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The Coronavirus and Similar Global Issues: How to Address Them

*Timothy D. Naegele**

In this article, the author argues that the coronavirus will affect America in ways not seen since the Great Depression. He discusses how Congress and America's financial institutions are being impacted, and can help; and whether they will survive and still be standing when the virus has run its course. He asserts that China launched the coronavirus, intentionally or

* Timothy D. Naegele served as counsel to the U.S. Senate Committee on Banking, Housing, and Urban Affairs (and as counsel to the late Senator Edward W. Brooke of Massachusetts), 1969-1971, where he authored a series of laws that remain in effect to this day. Mr. Naegele, currently managing partner of Timothy D. Naegele & Associates and a member of the Board of Editors of THE BANKING LAW JOURNAL, may be reached at tdnaegele.associates@gmail.com.

This is the tenth in a series of articles by the author for THE BANKING LAW JOURNAL that examine important and timely subjects, which are of interest to our readers. *See* (1) Timothy D. Naegele, *Homelessness In America*, __ BANKING L. J. __ (July/August 2020) (Naegele July/August 2020) (forthcoming); (2) Timothy D. Naegele, *So You Want To Sue A Bank, Or Defend One?* 137 BANKING L. J. 164 (April 2020) (Naegele April 2020) (<https://naegeleblog.files.wordpress.com/2020/04/banking-l-j-april-2020-naegele.pdf>); (3) Timothy D. Naegele, *Are Banks Irrelevant?* 137 BANKING L. J. 3 (January 2020) (Naegele January 2020) (<https://naegeleblog.files.wordpress.com/2020/01/timothy-d.-naegele.pdf>); (4) Timothy D. Naegele, *Wells Fargo: An American Banking Nightmare*, 136 BANKING L. J. 493 (October 2019) (Naegele October 2019) (<https://naegeleblog.files.wordpress.com/2019/09/timothy-d.-naegele.pdf>); (5) Timothy D. Naegele, *The Brooke Amendment And Section 8 Housing: Revisited*, 136 BANKING L. J. 245 (May 2019) (Naegele May 2019) (<https://naegeleblog.files.wordpress.com/2019/05/timothy-d.-naegele.pdf>); (6) Timothy D. Naegele, *Standby Letters Of Credit And Other Bank Guaranties: Revisited*, 136 BANKING L. J. 198 (April 2019) (Naegele April 2019) (<https://naegeleblog.files.wordpress.com/2019/04/timothy-d.-naegele-standby-letters-of-credit.pdf>); (7) Timothy D. Naegele, *The Bank Holding Company Act's Anti-Tying Provision: Almost 50 Years Later—Part I*, 135 BANKING L. J. 315 (June 2018) (Naegele 2018, Part I) and Timothy D. Naegele, *The Bank Holding Company Act's Anti-Tying Provision: Almost 50 Years Later—Part II*, 135 BANKING L. J. 372 (July/August 2018) (Naegele 2018, Part II) [The combined article, Parts I and II, can be read at <https://naegeleblog.files.wordpress.com/2018/08/timothy-d-naegele-banking-law-journal.pdf>]; (8) Timothy D. Naegele, *The Bank Holding Company Act's Anti-Tying Provision: 35 Years Later*, 122 BANKING L. J. 195 (Naegele 2005) (http://www.naegele.com/documents/antitying_3.pdf); and (9) Timothy D. Naegele, *The Anti-Tying Provision: Its Potential Is Still There*, 100 BANKING L. J. 138 (1983) (Naegele 1983) (<http://www.naegele.com/articles/antitying.pdf>). *See, also*, Timothy D. Naegele, *Are All Bank Tie-Ins Illegal?* 154 BANKERS MAGAZINE 46 (1971) (Naegele 1971) (<http://www.naegele.com/articles/banktieins.pdf>); Timothy D. Naegele, *Fed Plan Would Simply Gut Enforcement Of Ban on Tying*, AMERICAN BANKER (January 21, 2005) (*see* https://naegeleblog.files.wordpress.com/2018/08/op-1158_56_1.pdf [letter sent by Timothy D. Naegele to each member of the Federal Reserve Board (“Fed”) (March 16, 2005), and the AMERICAN BANKER article]).

inadvertently; and points out that many argue that it must pay reparations to the world for having done so.

At the outset of this article, it is useful to discuss briefly the deaths caused by other infectious diseases in recorded history, as part of the process of putting the coronavirus (or COVID-19) into perspective.¹ In approximately 541-542, the Plague of Justinian struck Europe, Egypt and West Asia, killing up to 100 million—or 40 to 50 percent of Europe’s population at the time.² In 1331-1353, the Black Death struck Europe, Asia and North Africa, killing an estimated 50-200 million, or 10 to 60 percent of Europe’s population.³ Between 1877 and its eradication in 1977, smallpox killed an estimated 500 million.⁴ To this day, it is said, smallpox is the only human infectious disease to have been completely eradicated.⁵

The “Spanish flu” was identified in March 1918, in American troops training at Camp Funston, Kansas. By October 1918, it had spread to become a worldwide pandemic on all continents; and eventually, it infected about one-third of the world’s population—or approximately 500 million. “Unusually deadly and virulent,” as recounted, “it ended nearly as quickly as it began, vanishing completely within 18 months. In six months, some 50 million were dead; some estimates put the total of those killed worldwide at over twice that number.”⁶

Pandemics are disease epidemics that have “spread across a large region, for instance multiple continents, or worldwide.”⁷ From 1920 until now, the

¹ See, e.g., https://en.wikipedia.org/wiki/2019%E2%80%9320_coronavirus_pandemic (“2019-20 coronavirus pandemic”) and https://en.wikipedia.org/wiki/List_of_epidemics (“List of epidemics”).

In this article, the “coronavirus” and “COVID-19” and the “coronavirus pandemic” are considered one and the same; and the terms are used interchangeably. The author recognizes that there are other coronaviruses. See *infra* n. 57.

² See, e.g., https://en.wikipedia.org/wiki/List_of_epidemics#15th_century_and_earlier (“List of epidemics, 15th century and earlier”) and https://en.wikipedia.org/wiki/Plague_of_Justinian (“Plague of Justinian”).

