel elective surgeries.

The announcement shook up most people in the US as more and more states were in the same boat.

"I feel terrified," said Judy Sheridan-Gonzalez, a longtime emergency room nurse and the president of the 40,000-member New York State Nurses Association.

Sheridan-Gonzalez, who works at Montefiore Medical Center in the Bronx, said that when her association recently surveyed its members, only 4 percent felt confident in their hospitals' responses so far to the pandemic.

“We had warned them since 9/11 that we are not prepared for disaster,” she said, calling the lack of equipment and staffing “a crisis.” Although industrial-quality N95 masks are available at the hospital where she works, nurses are permitted to wear them only when inserting tubes or performing other procedures that risk suspending droplets of bodily fluid in the air, Sheridan-Gonzalez said.

All the nurses want to be able to do what we can do,” she said, but “it inhibits that desire to help, to be placed in danger.”

A Montefiore spokeswoman said the hospital is “following all CDC guidance and protocol.”

Cities across the country struggle to protect vulnerable homeless populations as coronavirus spreads.

At Mount Sinai Hospital, the first in New York to treat a coronavirus patient, emergency department medical director Jolion McGreevy said things are functioning fairly smoothly. The hospital was seeing about 130 patients a day reporting flu-like symptoms, and those patients are steered to a separate screening area.

“We’re not feeling a crunch of the supplies,” McGreevy said in March. “That’s not to say that it’s not at the front of our minds.”

As of Friday, March 20, 7,102 New Yorkers had tested positive for the novel coronavirus, and 5,151 of those were in New York City. Statewide, 35 people had died, officials said. The figures mean that roughly one-third of all known U.S. cases are in New York City. “I hate to say this, but it’s true: We are now the epicenter of this crisis, right here in the nation’s largest city,” Mayor Bill DeBlasio said.

As of April 12 Easter Sunday, the NY statistics show how deadly the virus has become in the state though the need for beds and respirators did not reach the levels anticipated by the models. There are now over 188,694 cases in NY and 9385 deaths. In just three weeks, the cases and the # of deaths have shot up at an alarming rate. .

The good news of course is that it has slowed. Every day for the past several weeks, Governor Cuomo has held a news briefing to update

the public on how the state is doing. Just like the President's briefings which are almost every day, Cuomo's press briefings have been well received.

After a late start and a lack of preparedness at the top, New York has really championed efforts to solve the crisis in NY as well as can be.

You can see some of the efforts on the new. The USNS Comfort a 1000 bed floating hospital is set up and functioning inside of NY harbor and it is taking all patients now regardless of their diagnosis. Samaritan's Purse has set up a 600-bed mobile hospital across from MT. Sinai Hospital in NY Central Park fully staffed with equipment, ICU's, beds, doctors, nurses, and technicians. Additionally the Javits Center has been converted into a 3000 bed hospital by the Army. It took just about four days to set this up for the people of New York. New York should have nothing to complain about regarding the federal response.

## **Cuomo Extends NY State shutdown to May 15**

New York State recorded its fewest deaths in 10 days on April 16, 2020, but the governor said more progress was needed before he would lift restrictions.

Mr. Cuomo said that New York continued to make progress in containing the coronavirus and he cited encouraging statistics, but he also said that the rate of infection would have to slow much more before he would lift restrictions that were in place through April 29.

"What happens after then? I don't know," Mr. Cuomo said of new end date for the restrictions. "We will see depending on what the data shows."

Trump Said Democrats and The liberal media want to keep businesses closed to hurt his reelection, not to protect from the coronavirus. Public health experts, who are mostly big liberals say it's vital that people stay home to help stop the spread of the coronavirus. They



refuse to listen to arguments of what a depression will do to people's lives.

Andrew Cuomo's early announcement of an extension to the shut down is part of the "destroy trump Democrat platform. Impeachment did not work. The Mueller Report did not work. The Whistleblower did not work so the Dems have determined that making the pandemic affect Americans worse than it has to will help them beat Trump as they know no other way.

The NY public are calling for an investigation into Gov Cuomo and the Nursing Home Deaths in NY from COVID-19

## **Nursing Homes Are Hot Spots in the Crisis. But Don't Try Suing Them.**

In New York, 5,300 nursing home residents have died of Covid-19. The nursing home lobby pressed for a provision that makes it hard for their families to sue.

In the chaotic days of late March, as it became clear that New York was facing a catastrophic outbreak of the coronavirus, aides to Gov. Andrew M. Cuomo quietly inserted a provision on Page 347 of New York's final, voluminous budget bill.

Many lawmakers were unaware of the language when they approved the budget a few days later. But it provided unusual legal protections for an influential industry that has been devastated by the crisis: nursing home operators.

The measure, lobbied for by industry representatives, shielded nursing homes from many lawsuits over their failure to protect residents from death or sickness caused by the coronavirus.

Now, weeks later, more than 5,300 residents of nursing homes in New York are believed to have died from the outbreak, and their relatives are finding that because of the provision, they may not be able to

pursue legal action against the homes' operators over allegations of neglect.

# Chapter 12 State of Pennsylvania Update



Pennsylvania has no testing facilities? What's that all about?

I regret to say that I am a Democrat and that the people of Pennsylvania, not me mind you, elected a Democrat as our governor and then reelected him last year. The Democratic Party left me behind years ago. Tom Wolfe, PA governor does not represent the kind of decisions that are good for Pennsylvanians or others visiting this state. His attitude seems to be “Too Late, I am the Governor!”

Governor Wolfe is a billionaire and has little empathy for non-billionaires such as truck drivers who drive the roads in PA to assure the shelves in food stores and others are filled in a timely fashion. Why would I say that? Because it is true.

WILK radio's talk-show lines were filled immediately after Wolfe's March 17, 2020 shutdown order. The governor wants to make life completely safe for state workers but others be damned. He closed all rest stops in the state on March 17, in response to his apparent concerns that there was no other way to mitigate the spread of

coronavirus. Truckers had to hold it or find another way to relieve themselves. Nice way to treat those making the critical deliveries in the state.

Because it created a danger to truckers parked on the side of the road and to vehicles passing them, the calls were quick and the consensus was the governor had overreached in his authority. Selected rest stops began to reopen in the following days after tons of complaints. But Wolfe had the last laugh as he did not open them all and still has not.

Do as I say but not as I do. Somehow Wolf himself was strangely granted a waiver for his own business. But the people of PA who want the Liquor Stores to reopen blasted Wolfe's favoritism for himself. So, on March 26, having heard enough complaints, Mr. Wolf's office said it had rescinded a waiver that had been issued to the governor's former business, a kitchen and bath cabinet supply company in Central Pennsylvania, after Spotlight PA and PA Post inquired about how it qualified as "life-sustaining."