³ See, e.g., https://en.wikipedia.org/wiki/List_of_epidemics#15th_century_and_earlier (“List of epidemics, 15th century and earlier”) and https://en.wikipedia.org/wiki/Black_Death (“Black Death”).

⁴ See, e.g., https://en.wikipedia.org/wiki/List_of_epidemics#Late_19th_and_20th_centuries (“Late 19th and 20th centuries”) and <https://en.wikipedia.org/wiki/Smallpox> (“Smallpox”).

⁵ See <https://en.wikipedia.org/wiki/Pandemic#Smallpox> (“Pandemic, Smallpox”).

⁶ See <https://en.wikipedia.org/wiki/Pandemic#Influenza> (“Pandemic, Influenza”) and https://en.wikipedia.org/wiki/Spanish_flu (“Spanish flu”).

⁷ See <https://en.wikipedia.org/wiki/Pandemic> (“Pandemic”).

HIV/AIDS pandemic that began in the Congo Basin has killed more than 32 million.⁸ Measles killed approximately 200 million people worldwide over the last 150 years. In the year 2000 alone, measles killed some 777,000 worldwide out of 40 million cases globally.⁹

With respect to tuberculosis, it has been noted:

Annually, 8 million people become ill with tuberculosis, and 2 million people die from the disease worldwide. In the 19th century, tuberculosis killed an estimated one-quarter of the adult population of Europe; by 1918, one in six deaths in France were still caused by tuberculosis. During the 20th century, tuberculosis killed approximately 100 million people.¹⁰

Each of these events changed the course of history, and the lives of those who were affected directly—which ended abruptly. Others were impacted by the calamities, including businesses and financial institutions.

The coronavirus, having begun in China, it is useful to touch briefly on that country's business and banking practices prior to the virus. There were reasons to believe that its economy was shaky, and not robust. Yet, technologically—in terms financial transactions—it was advanced.¹¹ The immediate impact of the virus was that it brought China to a screeching halt and gave it *pariah* status globally.

Hence, it was imperative that the country's authoritarian communist rulers—notably its “dictator-for-life” Xi Jinping¹²—engage in lies and disinformation to cover up the virus and its origins, rather than sharing its effects with the world *ab initio*.¹³ This might have lessened its deadly spread to other

⁸ See, e.g., https://en.wikipedia.org/wiki/List_of_epidemics#Late_19th_and_20th_centuries (“List of epidemics, Late 19th and 20th centuries”) and <https://en.wikipedia.org/wiki/HIV/AIDS> (“HIV/AIDS”).

⁹ See <https://en.wikipedia.org/wiki/Pandemic#Measles> (“Pandemic, Measles”).

¹⁰ See <https://en.wikipedia.org/wiki/Pandemic#Tuberculosis> (“Pandemic, Tuberculosis”).

¹¹ See Timothy D. Naegele, *Are Banks Irrelevant?* 137 *BANKING L. J.* 3, 4, 19 (Naegele January 2020) (<https://naegeleblog.files.wordpress.com/2020/01/timothy-d.-naegele.pdf>).

¹² See, e.g., https://en.wikipedia.org/wiki/Xi_Jinping (“Xi Jinping”).

¹³ See, e.g., (1) <https://www.gingrich360.com/2020/03/china-infects-the-world-then-lies-and-blames-america/> (Former Speaker of the U.S. House of Representatives Newt Gingrich: “China Infects the World, Then Lies and Blames America”—“Watching the Chinese Communist dictatorship mismanage an epidemic, cover it up, and then lie about it has been infuriating. But it is also a good lesson in how dangerous and how profoundly dishonest the dictatorship is. China’s guilt at having allowed a local epidemic to turn into a worldwide pandemic is even more infuriating when the Chinese Foreign Ministry publicly alleges that the coronavirus came from

countries and continents; the deaths of so many innocent people; the destruction of businesses and other organizations; and so much pain for those whose subsistence was barely day-to-day.¹⁴

THE CORONAVIRUS' EFFECTS

The threshold questions occasioned by the coronavirus' emergence were and remain (1) what is it, how do you get it, and how is it transmitted to others;¹⁵

America. . . . The Chinese dictatorship's efforts to suppress and deny the reality of the virus came at tremendous human cost to the Chinese people and to the rest of the world. . . . Dr. Tedros Adhanom, the Chinese supported Director-General of the World Health Organization praised the Chinese handling of the virus. . . . Dr. Adhanom won the job with Chinese backing even though he was accused of covering up three different cholera epidemics as health minister in Ethiopia. He is a reminder of the unending Chinese dictatorship's corruption and dishonesty") and (2) <https://apple.news/A90xwMVT3RbWIrOSiiCMzuA> and <https://www.foxnews.com/world/world-health-organization-coronavirus-what-went-wrong> ("World Health Organization under the microscope: what went wrong with coronavirus") and (3) <https://www.thedailybeast.com/coronavirus-stricken-countries-rush-to-dump-defective-chinese-covid-19-tests> ("Countries Rush to Dump 'Defective' Chinese COVID-19 Tests") and (4) <https://www.dailymail.co.uk/news/article-8163761/Chinese-markets-selling-bats.html> ("Chinese markets are still selling bats") and (5) <https://www.washingtontimes.com/news/2020/mar/30/china-researchers-isolated-bat-coronaviruses-near/> ("China researchers isolated bat coronaviruses near Wuhan wild animal market") and (6) <https://www.dailymail.co.uk/news/article-8172321/FBI-warned-concerns-biosecurity-risk-Chinese-scientists-research-US.html> ("FBI warned of concerns over 'biosecurity risk' from Chinese scientists' research in the US") and (7) <https://www.dailymail.co.uk/news/article-8172369/China-tries-cover-coronavirus-not-telling-truth.html> ("China tried to cover up coronavirus and 'is still not telling the truth'") and (8) <https://www.dailymail.co.uk/news/article-8171305/China-accuses-British-politicians-slander-reckoning-Beijing-warnings.html> ("China accuses UK politicians of 'slander'").

¹⁴ See Timothy D. Naegele, *Homelessness In America*, __ BANKING L. J. __ (July/August 2020) (Naegele July/August 2020) (forthcoming).

¹⁵ See, e.g., https://en.wikipedia.org/wiki/2019%E2%80%9320_coronavirus_pandemic ("2019-20 coronavirus pandemic") and https://en.wikipedia.org/wiki/List_of_epidemics ("List of epidemics") and <https://coronavirus.jhu.edu/> (Johns Hopkins University: "Coronavirus Resource Center") and <https://www.mirror.co.uk/news/uk-news/coronavirus-researchers-identify-strongest-symptom-21790401> ("Coronavirus researchers identify strongest symptom after analysing over million people") and <https://nypost.com/2020/03/31/coronavirus-could-travel-27-feet-stay-in-air-for-hours-mit-researcher/> ("Coronavirus could travel 27 feet, stay in air for hours: MIT researcher") and <https://www.dailymail.co.uk/news/article-8163929/Black-cab-driver-dies-coronavirus-catching-infection-cash-fare-family-say.html> ("Black cab driver dies of coronavirus after catching infection off cash from a fare, family say") and <https://www.forbes.com/sites/alexandrasternlicht/2020/04/02/why-you-should-flush-with-the-lid-down-virologist-warns-of-fecal-oral-transmission-of-covid-19/#1e3c25b6eb8b> ("Why You Should Flush With The Lid Down: Experts Warn Of Fecal-Oral Transmission Of COVID-19") and <https://www.newsmax.com/Health/health-news/symptoms-cdc-sorethroat-taste/2020/04/26/id/964733/> ("CDC Adds 6 New Symptoms for

(2) how long will it last; (3) how devastating and universal will be its impact (*e.g.*, mental, physical, spiritual, economic, strategic or military);¹⁶ and (4) whether Man's inhumanity to his (or her) fellow beings knows few bounds (*e.g.*, stigma and shame), and will triumph in the end?¹⁷

To say that the virus has tested the faith of the citizens of the world is an understatement. Many have wondered: what and where is God?¹⁸ Some have

Coronavirus") and <https://www.dailymail.co.uk/news/article-8260399/NHS-issues-doctors-urgent-alert-coronavirus-related-condition-children.html> ("NHS issues doctors urgent alert about a coronavirus-related condition in children") and <https://www.dailymail.co.uk/news/article-8304781/Coronavirus-enter-body-eyes.html> ("Coronavirus CAN enter the body through the eyes").

¹⁶ See, *e.g.*, <https://dnyuz.com/2020/03/30/americans-are-already-too-diseased-to-go-back-to-work-right-now/> and <https://www.nytimes.com/2020/03/30/opinion/obesity-us-health-coronavirus.html/> ("Americans Are Already Too Diseased to Go Back to Work Right Now") and <https://www.nytimes.com/2020/03/30/opinion/obesity-us-health-coronavirus.html/> and <https://www.cnbc.com/2020/03/30/coronavirus-job-losses-could-total-47-million-unemployment-rate-of-32percent-fed-says.html> ("Coronavirus update: Job losses could total 47 million, unemployment rate of 32%, Fed says"—or a third of all Americans would be unemployed).

¹⁷ See, *e.g.*, <https://www.dailymail.co.uk/news/article-8163429/Britons-stuck-India-coronavirus-lockdown-say-plight-desperate.html> ("Britons stuck in India in coronavirus lockdown say their plight is becoming 'desperate'") and <https://www.economist.com/international/2020/04/04/how-will-humans-by-nature-social-animals-fare-when-isolated> ("Covid-19 will harm people's mental health") and <https://apnews.com/994c98d37d5a49c11388aba412c5e39e> ("Hidden suffering of coronavirus: Stigma, blaming, shaming").

¹⁸ See, *e.g.*, <https://www.wsj.com/articles/a-coronavirus-great-awakening-11585262324> ("A Coronavirus Great Awakening?"—"Sometimes the most important ingredient for spiritual renewal is a cataclysmic event") and <https://www.pewsocialtrends.org/2020/03/30/most-americans-say-coronavirus-outbreak-has-impacted-their-lives/> ("Most Americans Say Coronavirus Outbreak Has Impacted Their Lives"—"More than half have prayed for an end to the virus's spread"—"More than half of all U.S. adults (55%) say they have prayed for an end to the spread of coronavirus.").

Rabbi Harold S. Kushner wrote a book many years ago entitled, "When Bad Things Happen to Good People." See, *e.g.*, <http://www.amazon.com/When-Things-Happen-Good-People/dp/0380603926> (Rabbi Harold S. Kushner's "When Bad Things Happen to Good People"). The author's distillation of what he said is that more often than not the bad things that happen are a result of man's inhumanity to his fellow man. But where was God in the midst of the most horrific events imaginable, such as the coronavirus, wars and the like? Why didn't God prevent them? God gave men and women free will, for good or evil. God was present, providing meaning to events that seem so random and unfathomable and hurtful at the time, and giving us the courage to go on, as Rabbi Kushner has written.

See also, <https://www.lakewoodchurch.com/streaming/> ("Lakewood Church Online Experience").

even speculated that the virus may signal the “end of days,” like the religious prophecies.¹⁹

Its effects in America and globally—on commerce (*e.g.*, tourism), institutions and individual lives—were and continue to be staggering and profound. Day-to-day life and normal activities stopped in many parts of the world; health care systems were exposed as being woefully if not criminally inadequate; and how businesses, including financial institutions, have coped and weathered the storm will be the gist of movies, books, treatises, documentaries, and scrutiny and analysis for decades if not centuries to come.

Prefatorily, if the coronavirus is essentially resolved soon after the publication of this article—with its full impact lessened²⁰—or if it follows the Spanish flu’s trajectory and vanishes completely within eighteen months, the author and the readers of this article will be engaged in “post-mortems,” assessing what went right and what went wrong. Clearly, the coronavirus is a lens through which to view and address similar situations (*e.g.*, pandemics and worldwide health problems) in the future, and how our banking system adjusts and deals with such crises—including the Fed, individual banks, world banking organizations, regulators and other public policymakers, and the like.