Wolf's office chose not to use the real excuse of *Do as I say but not as I do*. It was not wise for the governor to mess with constituents who have not had a drink of booze since St. Patrick's day when the governor padlocked all the state run booze stores in the Commonwealth.

A.C. Nielsen released some data this week showing Pennsylvania's bordering states saw higher increases in distilled spirit sales than the nation average in the first full work after liquor stores closed. Ohio saw a 60% increase; West Virginia, a 32% increase; and Maryland, a 28% increase, all above the national average increase of 27%. The people are pressing for the privatization of the Liquor Stores. Why should the state be in any business competing vs. entrepreneurs?

Let me tell you all what it was like leading up to the March 17 shutdown in PA and then afterwards. I write books for a living. I was about to begin working on a book titled Great Moments in Kansas City Chiefs Football in January. My plan was to begin after the Super Bowl on February 2, 2020.

When I was well on my way to getting the book underway after I came back from Florida, two weeks after the Super Bowl contest, I

decided to add a little story about Pennsylvania and living through the Coronavirus crisis in a state that cares more about state union workers and government employees than it does for ordinary people. Here is a section I added to the Kansas City book that I am including in this book. It sets the stage for how the coronavirus crisis affected the people of the commonwealth, no matter who you are. I will indent this missive a few spaces so you can tell that it is an insert to this book. Here goes:

“Writing this book has given me even more respect for the Chiefs and what a bunch of scrappers they were—from day one with a great legendary coach Hank Stram. It was not until Stram’s swan song season in 1974 after 15 years of winning everything that came his way that Stram had a losing season. How about that?

The price of a current Super Bowl ticket is a little out of my league but I did make it to Florida this year with my brother and sister as snowbirds and we watched the Super Bowl in sister Mary’s Snowbird Livingroom with plenty of grub and libations. It was an away game for us and we loved every minute, even the pregame action by the pool.

We did not talk once about the coronavirus once, which at the time, had yet to be labeled a pandemic. It was not an issue in Pennsylvania in January or so it seemed, and after staying in Florida for a good part of February, even when we got home, it was not at the top of our interest level. That soon changed. Very soon.

Throughout February, we were getting snippets of the situation as it existed in Wuhan, across the world, the US prognosis, and Pennsylvania itself. Our Governor Wolf made some sort of a disaster declaration on March 6, but colleges and schools were not yet closed. He closed everything on March 17 or so it seemed but not all the counties.

By the time, April 1 came around after piecemeal PA county closedowns and shutdowns of non-life-essential activities in the states, including schools, the Governor expanded the lockdown to all counties in the entire state on April 1. Right now, for example,

on April 5, PA is essentially closed for business. Many businesses and business groups have accused Governor Wolfe of over-reach.

We noticed no change in Florida activity while we were there. If there were restrictions we did not notice them. There was no lockdown and no talks about staying home. NY locked down the state and the city about 2/3 into March under duress.

Both Cuomo and De Blasio—the State, and the City of NY had not paid much attention to the pandemic 'til that point. The Speaker of the US House was not very concerned either. The signals were very mixed as only the President seemed to think we needed to worry.

The Speaker had been in Chinatown on the West Coast inviting people to come on down and continue to have a good time. You've probably seen the video. The impeachment debacle was over and Congress had yet to get back to work, or so it seemed. A lot of people had this pandemic wrong.

On January 31, long before anybody who was anybody was aroused enough to act, President Donald Trump saw something and despite negatives from the opposing party, he, on his own authority as president banned travel from China to the US.

In retrospect, even the scientists say things would be much worse without that ban. Italy and Iran kept inviting Chinese from China and their countries have been paying for the lack of social distancing from infected foreigners and guests. The analysts often suggest that is why their issue is so bad today..

Florida governor Ron DeSantis had his own reason. Florida is so warm, nobody thinks flu. But even he eventually gave in under pressure. He finally issued a statewide lockdown after revealing coronavirus first started circulating in Miami in early February during the Super Bowl from International travelers and soon state cases surged to 6,955.

Yes, concern in Florida began after we left after the Super Bowl but cases of coronavirus in Florida have surged to nearly 7,000, with 857 people hospitalized and 87 dead at the time this was

written. When I was in Florida on February 2 during the Super Bowl, I had no idea anything like this was happening. I am very glad the Chiefs got to play the game and win the game. God works in strange ways for sure.

Before April 1, 2020, Governor DeSantis had refused to initiate a statewide lockdown despite the fact that cases of coronavirus there were spiking. His order went into effect Thursday April 2 at midnight and was scheduled to last 30 days. Hopefully, that will do it.

Testing in the state at the time of Superbowl was only for those who had been to certain parts of China. No wonder I did not know about it. The first confirmed case of coronavirus in Florida was a month later on March 1 , the first death was March 5. I was home for weeks before that happened

As Chiefs fans know very well, the Chiefs Super Bowl victory took place at the Hard Rock Stadium in Miami Gardens with 62,000 people in attendance. Few people in the stadium had any issues with sickness, if any. There are still no reported cases of Chiefs or 49ers coming down with the virus.

Yet, despite a reasonably good record, the experts watching what is now happening, say that Florida is on track to become the next coronavirus epicenter in the US as the number of cases spike there. I hope not. I hope the heat in the Florida air kills it. I do.

The shutdown of our county in PA had not yet happened. We stay home most of the time anyway but in PA before this became a big deal, we had big family athletic plans that for parts of the family rivaled even the Super Bowl.

You see, we, the Kellys, were planning to go outside driving on March 12 to see my wonderfully talented niece compete in the AAA PA State diving championships held at Bucknell University in Lewisburg. By then we knew about social distancing and other than four of us being in the car both ways for the 100—mile trip, we kept our distances. We did not think it applied to us. Nobody had clued us in seriously at this point. We had been back from

Florida about three weeks or so, by then so we figured whatever it was, it was gone.

Because we all support the finest who engage in athletic events, please permit a few paragraphs to help you know why this was important to us all. My niece, Sophia Ginochetti, had placed in the States Championship in each of the prior years from Freshman year through Sophomore, to Junior—in which she competed. We had been there cheering her on each year. She was a Northeastern PA prodigy. NEPA was not known for its prowess in swimming or diving. We were all very proud.

Side note: Sophia's dad, Brian, was a high school State Champ, and her mom Liz was a diving star at Meyers High in Wilkes-Barre, PA. So what's that they say about the apple?

This year, her Senior year, after an early season injury, she almost had to drop out of diving completely. There seemed like there might be just enough time for her to recover. And, so, with just the right amount of determination, and great physical training and coaching, Sophia came back. It took much work on her part and her coaches.