Deaths

The tragedy is that *one* person died, much less so many on a massive scale (such as seniors or the elderly), suffering excruciating pain in the process.²¹

¹⁹ See, *e.g.*, https://en.wikipedia.org/wiki/End_time (“End time”) and <https://www.dailymail.co.uk/news/article-8163667/New-Orleans-streets-tourists-stay-away-leaving-rats-swarm-city.html> (“New Orleans streets empty as tourists stay away[,] leaving rats to swarm the city”).

²⁰ See <https://www.wnd.com/2020/03/scientist-behind-u-s-u-k-lockdowns-dramatically-lowers-estimates/> (“Scientist behind U.S., U.K. lockdowns drastically lowers death estimate”).

²¹ See, *e.g.*, <https://www.dailymail.co.uk/news/article-8183991/Ohio-womans-family-destroyed-coronavirus-parents-brother-die.html> (“Ohio woman’s family ‘destroyed’ by coronavirus as her parents and brother die”) and <https://www.dailymail.co.uk/news/article-8164829/Woman-22-says-rushed-emergency-room-TWICE-severe-COVID-19-symptoms.html> (“Woman, 22, describes how coronavirus left her crawling to the bathroom to vomit”) and <https://www.cnn.com/2020/04/23/health/seniors-elderly-coronavirus-symptoms-wellness-partner/index.html> (“Seniors with Covid-19 show unusual symptoms, doctors say”) and <https://www.economist.com/international/2020/04/26/for-people-with-dementia-the-coronavirus-pandemic-is-a-nightmare> (“Out of sight, out of mind—For people with dementia, the coronavirus pandemic is a nightmare—And it may do long-term damage to efforts to improve their lot”) and <https://www.dailymail.co.uk/news/article-8268229/Retired-chimney-sweep-90-died-just-hours-virus-claimed-life-wife.html> (“The husband with coronavirus who tore off his oxygen mask after he heard his wife had died of the disease on another ward: Bill, 90, passed away just days after Mary, his wife of 63 years”).

Others have recovered from the virus; and there seemed to be no rhyme or reason to it.²² Two groups that have been especially vulnerable are the homeless—whose growing ranks have been suffering disproportionately²³—and prisoners who have been incarcerated.

The virus has ravaged the young and old, striking infants who are only months old. “Social distancing,” or keeping one’s distance from others, seems to have made a crucial difference; however, by nature, human beings are social animals, so disappearing into a “protective bubble” has proven difficult if not impossible for many.

The United States has been said to be woefully unprepared for the virus, *inter alia*, in terms of intensive care unit (“ICU”) beds and equipment;²⁴ trained medical professionals to deal with the sick, and to stay well themselves; and enough hospitals to handle the infected.

Economic Effects

The effects on businesses and other organizations, and on employment have been unprecedented in most Americans’ lifetimes. This is especially true of low-wage earners and seasonal employees, and their families, who were struggling from paycheck-to-paycheck to make ends meet before the coronavirus (*e.g.*, to cover rent, transportation, food and other necessities, such as the skyrocketing costs of health insurance alone²⁵). Businesses have disappeared—and will never come back—and with them the jobs they had supported.

²² See, *e.g.*, <https://www.dailymail.co.uk/news/article-8164743/Mother-65-no-underlying-health-problems-dies-coronavirus.html> (“Mother, 65, with no underlying health problems dies from coronavirus”).

²³ See Timothy D. Naegele, *Homelessness In America*, __ BANKING L. J. __ (July/August 2020) (Naegele July/August 2020) (forthcoming); see, also, <https://www.dailymail.co.uk/news/article-8167133/Gambling-lives-Las-Vegas-homeless-corralled-parking-lot.html> (“Gambling with their lives: Las Vegas homeless are corralled into an empty parking lot”) and <https://www.breitbart.com/health/2020/04/23/cdc-report-66-of-homeless-in-san-francisco-shelter-have-coronavirus/> (“CDC Report: 66% of Homeless in San Francisco Shelter Have Coronavirus”).

²⁴ See, *e.g.*, <https://www.latimes.com/california/story/2020-03-28/how-bad-will-the-next-few-weeks-for-california-as-coronavirus-cases-explode> (“Coronavirus pushes hospitals. The next wave could break them”).

²⁵ See, *e.g.*, <https://www.dailymail.co.uk/news/article-8170223/Coronavirus-pandemic-push-health-premiums-40-CENT-new-study-finds.html> (“Coronavirus pandemic could push health premiums up by 40 PERCENT, new study finds”); see also <https://www.washingtonpost.com/business/2020/04/22/businesses-insurance-coverage-coronavirus/> (“Hard-hit restaurants, gyms and other businesses are battling insurers over coronavirus, sparking a new Washington lobbying war”) and <https://www.law.com/therecorder/2020/04/21/insurer-sues-geragos-law-firm-over-covid-19-coverage-question/> (“Insurer Sues Geragos Law Firm Over COVID-19 Coverage Question”) and <https://www.washingtontimes.com/news/2020/apr/29/insurers-reject->

This has occurred across a broad spectrum of activities including food services (*e.g.*, restaurants) and travel;²⁶ energy;²⁷ and entertainment²⁸ and sports²⁹ activities that local communities, states and the world have coveted and come to depend on for generations. To ease the burdens for some, rent payments and evictions have been suspended, in states such as California.³⁰ Commercial real estate has been affected adversely, which in turn will affect

coronavirus-claims-business-losses/ (“Insurers reject coronavirus claims as business losses mount”).

²⁶ See, *e.g.*, <https://www.dailymail.co.uk/news/article-8166545/EasyJet-grounds-entire-fleet-330-planes-coronavirus-pandemic.html> (“EasyJet grounds its entire fleet of 330 planes due to coronavirus pandemic”) and <https://www.dailymail.co.uk/news/article-8174863/88-American-Airlines-planes-park-Pittsburgh-International-Airport-runway-amid-COVID-19-pandemic.html> (“88 American Airlines planes park on Pittsburgh International Airport runway amid COVID-19 pandemic”) and <https://www.dailymail.co.uk/news/article-8178269/British-Airways-suspend-36-000-staff-days-grounding-flights-Gatwick.html> (“British Airways ‘to suspend 36,000 staff days after grounding ALL flights to and from Gatwick’”).