Before her injury, she hoped to get a State-Level trophy in this her senior year at Wyoming Valley West High School. She did exactly that. But because of COVID, and her injury, she almost did not get to compete. The meet itself almost did not happen. In fact, we thought it had been called off.

My brother Joe was driving the newest vehicle in the extended family with my wife Pat and his wife Diane maintaining navigational duties. As we got halfway to Lewisburg, we got a call that made us confused about whether the meet was a go or no-go. In fact, we thought it was canceled. So, we turned around half way to Lewisburg. We got the word at about 11:30 AM on March 12, that the meet was off because of the Governor. This was bad news but hopefully it would be rescheduled.

When we got all the way home we learned that the news we heard was about the AA-level diving not AAA. Sophia was competing in AAA. The meet had never been called off but PA has such poor



communication about what was or what might be that many were confused and many decided not to attend. We decided to begin again.

After a short while at home, to pack some extra sammiches, we got back in the car and got to see the whole event. We arrived a little after 2:00 PM and we are thankful that we did.



Sophia Ginochetti in Action—A winner--made the state champs finalists

Sophia Ginochetti, my wonderful niece, performed better than ever. She was great and got on the medal stand in eighth place, which was her goal after recovering from injury. She was thrilled as all of us were. After the diving, the call on the meet occurring was so close that Bucknell was shut down tight as a drum and the rest of the swimming & diving was canceled by the State to be rescheduled one day in the futures. The Governor canceled it for good last week. He could have waited until things were safer. Think of Andy Reid's people showing up for the Super Bowl and finding out it was postponed indefinitely for the coronavirus.

So, the same day that Sophia earned her medal, the PIAA announced it was postponing the Class AA meet originally scheduled for Friday and Saturday as the sports world reacted to the coronavirus pandemic.

“On the way there we were just hoping and praying that we were able to compete,” Sophia said. “We didn’t know if it was going to happen. Our family bought Sophia a cake, which she loved and

she had some great writeups in the local paper. We'll see the Sophia branch of the Kelly family with mom and Dad, Liz and Brian and siblings Fleure and Lukaduke soon. We can't wait.



Andy Reid in some unexpected Super Bowl Action – A Winning coach

Despite the Coronavirus being in the Air in Florida on February, 2, the Chiefs got to win the World Championship. Andy Reid's team were crowned champions. And lucky us a second time, as on March 12, my niece Sophia got to compete and win eighth place in the PA State Championship diving competition. Bravo to Andy and the Chiefs. Bravo to Sophia and Wyoming Valley West High School. God bless us all and keep us safe. Today is April 5 as I prepared to publish the KC Chiefs book.

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On March 16, Governor Wolfe extended a semi shutdown to the entire state of PA, reportedly in an effort to halt the spread of the coronavirus, although he also maintained that he will not send the National Guard or state police to force businesses to close or stop events, such as an influx of out-of-towners coming to PA to get out of highly infected New York

The pundits did not applaud Wolf's shutdown but excused it by suggesting that he had acted in similar fashion to neighboring states, including Ohio, New York and New Jersey. Other than Ohio run by a RINO governor, the bordering states to PA are all under control of progressive liberal Democrats.

Wolfe had closed everything including schools statewide and a range of government offices in the days leading up to the big shutdown. Of course state workers would continue to be paid by the people even though they would be delivering no useful services.

It was called a shutdown of nonessential government offices and nonessential business activity. How the governor intuitively understood what the word "essential" meant, the people still question his decisions. It began on March 17. And was to last for two weeks but it was extended later to the end of April. Now, Wolfe is suggesting that may not be enough time.

People think of essential as food, clothing, energy and shelter. But, shelter was not included. People who sold their homes the day before the shutdown were prohibited by law from buying their new home even if the closing date was set. With Wolf, no exceptions unless he has a political reason or so it seems. On May 19, after two whole months, and after threatening to veto a bill that sailed through the legislature to open up real estate offices and permit homes to be bought and sold again in PA. the governor quietly "permitted" the industry to reopen. Humph!

When he called the shutdown, he provided a bunch of excuses to make it seem he cared. The Governor said: "This isn't a decision that I take lightly at all," Wolf said during a news conference at the headquarters of the Pennsylvania Emergency Management Agency. "It's one that I'm making because medical experts believe it's the only way we can prevent our hospitals from being overwhelmed by patients."

State-owned liquor stores were directed to shut down after being open Tuesday, St. Patrick's Day, and restaurants were to end dine-in service immediately. By the way, the lines at the state-run Liquor Stores were blocks long throughout the state. The stores have not reopened and Wolfe has no plans to reopen them. He does not care about anybody with a need to make time go faster with a few nips and he does not

care about alcoholics who may die without their daily intake. I believe Wolfe does not care about people. First he refused to open rest facilities on the highways for truckers and now, to make it safe for state workers, he has closed all liquor stores in the state.

About three weeks ago he permitted dial in curbside service at a few liquor stores. My wife called about 50 times in her spare time one day and did not get through.

In one of his fireside chats, the governor suggested that the people can use the online web site and order all they want. I know of many people who tried to that but they could not get in as the site was down all the time. I have one friend who did get in online after days of trying and she said the price to deliver one bottle from the state was \$40.00. Like I said the governor cares little to nothing about the people.

Wolf's order is a blend of voluntary and mandatory actions. For instance, the Pennsylvania Gaming Control Board said it was suspending gambling operations for all casinos. Wolf on Sunday night ordered bars and restaurants in five counties to close dine-in service and said businesses that do not adhere to the order could face penalties.

Still, he also said that he would not use force to close businesses, but he urged people to understand that all Pennsylvanians are in the fight together and said they owe it to one another not to spread the disease. The governor has reneged on using force also.

“People will be making their decisions what they do with their lives all across the commonwealth for the next days and weeks and months,” Wolf said in response to a reporter's question about racetracks refusing to close unless forced. “What we ought to do is think not what should we do in terms what the law is, but what should we do in terms of what we owe to our fellow citizens.”

Wolf's orders in recent days have often caused confusion and required clarification or adjustments.

Meanwhile, Pennsylvania's Supreme Court gave local judges the ability to shut down county courthouses as needed and the

Pennsylvania Turnpike interchanges will no longer take cash or credit cards.

## CASES

Cases confirmed by the Pennsylvania Department of Health have exceeded 60,000, as of Monday May 18. The majority of confirmed cases have been in southeastern Pennsylvania and Hazleton. The number of deaths in PA is reported as of Monday at 4600.

Health officials have said 68% of the people affected were in nursing homes.

The number of medical professionals getting infected with the fast-spreading COVID-19 in Pennsylvania is growing.

The Wolf administration's definition of nonessential businesses includes community and recreation centers; gyms, including yoga, barre and spin facilities; hair salons, barbers, nail salons and spas; casinos; concert venues; theaters; bars; sporting event venues and golf courses; retail facilities, including shopping malls, except for pharmacies or other health care facilities within retail operations.

Licensed child care centers, except those in Philadelphia, must shut down. Adult day care centers and senior community centers also must close.

Restaurants can remain open for carry-out, drive-thru and delivery orders, and shut down dine-in service.

In Philadelphia, Mayor Jim Kenney on Monday ordered a two-week halt to all nonessential business activity and city government operations in the city of 1.6 million people.

Kenney asked that residents and businesses observe the restrictions, and said he understood that it could have devastating effects on them.

"We are aware that this will disrupt life in Philadelphia and we do not make these changes lightly," Kenney said in an address from City Hall.

Philadelphia's guidance to businesses was slightly different than Wolf's, and the Wolf administration said Philadelphians should follow the city's guidance.

On Friday, April 10, Wolf ordered the closure of all schools statewide and a no-visitor policy at all state prisons and licensed nursing homes statewide.

## **The Courts**

The Pennsylvania Supreme Court is giving the chief judges in each county authority to close down court facilities and suspend time limits that normally apply to court proceedings.

Several counties immediately did so, and Commonwealth Court canceled oral argument scheduled for next week, including for a closely watched lawsuit over the "Marsy's Law" victim rights constitutional amendment.

The high court acted Monday and provided the emergency powers through April 14. The order, it said, does not affect criminal defendants' constitutional right to speedy trials.

## **Business groups are calling Wolf's actions overreach**

It was an overreach, or at the least a reach not plainly supported by the evidence at hand, some said upon reading the restrictions. Others demanded more justification for why certain businesses and industries landed on either of the lists. Governor Wolfe appears to be behaving as a dictator, regardless of what others think is reasonable or unreasonable.

"We understand that there are necessary precautions that must be taken to protect life, but no other governor, even in states with many more cases and wider community spread, has taken this extreme action," Gordon Denlinger, state director of National Federation for Independent Business, said in a recent statement.

“We want to know the basis for Governor Wolf’s decision and whether it is justified by specific federal Centers for Disease Control directives.”

Leaders of the state Senate’s Republican majority echoed the NFIB’s concerns and called for the administration at the least to set up a process by which affected business owners could appeal to stay open. House Republican leaders went even further, promising to “explore all avenues available to us to determine whether the action he’s taken is allowed within our state Constitution.”

“The Wolf Administration set off a panic tonight throughout the Commonwealth with its edict to shut down employers,” the House leaders said. “These actions will shut down many small, family-owned shops and businesses, not only for the duration of this event, but possibly, and probably, forever.” Wolf remained unmoved by the pleas of state businessmen.

### **Why can’t Pennsylvania’s liquor stores be open?**

Pennsylvania is the only state in the nation that has closed liquor stores. Does that help the people of Pennsylvania? John Baer wrote a piece asking this question.

He says that Wall Street Journal columnist Peggy Noonan recently opined that people are fascinated that just about everything in America is closed except its liquor stores. Peggy must not know about Pennsylvania. She added: “This is because there isn’t a politician in the country stupid enough to prohibit alcohol in a national crisis,” she wrote. Well, in Pennsylvania, politicians don’t care what the people think. Hmmm. Is Governor Wolf just stupid. Some of his actions raise suspicions.

Noonan also wrote, “No nation in the history of the world has closed both its churches and its liquor stores simultaneously and survived.” I have not done the research to prove or disprove that one but if true, it makes my case. It is foolhardy for Wolf to close the only source of liquor in the state of PA. His closure sure makes it harder for anyone to lift their spirits in Pennsylvania

So, Peggy, welcome to Pennsylvania. Gov. Tom Wolf, to fight the spread of Covid-19, shut down liquor stores last month then asked churches to end in-person services.

**Fervor, religious and otherwise, spread rather rapidly.**

And while one can pray without one's church, one can't drink without one's booze, so fervor over liquor spread a little further. Grocery stores are open. Beer distributors are open. Why can't state-run liquor stores be open?

Seems two reasons. First, it helps Wolf's stay-at-home mitigation orders by eliminating another 600 places people gather. And, arguably, it further protects unionized store workers and would-be customers.

Second, it gives Wolf some cover in the controversy over his closing so many businesses, as in, "See, I'm closing state business, too." And it shows love for unionized store workers, who were paid since stores closed March 17 — and until April 10, according to Liquor Control Board communications director Elizabeth Brassell.

But booze-buyers weren't happy. They wanted their government to protect and serve.

Wolf got the message and announced April 1 that the drinks were online.

But it was April Fool's Day, and they really weren't. Wolf jumped the gun. Clearly, the LCB wasn't/isn't ready. Its website ([lcb.pa.gov](http://lcb.pa.gov)) was/is swamped.

For example, on April 6, it got more than 1.5 million hits. Only about 216,000 happy hour hunters got in, leaving 1.3 million folks reading a message about "overwhelming demand" while being thanked for being a "a valued customer."

Oh, by the way did I tell you that the delivery charge of one item is \$40.00.



## **Tell me again, why PA has an LCB?**

Now, of course there are far more critical issues facing us all than availability of booze. Everybody gets that. But Pennsylvania, unique in so many ways, now gets national attention for not being able to handle its liquor. The land of taxes now is almost dry.

Before the gov announced the closure, I bought two boxes of my favorite red. I had two gallons of Dago Red from friends. I mix them to create a unique glass of wine before dinner. After over a month I am now running low on both. Must I go out of state?

CNN reported you can buy online in the Keystone State “only if you’re lucky.” Forbes last week noted that during a “tremendous upsurge” in the liquor business. PA taxpayers will have to make up for the opportunity loss when Wolf decides he can raise taxes.

At \$40 per order, nobody cares if the LCB expands its online capacity and distribution efforts. We’d rather get into a vehicle with gasoline and head to a border state and load up for a couple months of supply. How does that help anybody. My 76 year old neighbor was about ready to make the run and next week I will accompany him. How does that help anybody in Pennsylvania?

## **Could the state have done better?**

Sure. Buy a two-for dinner at Olive Garden or any of the other places with great take-out deals such as KFC and others and you know that the state store which prepares no meals could have done much better but they don’t care about the people of Pennsylvania. They could have opened some stores with limited employees and limited access. They could have used their online order system or a call-in system with curbside pickup if they did not want to punish the boozers in Pennsylvania. Who are they to do this to us?