²⁷ See, *e.g.*, <https://www.americanbanker.com/news/high-anxiety-among-energy-lenders-as-oil-prices-plummet> (“High anxiety among energy lenders as oil prices plummet”).

²⁸ See, *e.g.*, <https://variety.com/2020/biz/news/disneyland-walt-disney-world-closed-indefinitely-coronavirus-outbreak-1203547472/> (“Disneyland and Walt Disney World Now Indefinitely Closed Amid Coronavirus Outbreak”) and <https://variety.com/2020/film/news/hollywood-productions-limbo-coronavirus-1203543478/> (“Hollywood’s Biggest Movies Are Stuck in Limbo as Start Dates Remain Uncertain”) and <https://www.dailymail.co.uk/news/article-8163733/American-citizen-four-dead-coronavirus-hit-cruise-ship.html> (“American citizen is among four dead on coronavirus-hit cruise ship”) and <https://www.hollywoodreporter.com/live-feed/marvel-terminates-pair-showrunner-deals-1291062> (“Disney Invokes Force Majeure to Terminate Showrunner Deals”) and <https://www.hollywoodreporter.com/features/it-feels-like-a-war-zone-inside-mptfs-virus-battle-1290958> (“‘It Feels Like a War Zone’: Inside the MPTF’s [Motion Picture & Television Fund’s Country House and Hospital] Virus Battle”) and <https://dnyuz.com/2020/05/04/for-disney-a-stricken-empire/> (“For Disney, a Stricken Empire”).

²⁹ See, *e.g.*, <https://www.hollywoodreporter.com/news/la-county-officials-order-unprecedented-closure-beaches-trails-bike-paths-curb-covid-19-1287122> (“L.A. County Officials Order Unprecedented Closure of Beaches, Trails and Bike Paths”) and <https://www.dailymail.co.uk/news/article-8158365/AP-PHOTOS-Stadiums-deserted-virus-postpones-opening-day.html> (“Deserted baseball stadiums across the country as the coronavirus postpones opening day”) and <https://www.hollywoodreporter.com/news/tokyo-summer-olympics-get-2021-dates-due-coronavirus-crisis-1287391> (“Tokyo Summer Olympics Get 2021 Dates Due to Coronavirus Crisis”) and <http://nbc16.com/sports/olympics/tokyo-olympics-postponed-to-2021-iaaf-worlds-in-eugene-to-reschedule-for-2022> (“Tokyo Olympics postponed to 2021; IAAF Worlds in Eugene to reschedule for 2022”).

³⁰ See, *e.g.*, <https://caanet.org/governor-issues-executive-order-on-covid-19-and-evictions/> (“Governor issues executive order on COVID-19 and evictions”) and <https://caanet.org/coronavirus-resources-for-navigating-the-outbreak/> (“COVID-19 What the rental housing industry needs to know”).

banks and other financial institutions too.³¹ And the list is almost endless—with millions of credit-card customers who cannot pay their bills, and banks and other lenders bracing for the impact.³²

Security is an essential ingredient as more and more businesses have been forced to function online, with their employees conducting routine business activities from their homes and other remote locations. To the extent that sensitive customer information is involved, the potential for security leaks of such information may be enormous (*e.g.*, credit and debit card numbers, passwords). Fraud, impersonation and phishing have been rampant on the internet for decades, but the coronavirus may take them to new and unprecedented levels.

The Law and Lawlessness

The virus' effects on the law and global legal systems raise multiple issues and dimensions. For openers, there is likely to be litigation galore attempting to apportion blame for the virus' origins, spread and tragic impact. Lawsuits have been filed domestically, and Chinese lawyers have sued the United States already: "Lawyers working for the Chinese government filed lawsuits in Chinese courts . . . charging the U.S. Centers for Disease Control (CDC), Defense Department, and White House for allegedly 'covering up' the true origins of the Wuhan coronavirus."³³

³¹ See, *e.g.*, <https://www.americanbanker.com/opinion/as-offices-empty-out-cre-picture-looks-bleak> ("As offices empty out, CRE picture looks bleak") and <https://finance.yahoo.com/news/mortgage-chaos-threatens-worsen-once-080000339.html> ("Mortgage Chaos Threatens to Worsen Once It's Time for Repayments") and <https://www.economist.com/news/2020/05/05/death-of-the-office> ("Stories of an extraordinary world — Death of the office") and <https://dnyuz.com/2020/05/12/manhattan-faces-a-reckoning-if-working-from-home-becomes-the-norm/> ("Manhattan Faces a Reckoning if Working From Home Becomes the Norm").

Also, fintechs and other similar entities may be affected dramatically. See, *e.g.*, Timothy D. Naegele, *Are Banks Irrelevant?* 137 *BANKING L. J.* 3 (January 2020) (Naegele January 2020).

³² See, *e.g.*, <https://www.dailymail.co.uk/news/article-8168695/Macys-furlough-130-000-employees-forced-close-500-stores.html> ("Macy's to furlough most of its 130,000 employees after being forced to close its 500 stores") and <https://www.economist.com/united-states/2020/04/01/how-high-will-unemployment-in-america-go> ("How high will unemployment in America go?") and <https://www.wsj.com/articles/pandemic-sparks-price-surge-for-alcohol-used-in-hand-sanitizer-11585915202> ("Coronavirus Pandemic Sparks Price Surge for Alcohol Used in Hand Sanitizer") and <https://www.wsj.com/articles/millions-of-credit-card-customers-cant-pay-their-bills-lenders-are-bracing-for-impact-11587807001> ("Millions of Credit-Card Customers Can't Pay Their Bills. Lenders Are Bracing for Impact") and <https://www.nytimes.com/2020/04/21/business/coronavirus-department-stores-neiman-marcus.html> ("The Death of the Department Store: 'Very Few Are Likely to Survive'").

³³ See <https://www.breitbart.com/national-security/2020/03/27/chinese-lawyers-sue-america->

Lawsuits *against* China may be filed in every nation affected by the virus. There is no limitation to the imagination, creativity and zeal of American lawyers, and those of other countries. Indeed, anyone who knows anything about the tenacity of lawyers will realize that they will have a “field day”—and be in *seventh heaven*—suing China and its officials across the globe. In hindsight, the Chinese regime and its lawyers might have been wise not to open the floodgates to a Pandora’s box of global litigation.³⁴

Next, turning to domestic legal issues, threshold questions arise: are our courts functioning, much less as envisioned and intended? By and large, America’s federal courts have been well-served by the PACER system, which—albeit expensive for a government service—allows users to obtain case and

on-conspiracy-theory-virus-came-from-u-s/ (“Chinese Lawyers Sue America on Conspiracy Theory Virus Came from U.S.”); *see also, supra* n. 13. *But see* <https://www.foxnews.com/politics/class-action-suit-against-china-coronavirus> (“Americans in class-action suit against China speak out on how coronavirus has upended their lives”) and http://www.washingtonpost.com/world/national-security/771-lawsuits--and-counting-wave-of-virus-litigation-hits-businesses-across-the-us/2020/05/01/6f7c015c-89c3-11ea-9dfd-990f9dcc71fc_story.html (“771 lawsuits — and counting: Wave of virus litigation hits businesses across the U.S.”).

³⁴ *See* https://en.wikipedia.org/wiki/Pandora's_box (“Pandora’s box”); *see also* (1) <https://www.dailymail.co.uk/news/article-8233199/US-lawyers-sue-China-TRILLIONS-dollars-accuse-Beijing-coronavirus-negligence.html> (“US lawyers sue China for TRILLIONS of dollars as they accuse Beijing of negligence for allowing coronavirus outbreak to erupt before covering it up”) and (2) <https://www.cbsnews.com/news/coronavirus-lawyer-larry-klayman-sues-chinese-government-over-outbreak/> (“Conservative lawyer sues Chinese government over coronavirus outbreak”) and (3) <https://www.cnn.com/2020/04/22/us/missouri-lawsuit-china-coronavirus/index.html> (“Missouri is suing China over coronavirus impacts saying the country did ‘little to stop the spread of the disease’”). *Compare* (1) *Alters et al v. People’s Republic of China et al*, U.S. District Court for the Southern District of Florida, Case #: 1:20-cv-21108-UU and *Aharon et al v. Chinese Communist Party et al*, U.S. District Court for the Southern District of Florida, Case #: 9:20-cv-80604-RKA with (2) *Buzz Photo et al v. People’s Republic of China et al*, U.S. District Court for the Northern District of Texas, Case #: 3:20-cv-00656-K-BN and (3) *State of Missouri v. People’s Republic of China et al*, U.S. District Court for the Eastern District of Missouri, Case #: 1:20-cv-00099-SNLJ.

A threshold issue, however, is whether the sovereign immunity impediments to these lawsuits can be overcome. For example, Rep. Ron Wright of Texas and Rep. Chris Smith of New Jersey—both serve on the House Foreign Affairs Committee—filed legislation in Congress that says Americans duped by Chinese misinformation over the Coronavirus could sue the Chinese government in U.S. courts. The bill strips China and any other country that misleads the World Health Organization of sovereign immunity, giving Americans the ability to pursue Beijing in court.

See, e.g., <https://wright.house.gov/media/press-releases/HR6524>; *see also* the Foreign Sovereign Immunities Act (“FSIA”) of 1976, 28 U.S.C. §§ 1602 *et seq.* and https://en.wikipedia.org/wiki/Foreign_Sovereign_Immunities_Act (“Foreign Sovereign Immunities Act”).

docket information from U.S. district courts, U.S. courts of appeals, and federal bankruptcy courts.³⁵ Indeed, PACER permits lawyers and judges to work remotely from almost anywhere; and federal litigation involves motions and briefs, with actual court appearances being few and far between.

Lesser courts at the state and local levels struggled before the virus' onslaught—in terms of fairness, automation and ease of access. Unlike the federal system, there is almost no uniformity among the states and local jurisdictions. Also, such systems do not measure up in terms of technology or sophistication; and many had been expected to buckle under the pressures. Thus, the effects on our national system of justice were and continue to be potentially immense, dramatic and tragic—as lawlessness reigns.

Equally perplexing and disturbing has been how to deal with prisoners who have been incarcerated in federal, state and local institutions, which have been enormous potential “incubators” for the virus.³⁶ There had been a sense of not prosecuting “minor offenses” *and* letting incarcerated prisoners go, which raised the specter of lawlessness and chaos aplenty. The level of crime was expected rise dramatically before the virus had run its course—possibly never returning to pre-virus levels.³⁷

Also, there have been physical risks to people in their homes, other dwellings and wherever they are located, similar to what looters attempted to inflict in areas of California when massive fires plagued that state. On an international scale, it has been argued that the pandemic would spark unrest among the

³⁵ See, e.g., [https://en.wikipedia.org/wiki/PACER_\(law\)](https://en.wikipedia.org/wiki/PACER_(law)) (“PACER (law)”) and <https://www.pacer.gov/psc/hfaq.html> (“PACER, Frequently Asked Questions”).

³⁶ See, e.g., <https://apnews.com/4e1e4ffaeb6bf9a9fabcc566fe5b110d> (“Locked up: No masks, sanitizer as virus spreads behind bars”) and <https://www.nytimes.com/2020/03/30/us/coronavirus-prisons-jails.html> (“‘Jails Are Petri Dishes’: Inmates Freed as the Virus Spreads Behind Bars”) and <https://www.latimes.com/california/story/2020-05-09/coronavirus-cases-lompoc-federal-prison-inmates> (“70% of inmates test positive for coronavirus at Lompoc federal prison”).

³⁷ See, e.g., <https://apnews.com/069d01bafbb1f15b1f6c4a4479ab1456> (“‘Officers are scared out there’: Coronavirus hits US police”) and <https://www.fox5ny.com/news/coronavirus-strains-nations-largest-police-force-1000-plus-nypd-cops-test-positive> (“Coronavirus strains nation’s largest police force; 1,000-plus NYPD cops test positive”) and <https://www.wsj.com/articles/new-york-city-sees-more-burglaries-of-businesses-under-coronavirus-emergency-measures-11586008801> (“New York City Sees More Burglaries of Businesses Under Coronavirus Emergency Measures”) and <https://www.dailymail.co.uk/news/article-8188535/Law-order-fears-NYC-nearly-10-000-NYPD-FDNY-members-sick-city.html> (“Law and order fears for NYC as nearly 10,000 NYPD and FDNY members call out sick amid a rise in burglaries while virus daily death toll DOUBLES in the city to 757”).