Just a few weeks ago, they expanded the phone in orders and now, the wait is just about five callers to get through to some stores. Our typical store is still unreachable.

Though most people say to hell with the LCB. There are plenty of places to get alcohol online, and we do know buying out-of-state spirits

risks the wrath of the LCB's Bureau of Liquor Control Enforcement. It's, of course, illegal in Pennsylvania. It's the same as in-person buying from border states.

Hope is a garnish in the cocktail of the day. So, here's hoping these days pass quickly. Cheers. What if they start stopping the sale of maraschino cherries and bitters? They sound like dictators in PA because that is how they are behaving.. The secret is that Pennsylvania Governor Wolf does not care what you think or what I think or what the businesses of PA think. He is the boss. He not only has the bully pulpit so what he says goes, what he says is enforced by the gendarme.

His leadership has made it both difficult and dangerous to buy liquor in the state. He vetoed liquor privatization to get elected in 2015 and now he is making all of Pennsylvania wish that liquor was privatized.

If my buddy across the street and I perish from our out-of-state venture to stock up, remember it was because the state of Pennsylvania, land of taxes, has shut down all state run liquor stores, leading customers to crowd into retailers across the border. And, oh, by the way they have stepped up enforcement of border state liquor purchases to show citizen perpetrators that it is not wise to mess with Mother LCB. The Wolf will get you.

PA is not the only state that sells liquor to US citizens. Recently, Canal's Discount Liquor Mart, a liquor store in New Jersey located near the Pennsylvania border, reopened after several days of self-enforced closure. People are frenzied approaching an open liquor store and the owner wanted to protect himself.

The out of state store's owner had closed his doors because, like many New Jersey liquor stores along the state border, it had been flooded with customers in what Paul Santelle, executive director of the New Jersey Liquor Store Association, described to NJ.com as "a panic, a tsunami of business." Governor Wolf created the tsunami intentionally.

I looked up to see if Governor Wolf was a booze temperate man, meaning he did not drink. Nothing is written about it. That's strange. A man in charge of 600 liquor stores and nobody knows if he has the taste for booze?

My dad worked for Stegmaier Brewery in Pennsylvania for years and because he got laid off in the winter sometimes and had a hard time putting bread on the table for a family of nine, he enjoyed placing signs on the wall such as “Never Trust a Man Who doesn’t Drink.”

My not being able to research whether Tom Wolf is a teetotaler, I suspect the billionaire does not want anybody to know. Did Tom Wolf close down hard alcohol purchases in the state of PA because he is a teetotaler and he believes that alcohol is unnecessary for a good life? You tell me folks. It is strange that nothing is published on the subject.



(Pennsylvania Liquor Control Board Store)

Over the border, the onslaught of customers, which the store's owner said reached more than 120 percent of the store's usual weekend capacity, didn't come from inside the state of NJ. Instead, the barrage of consumers came from Pennsylvania, which closed all of its liquor stores on March 16.

Pennsylvania, a goofy "control state" in which every liquor store is operated by the state, has some of the most onerous rules governing alcohol sales in the nation. They are not strict enough for teetotaler Wolf who made them tougher by making 600 stores close overnight.

The PA response during the COVID-19 pandemic provides both an unfortunate reminder of the folly of giving the state government a

near-monopoly over liquor sales—and an object lesson in how the closure of businesses in the name of public health can backfire.

The shuttering of Pennsylvania's state-run stores meant that for weeks, it was nearly impossible to buy liquor legally within state borders. Only in-state distilleries licensed for direct consumer sales were able to sell spirits. Try to find one of those!!!

"By closing all the stores, what they are doing is forcing a lot of people to simply go out of state," says David Ozgo, the Senior Vice President of Economic & Strategic Analysis for DISCUS, the Distilled Spirits Council of the United States. Ozgo notes that while other states also own and operate liquor stores, Pennsylvania is "the only state in the country that has taken this extreme measure."

That didn't just make it harder for Pennsylvanians to buy liquor. It also made it unusually dangerous, as the experience of liquor retailers across the border in New Jersey shows. As Matt Dogali, the president and CEO of the American Distilled Spirits Alliance, told me, "It's counter to [COVID-19-related] containment measures to force people to travel long distances to crowded stores." Does Tom Wolf care about that fact. He seems to care little to nothing about regular people.

He would tell us all that social distancing (control) guidelines made him do it and he did not want to infect his union buddies in the State Liquor Stores from PA consumers if he were willing to engage in the truth.

The guidelines are supposed to encourage people to travel as little as possible and to keep their distance when in the presence of others. That's much harder to do when the only option for purchasing liquor involves driving a great distance and crossing a state border. At least one county in West Virginia now prohibits the sale of liquor to Pennsylvania residents in order to stem the tide of border-crossing customers.

What hath Tom Wolfe wrought? Does he care at all? Most Pennsylvanians think he cares not an iota what they think. Thank God Republicans control the chamber as he will not be able to force a tax increase on Pennsylvanians to pay for his folly.

How many people who live inside PA were infected pushing against the person in front of them in the last State Store line the day the Liquor Stores closed in PA. Just like the rush across the border, Pennsylvania's closure of spirits stores sparked a similar effect inside the state, with customers reportedly rushing to state-run stores the day before they closed, resulting in record sales and probably a lot of sick people. The sickest of course were those who failed to get in.

Perhaps unsurprisingly, the state stores, not run as a profitable business, were not ready for the deluge. "We are depleted to a level we have never experienced before," a liquor board spokesperson told PennLive.com in March, "because we were unable to plan for this rush of business. It is the same as the great Toilet Paper Rush of 2020.

So the hurried and unplanned state shutdown of liquor stores didn't just inconvenience residents—it repeatedly created situations of presumably unsafe crowding. It is reasonable to assume that the move negatively impacted public health in Pennsylvania, the opposite of the intended effect.

I bought my stock a day before the notice of shutdown as the state stores made sure PA residents understood they were not closing. But, Governor Wolf had other ideas.

Unexpectedly, the state announced that it would allow some sales through its online portal. But the state-run website crashed almost immediately after opening, then stopped taking orders, citing "overwhelming demand. Poor planning again by the Wolf team. Can governors be impeached?

The Wolf measures were ostensibly designed to protect both customers and employees. But state control of liquor sales isn't necessary for such precautions to be implemented effectively.

Where a friend of mine lives in Washington, D.C., the many privately owned liquor stores have been able to continue operating after they were dubbed "essential businesses" by the city. They are indeed essential as spirits and for spirits.

These stores have taken elevated health risks seriously while continuing to serve customers. In recent weeks, I've seen area liquor

store employees wearing surgical gloves and medical masks to protect from infection. That is a natural response. Shutting down a country or a state is an unnatural response.