West's urban poor.³⁸ Vigilantism has been an issue too,³⁹ as well as the imposition of martial law like in the aftermath of America's devastating hurricanes.⁴⁰

Governmental Controls, Intrusions and the Loss of Freedoms

Americans are freedom-loving people. Our nation was born out of such urges, and the determination to be free and to preserve individual rights. Indeed, this was the credo of the American West, which is embodied and enshrined in—and undergirds—the U.S. Constitution that has stood the test of time. However, the virus has threatened individual rights. They are the exceptions instead of the rule in government-centric totalitarian regimes like China, where the ruthless and despotic state is paramount.⁴¹

Draconian measures have been put into place in the United States, not seen in this country since World War II. Americans and citizens of other countries have been encouraged to become “snitches” on their fellow beings—similar to what took place in Nazi Germany, the Soviet Union and other repressive regimes.⁴² Freedom of movement has been affected (*e.g.*, mandatory “lockdowns”);⁴³

³⁸ See, *e.g.*, <https://news.trust.org/item/20200327134620-yc7e3> (“Pandemic could spark unrest among West’s urban poor”); *cf.*, *e.g.*, <https://www.dailymail.co.uk/news/article-8164535/King-Thailand-self-isolates-coronavirus-German-hotel-harem-20-concubines.html> (“King of Thailand self-isolates from coronavirus at German hotel with harem of 20 concubines”) and <https://www.dailymail.co.uk/news/article-8163757/Billionaire-David-Geffen-draws-fury-Instagram-post.html> (“Billionaire David Geffen sparks fury with his ‘tone-deaf’ Instagram coronavirus post assuring the public that he is safe and self-isolating in the Caribbean on his \$590 million superyacht”) and <https://www.dailymail.co.uk/news/article-8163739/This-rich-Americans-buying-entire-hotels-wait-quarantine.html> (“This is where rich Americans are buying out entire hotels while they wait out their quarantine”); *but see* <https://www.dailymail.co.uk/news/article-8169747/Ritzy-celebrity-enclaves-like-Beverly-Hills-Bel-Air-hit-hardest-coronavirus.html> (“Ritzy celebrity enclaves like Beverly Hills and Bel Air are hit hardest by coronavirus”).

³⁹ See, *e.g.*, <https://www.washingtontimes.com/news/2020/apr/1/gun-sales-85-march-amid-coronavirus-fears/> (“Gun sales up 85% in March amid coronavirus fears”).

⁴⁰ The author was in Miami within days after Hurricane Andrew hit between Miami and the Florida Keys. See, *e.g.*, https://en.wikipedia.org/wiki/Hurricane_Andrew (“Hurricane Andrew”). There was a “curfew” in effect, with thousands of National Guard troops enforcing it, to prevent looting and other crimes. In all, the hurricane destroyed an estimated 28,000 homes, damaged another 107,000 homes, and left 180,000 people homeless. See, *e.g.*, <https://dma.myflorida.com/hurricane-andrew-25-years-ago/> (“Hurricane Andrew—25 Years Ago”).

⁴¹ See, *e.g.*, <https://www.theatlantic.com/ideas/archive/2020/04/hungary-coronavirus-just-excuse/609331/> (“In Hungary, the Coronavirus Is Just an Excuse”).

⁴² See, *e.g.*, <https://news.trust.org/item/20200402160625-8y12u> (“Germans snitch on neighbours flouting virus rules, in echo of the Stasi past”) and <https://www.dailymail.co.uk/news/>

and there are concerns that the virus is being used or may be used to “dismantle” our democracy, or as an excuse to quell dissent.⁴⁴

China versus the United States—The Global Power Struggle and Security Structure

The global power struggle between China and the United States—and to a lesser extent, between the U.S. and Russia, and the U.S. and North Korea and Iran—is real and omnipresent.⁴⁵ Their militaries have been poised to strike for decades if not generations, and they are always on alert. Anything that weakens or diminishes America’s posture in this global contest must be removed.⁴⁶

article-8162725/Police-urge-Britons-spill-beans-neighbours-suspected-breaching-coronavirus-lockdown.html (“Police urge Britons to spill the beans on neighbours suspected of breaching coronavirus lockdown”).

⁴³ See, e.g., <https://www.nysun.com/editorials/rhode-island-tells-its-police-to-pull-over-new/91068/> (“Rhode Island Tells Its Police To Pull Over New Yorkers”) and <https://www.dailymail.co.uk/news/article-8163731/Rhode-Island-cracks-New-Yorkers-National-Guard-soldiers-force-visitors-quarantine.html> (“Rhode Island cracks down on New Yorkers: National Guard soldiers force visitors into quarantine”) and <https://www.usatoday.com/story/travel/news/2020/03/28/florida-coronavirus-cases-pass-4000-border-checkpoints-vacation-rentals-suspended/2934407001/> (“Florida cases pass 4,000; governor advises, ‘Don’t come here’”) and <https://www.staradvertiser.com/2020/03/26/breaking-news/kauai-police-launch-checkpoints-to-enforce-lockdown-compliance/> (“2 arrested, 70 cited for violating stay-at-home orders, Honolulu police say”) and <https://www.dailymail.co.uk/news/article-8169047/Virginia-Maryland-South-Florida-residents-latest-told-stay-home.html> (“More than 225 MILLION people - or two-thirds of the population - are now on lockdown: Virginia, Maryland and South Florida and D.C. residents are the latest to be told to stay home to stop the coronavirus spread”).

⁴⁴ See, e.g., <https://apnews.com/dffb2fa43d0c5fddc4508f2558603e67> (“Dismantling democracy? Virus used as excuse to quell dissent”).