There is an alcohol delivery service called Drizly, that makes its money by partnering with local retailers, makes it possible to get bottles delivered directly to your home from many different local liquor stores in Washington DC, without the multiple interactions that in-store transactions sometimes require. Wolf did not try to make something like this work in PA because he would have to fire union workers who come before the needs of PA consumers.

Pennsylvania does not permit you to buy liquor from other states. Unlike many states, Washington, D.C., does allow its residents to pretend they live under the US Constitution to purchase and ship liquor from out of state through online outlets such as Caskers.

Late last month, people received an email from Sherry's Wine & Spirits, one of Washington's best liquor stores. The message asked that customers choose delivery or curbside pickup if at all possible, outlined a variety of enhanced sanitization procedures that were being implemented, and urged buyers to switch to contactless payment methods.

Governor Wolf's team never thought of this or simply figured not accommodating boozers was more in line with his teatotaler philosophy. The note raised the possibility of ending in-store sales but indicated that pickup and delivery options were expected to remain. Pennsylvania under control of Tom Wolf, who does not understand the term entrepreneur, would not help a business do anything even if he missed out on taxes that would surely accrue.

Stores like Sherry's, in Washington, in other words, have figured out ways to both stay open for business, increase profits, and stay safe. Pennsylvania, in contrast, by completely shutting down its state-owned liquor stores, has somehow managed to accomplish neither. Perhaps that is Tom Wolf's plan which might as well be as simple as "Let them eat cake!" does not take the people into consideration

## Chapter 13 Michiganders Don't Want What the Governor Is Serving!

**Boss Lady's social control not for the people.**



Gov. Gretchen Whitmer extended the state's stay-at-home order until the end of April but is facing increased resistance to show more flexibility to businesses to open if they can do so safely. (Photo courtesy of the governor's office)

The Wall Street Journal recently penned a headline that sums up the feelings of many people in Michigan as the Governor proves how tough she can be. *"It's Still America, Coronavirus or Not Draconian orders and enforcement will undermine public support for social distancing."*

Whitmer uses social control rather than social distancing. Social distancing sounds like an optional notion.

Across the entire country, Americans by and large have willingly obeyed the government's shelter-in-place and social-control orders. Unfortunately for some public officials, that doesn't seem to be enough. They're indulging their inner **bully** in ways that over time will

erode public support for behavior that can reduce the spread of the coronavirus.

What Michigan's new coronavirus stay-at-home executive order means is just that: "Michigan residents must stay at home and away from non-essential workplaces through April 30. The very determined Michigan Gov. Gretchen Whitmer said this on a Thursday in the second week of April, extending an initial order that went into effect on March 24.

Just when Michiganders saw the goal posts, she stretched the field again and set the date to May 28. Who knows as May 28 approaches if she'll get out her goalpost stretching tool again. Michiganders are very upset to put it mildly.

The new orders are overreach and overkill according to many who don't see it like the Governor. It extends many of the requirements of the previous one, including a ban on gatherings or non-essential in-person work. But it is much stricter, including more stringent restrictions on stores that are allowed to remain open and specifically, it bars non-essential travel. Stay off the streets. Even in Pennsylvania the neighbors take walks. In Michigan, walks are now taboo.

The governor justified her plan as life-saving, not life-serving. The people, trapped in their homes, did not like what she was selling.

"Now is not the time to pull back at all. It is the time to intensify. That's exactly what we're doing," Whitmer said during a news conference.

Large stores will be required to limit the number of people allowed in at once to four customers per 1,000 square feet and small stores must limit customers to 25 percent of total occupancy. Stores must put up markings to show customers where to stand to remain six feet apart while waiting in line, and big stores have to close sections for gardening, painting, furniture, carpeting and flooring.

In Michigan if your retail business wants to stay open, even if you think these are just the Governor's whims if you say no, you will be out of business and you may be excluded from government business relief.



What jobs are exempt from Michigan coronavirus lockdown? You may be surprised.

Stores will also be required to reserve at least two hours weekly for vulnerable populations to shop, including people over the age of 60, pregnant women and people with comorbidities like heart disease and diabetes.

Auto dealers, previously closed under the first order, will be allowed to open only for remote sales, though showrooms will be required to remain closed.

The Governor's first stay-at-home order was set to expire April 14, but cases have continued to climb since it went into effect. As of the time of this new order, Thursday, Michigan had 21,504 confirmed cases of the virus and 1,076 deaths. Officials say it's necessary to continue to slow the number of serious cases being sent to the state's swamped hospital systems.

"All model projections are clear that without sustained social distancing measures, more people will die and hospitals will become overwhelmed," chief medical executive Dr. Joneigh Khaldun said.

The stay at home order "is the most important thing we can do to slow the spread of this disease" because it allows time for officials to build up field hospitals and collect necessary supplies like PPE and ventilators. Some think the curve is flattening nationwide and such restrictions are a bit too much.

The Governor also has her supporters. People will still be allowed to go outside to exercise or walk their pet, to go to essential places like the grocery store or gas station, as long as they stay 6 feet away from one another, but will be specifically banned from traveling for vacation or other non-essential reasons.

The head of the Michigan State Medical Society, Dr. Mohammed Arsiwala, said Whitmer's extension was "the wise thing to do at this time."

But top leaders in Michigan's Republican-led Legislature blasted Whitmer's extension, arguing the state should begin relaxing restrictions on regions with fewer cases or businesses that could operate safely with proper social distancing policies.

"Family-owned businesses have been run to the ground and hundreds of thousands of people have lost their jobs because of it," House Speaker Lee Chatfield, a Republican from Levering, wrote on Twitter.

"Unemployment is skyrocketing and our government has not been there to answer the call." "We deserve better! This is unacceptable."

The governor's extended Stay-at-Home order is the wrong call and is bad for Michigan families. We had a chance today to protect public health and take a positive step towards recovery. Unfortunately, rather than focus on what's safe, the governor decided again who is "essential."

Chatfield is urging Whitmer to tailor restrictions based on "safe" jobs not just "essential" ones. Similarly, Senate Majority Leader Mike Shirkey, R-Clarklake, urged "common sense revisions" and said without them, Whitmer's new order will "unnecessarily hurt" regions and business sectors.

"Individuals living in regions of the state that are experiencing little to no growth in infection rates should be able to return to their jobs to support their families if proper safety protocols are put in place," he said in a statement.

"Similarly, businesses that can implement strict health and safety measures should be permitted to remain open and operational regardless of whether they are deemed 'essential.'"

On April 15, formerly called Tax day, Michiganders decided to take to the streets to protest their governor, whose chances for a VEEP nod from Biden go down each time the people complain loudly to the media.

Thousands of demonstrators descended on the state Capitol in Lansing, Michigan, on Wednesday, 4/15. to protest Gov. Gretchen

Whitmer's restrictive stay-at-home order, clogging the streets with their cars while scores ignored organizers' pleas to stay inside their vehicles.

The protest — dubbed "Operation Gridlock" — was organized by the Michigan Conservative Coalition and the Michigan Freedom Fund, a DeVos family-linked conservative group. Protesters were encouraged to show up and cause traffic jams, honk and bring signs to display from their cars. Organizers wrote on Facebook: "Do not park and walk — stay in your vehicles!"

Many ignored the recommendation of the protesters, The people were upset big time. Demonstrators, on foot, were seen waving American, "Don't Tread on Me" and Trump campaign flags. At least two Confederate flags were spotted.

Protesters could be heard chanting "Open up Michigan!" At one point, there was a "lock her up" chant in reference to Whitmer. She was hoping Biden was not listening.

"We can get this rally done and stay within the social distancing guidelines," Marian Sheridan, a Michigan Conservative Coalition co-founder, said in a statement ahead of the rally. "Citizens are frankly tired of being treated like babies. As adults, we now know what needs to be done to stay safe."

Everybody does! It's time to open up America!



## Chapter 14 Lockdown Challenges Being Waged vs Governors



The Michigan Governor loves to make the news

Even now as some restrictions in some states are being lifted, state leaders continue to face objections from the people. On May 15, Michigan Gov. Gretchen Whitmer's administration continued to defend her rigid stay-at-home order against a lawsuit brought by the GOP-controlled legislature. The people are on the side of the Constitution as are the legislators.

There has been a raging public debate over statewide coronavirus lockdowns while there is a series of legal battles going on in state capitals. Clearly the orders are unconstitutional even in the cases in which local judges' rule against the Constitution. Those against the lockdown are winning some of the battles.

Sometimes the Constitution wins against the big bad virus and its democrat political allies. For example, Wisconsin's Supreme Court on Wednesday in the second week in May, made a decision to toss out Gov. Tony Evers' statewide shelter-in-place order. This set off a

scramble in cities across the state to impose their own local restrictions. Not every person is for an easing of restrictions. Elsewhere, bars and restaurants shut down by the order decided on their own to declare themselves open for business. The people are being backed by legislators in their belief that the governors are acting against the Constitution and the Bill of Rights.

In a NewsMax survey last week, 85% of those polled said they wanted lockdowns and shut downs ended and the people wanted to be free as guaranteed by the US Constitution.

So here we are well into the third month of something that all Americans agreed would have been OK for two weeks . Legal challenges continue to mount across the country. Some governors are moved by the challenges even before adjudication while others remain unfazed.

Some governors react stubbornly by extending their state's shelter-in-place orders while some have begun to peel back some restrictions. The plaintiffs are business owners, aggrieved private citizens, pastors and in some cases, state legislators and legislatures. Americans who studied history know that we were not meant to be locked up without having committed a crime.

The lawsuits are about to reach a pandemic level. Already, more than a dozen states across the country have faced legal battles over their lockdown mandates. The question is "will any others be as successful as the litigation filed by Wisconsin's Republican-led Legislature."

In Michigan, Democratic Gov. Gretchen Whitmer's administration on Friday of last week continued to defend her unreasonable and unilateral extension of the state's emergency declaration and its stay-at-home order against a lawsuit. It was brought just as in Wisconsin, by the GOP-controlled Legislature after it voted to deny her an extension of her mandates last month. Governors are simply ignoring the legislature and the people. For their part, many entrepreneurs are ignoring the government and opening up shop. I predict that that the standoff will get worse before it gets better.

In California, Gov. Gavin Newsom faces over a dozen lawsuits. They challenge the new way of life that he imposed on Californians. He has

issued new rules for everything from beach to business closures. And earlier in May a coalition of business owners sued Maine Gov. Janet Mills, also a Democrat, seeking to end that state's shelter-in-place order.

The lone pair of Republican governors facing such lawsuits, Maryland's RINO Larry Hogan and Ohio's RINO Mike DeWine, recently announced reopening plans that could potentially render pending lawsuits moot. We'll see.

Earlier this month, a group of state delegates and religious and business leaders sued Hogan seeking a temporary restraining order to block the governor's order. Though the state has asked a federal judge to dismiss the case, a scheduling hearing was held last week — days before Hogan announced the end of the statewide lockdown — indicating it will move forward to giving state residents more freedom.

Last week was a big week for anti-governor legislation, For example in Ohio, a libertarian group early last week filed suit on behalf of nearly three dozen independent gyms in the state challenging the exclusion of such facilities from Ohio's initial reopening phases. The same group earlier tried and failed to mount a legal challenge to the state's closure of nonessential businesses.

A day after the lawsuit was filed in state court, however, Lt. Gov. Jon Husted announced that gyms and fitness centers in the state will be allowed to reopen on May 26. The people are speaking loudly and they appear willing to fight for every inch of freedom they feel is their due. .

Earlier this month, the U.S. Supreme Court was even brought into the fray when the high court denied a group of Pennsylvania business owners their request that the state's nonessential business closures be lifted. This was a decision made by Justice Samuel Alito that has already found itself in an appeal. Pennsylvanians are talking about impeaching Governor Wolf to be free from his schemes.

Legal threats against Democrats who have kept more stringent social distancing restrictions in place have taken different forms.

In Texas, for example, the pressure has come from the top down. There, state Attorney General Ken Paxton on Tuesday threatened the leaders of three major metro areas — Austin, Dallas and San Antonio — with legal action if they don't roll back parts of their local stay-at-home orders.

The initial waves of litigation under shutdown orders pertained to issues like abortion access and religious services. The latter issue is still a factor in several of the lawsuits against governors — and one of the few areas where judges have shown more willingness to overrule state leaders.

But the latest round of lawsuits has taken aim at whether governors have the authority to unilaterally extend their initial orders, and at restrictions on protests that continue to pop up at state capitols across the country.

Unfortunately for the people, when it comes to the shelter-in-place orders, however, judges have mostly deferred to governors' broad authority under their respective state constitutions to take drastic action in the case of a public health emergency.

Wisconsin's shelter-in-place order is the first of its scope to be overturned by the courts. It's unclear whether cases will keep going forward as governors begin lifting aspects of the social distancing restrictions litigants are challenging.

Though the initial response to the COVID-19 outbreak by governors and mayors who issued shelter-in-place orders, closed businesses they have deemed nonessential, and banned gatherings, including church and political assemblies were accepted by the people as necessary.

They were looked upon as two-week temporary measures which somehow never expired. Now, the people who believed two weeks was OK are looking for relief from the moving goal posts. They are looking for things in the Constitution to protect them from governor-instituted tyranny.

Are these orders Constitutional? One vocal sector of opinion has answered with a loud "No way!" "Reopen" demonstrators, assembling



and recently descending on state capitals, take it as a given that the framers of the U.S. Constitution would approve of their cause.

According to the activist group FreedomWorks, “many” rights “are being unconstitutionally suspended by governors and mayors, acting unilaterally across the country.”

What are some recent examples of unconstitutional violations, according to this perspective? A letter signed by prominent conservatives points to bans on surfing and outdoor play, as well as the failure of state and local authorities to “narrowly tailor” orders to permit a maximum of private activity. It also cites various bans that are more widely agreed to be improper.

A policy letter from Attorney General Bill Barr has been widely interpreted as endorsing these ideas, promising federal action against local public health orders not only when they overstep civil liberties but also when they result in what is tersely described as “undue interference with the national economy.”

If you want to know whether something is unconstitutional, one group you might ask is judges. And in early rounds of litigation, a reasonably clear—and, to many of us, unsurprising—answer has been emerging.

Some ways in which shutdowns are applied may indeed be unconstitutional, as when a mayor allows a civic group but not a church to convene in numbers, or when a gun shop gets treated less favorably than comparable small businesses because someone in the governor’s office isn’t fond of Second Amendment rights. Those cases, important as they are, change only a few lockdown outcomes. And the remedy that follows — making restrictions neutral and even-handed — is different from lifting those restrictions.

As for the argument that lockdowns as such are broadly unconstitutional, that one has begun to reach judges — and so far fallen on its face. But just like the battle against King George, the people are becoming more and more emboldened and determined to gain back lost freedom.

Business people in Pennsylvania and Michigan have already sued to reopen their businesses, and the judiciary in both states has said no. In

Pennsylvania, while three Justices partially dissented, they did so without endorsing the plaintiffs' contentions of unconstitutionality, instead indicating that they deserved more latitude to develop their case. The Michigan ruling upholding Governor Gretchen Whitmer's order against challenge was handed down by a judge who earlier served as deputy legal counsel to former Republican Governor John Engler and has advised the state's Federalist Society chapter.

What about the objection that while modern judges may have lost their spine, earlier judges — such as those in the period of more property-rights-oriented jurisprudence that preceded the New Deal, or in the Founders' era — would have recognized lockdowns and business closures as unconstitutional?

That's even weaker. Judges in those periods, like judges today, recognized as uncontroversial a very sweeping state and municipal "police power" to act against the spread of communicable disease. And judges back then were if anything even more deferential toward public health authorities' decision-making than they are today. It is unpalatable for Americans to see any official of any government using dictatorial powers to have their way, especially when the aggrieved party needs to work to put food on the table.

During the Spanish Flu pandemic a century ago, prohibition on public assemblies and closure of businesses were common. Were any of these steps ever successfully challenged as unconstitutional? I haven't been able to find a single instance of that. A couple of cases from around 1900 did rule San Francisco authorities wrong to have mistreated local Chinese-Americans on a rationale of disease prevention. But the racial-oppression element was significant in those cases — as it would be today if anything similar were tried — and in the leading case there wasn't even any evidence that the disease was present in the city.

Another leading case from that era, *Compagnie Francaise de Navigation a Vapeur v. Louisiana Board of Health* (1902), sheds light on the arguments about interstate commerce. Up to that date — which is in and of itself revealing — no general challenge to the constitutionality of a state quarantine law had been heard.

The French steamship company that sued mounted a pretty good case that it had been jerked around by the state of Louisiana, which would

not let it disembark passengers even though (1) there was in fact no illness on the ship; (2) the company could offer evidence that the state's supposed fear of contagion was a pretext; and (3) interstate commerce was being directly curtailed as some of the passengers on board would be headed to other states once they got off. Even so, only two justices on the Supreme Court favored the company, and all nine agreed that quarantine was an uncontroversial use of state police power.

So far, it seems that courts will only rarely find state public health powers to overstep the Commerce Clause's protection of interstate commerce; the model case would be if a state exercised such powers so as to lay burdens on out-of-state businesses from which it arranged to excuse in-state businesses. That isn't a very common complaint against the governors' and mayors' orders today, which would not seem to leave a very wide margin for intervention on that ground by the U.S. Department of Justice. But, if and when the people decide to riot, all bets are off.

As for the Framers, they were intimately acquainted with the dangers of epidemics, which had ravaged the colonies as well as wiping out much of the Indian population. From its outset, American constitutional law, like the colonial law that preceded it, recognized states' and cities' police power during true emergencies to intercept the sorts of otherwise harmless movements and actions that can turn well-meaning individuals into vectors of physical harm to others.

Bans on assembly, movement, and badly needed economic activity? Citizens of the early Republic went through all these and much more. Churches shut their doors. People were routinely cooped up in their homes — contrary to some recent speculation, there was no general practice of applying restrictions only to the sick. Not long after the adoption of the new Constitution, the nation's capital of Philadelphia was struck with a deadly outbreak of yellow fever; persons fleeing the city in the direction of places like Baltimore were turned back at gunpoint, while Alexander Hamilton and his wife Eliza, after surviving the illness, had to undergo quarantine at the behest of authorities in Albany, N.Y. whence they had fled.

In Massachusetts, to take another example, a 1797 law provided that a person "coming from any place out of this state, where the small pox

or other malignant distemper is prevailing, into any town within this state," shall be obliged to obey the commands of selectmen to depart the state "in such manner, and by such road as the said selectmen shall direct." The measure made it unlawful for any resident to entertain in his house such a person ordered to leave, once warned of the circumstance.

All of this can seem discouraging to those of us of a libertarian disposition who believe above all in the protection of individual rights as the proper function of government. After the immediate threat to life has passed, both we and the courts must be vigilant that constitutional rights now bent spring back upright, and that governments promptly and fully relinquish whatever emergency powers they have flexed. But we also need to face the facts about this country's actual constitutional law, which from the Revolution to the present day has been united in treating legitimate government power as at its zenith during a "hot" emergency of deadly contagion.

It can be tempting to spin tales of constitutional law as we might like it to have been, and pass that off as the actual state of the law. We who believe in law as law should especially resist that temptation.

Having said that, clearly there are cases today in which politics rules rational thought. Why is it that Democrats want to shut down America and Republicans want the economy to thrive. Can this be a continuation of the Dem plan to impeach Trump at the ballot box by any means possible? We'll see!

In the meantime, don't come to Pennsylvania and expect anybody to say, "Drink UP!"

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