⁴⁵ See, e.g., <https://asiatimes.com/2020/04/china-seizes-covid-19-advantage-in-south-china-sea/> (“China seizes Covid-19 advantage in South China Sea”) and <https://dnyuz.com/2020/03/31/china-chases-indonesias-fishing-fleets-staking-claim-to-seas-riches/> (“China Chases Indonesia’s Fishing Fleets, Staking Claim to Sea’s Riches”) and <https://news.trust.org/item/20200421122721-ard8j> (“China rattles sabres as world battles coronavirus pandemic”) and http://www.washingtonpost.com/world/asia_pacific/hong-kong-crisis-escalates-as-china-moves-to-hasten-demise-of-citys-autonomy/2020/04/21/0a0afcd8-839c-11ea-81a3-9690c9881111_story.html (“Hong Kong crisis escalates as China moves to hasten demise of city’s autonomy”) and <https://www.nytimes.com/2020/04/20/world/europe/russian-submarine-fire-losharik.html> (“The Deadly Losharik Submarine Fire and Russia’s Secret Undersea Agenda”) and <https://www.dailymail.co.uk/news/article-8304031/China-flexes-military-muscle-Beijing-exploits-Covid-crisis-assert-control-South-China-Sea.html> (“China flexes its military muscle: Beijing exploits Covid crisis to assert control of South China Sea”).

⁴⁶ See, e.g., <https://www.dailymail.co.uk/news/article-8162937/Coronavirus-drives-army-command-teams-infamous-Cheyenne-mountain-bunker.html> (“Coronavirus drives army command teams into infamous Cheyenne mountain bunker”) and <https://www.dailymail.co.uk/>

Next, while it may be important that the leaders of such countries endeavor to “build bridges” and not exacerbate the “delicate” or often dangerous tensions between them, Americans are free to voice and implement other approaches, such as boycotting China and its products and services.

The Internet and Power Outages

A threshold issue has been whether the internet would survive all of the increased traffic, and not buckle. A subsidiary issue—akin to whether China launched the coronavirus to change the global power structure and/or destroy the United States—is whether China would “tamper” with the internet to give it a strategic advantage vis-à-vis America in terms of achieving global preeminence and dominance.

During the author’s lifetime, the internet has emerged from a “dirt road”⁴⁷ into the “information superhighway” that was envisioned. It has been making an unprecedented difference in terms of teaching students who have been out of schools and colleges; connecting loved ones and business relationships; and sharing vital information about the virus globally. Its usage has been affected in countless ways.⁴⁸

news/article-8156241/23-sailors-aboard-USS-Theodore-Roosevelt-test-positive-COVID-19.html (“23 sailors aboard USS Theodore Roosevelt test positive for COVID-19”) and <https://www.sfchronicle.com/bayarea/article/Exclusive-Captain-of-aircraft-carrier-with-15167883.php> (“Captain of aircraft carrier with growing coronavirus outbreak pleads for help from Navy”) and <https://www.dailymail.co.uk/news/article-8161181/Sailors-aircraft-carriers-Pacific-coronavirus.html> (“Two US aircraft carriers out of action for a month”) and <https://www.dailymail.co.uk/news/article-8178707/US-Navy-evacuates-USS-Roosevelt-Guam-coronavirus-outbreak-5-000-crew.html> (“US Navy evacuates USS Roosevelt in Guam because of a coronavirus outbreak among the 5,000 crew”); *see also*, <https://www.dailymail.co.uk/news/article-8161547/Workers-rush-dredge-NYC-harbor-tomorrow-Navy-hospital-ship-Comfort-dock.html> (“Workers rush to dredge NYC harbor by tomorrow so Navy hospital ship Comfort can dock”) and <https://www.dailymail.co.uk/news/article-8160691/Navy-hospital-ship-Mercy-arrives-coronavirus-stricken-Los-Angeles.html> (“Navy hospital ship Mercy arrives in coronavirus-stricken Los Angeles”).

Having been privileged to work in American military intelligence (*see infra* n. 47), and then in U.S. policymaking on Capitol Hill with the Congress, the author has had a unique perspective and opportunity to view these critical issues firsthand.

⁴⁷ Beginning in early 1967, the author worked on the Intelligence Data Handling System (“IDHS”) as a young Army officer assigned to the Defense Intelligence Agency (“DIA”) at the Pentagon, which was designed to connect all of America’s military intelligence commands globally. He bought his first Apple laptop—a Macintosh PowerBook 160—shortly after it was released in late 1992, or almost 28 years ago. He has a “legacy” account with Gmail, because he had advertised with Google and was given a Gmail account before it was offered to the public. In turn, he was given “invitations” by Google, which he was permitted to give out to family members and others.

⁴⁸ *See, e.g.*, <https://variety.com/2020/biz/news/music-streams-down-why-spotify-netflix-1203547387/>

Also vital is whether there would be “blackouts” or power outages on a local, regional or national basis⁴⁹—possibly akin to the effects of an electromagnetic pulse or EMP attack.⁵⁰ If so, the effects would be dramatic and destructive.

Congress, America’s Financial Institutions and Their Regulators

At a time when the regulation of America’s banks and other financial institutions was needed most—to insure their safety and soundness—the Fed signaled that it would suspend examinations for banks under \$100 billion in size, which was the wrong message to send, and potentially unsound from a bank regulatory standpoint.⁵¹ The Wells Fargo debacle was still unfolding, yet the regulators were seemingly “asleep at the switch” once again.⁵²

Also, Congress’ threshold national coronavirus “rescue package” was true-to-form: it was a typical “Christmas tree” package of benefits for lobbyists and their large corporate and other major clients that “run” Washington, D.C., policywise. With few exceptions, they get what they want. Hourly, low wage workers, who need help the most, effectively got nothing—or a pittance—and their anger may grow.⁵³ And there is discrimination in lending.⁵⁴

(“Why Are Music Streams Down If Everyone’s Stuck at Home? Experts Weigh in”).

⁴⁹ See, e.g., <https://www.dailymail.co.uk/news/article-8170895/Britons-told-prepare-blackouts-keeping-torches-warm-clothes-nearby-coronavirus-crisis.html> (“Staff shortages could mean power blackouts”).

⁵⁰ See, e.g., *infra* notes 55 and 56. See also <https://www.nytimes.com/2020/04/20/world/europe/russian-submarine-fire-losharik.html> (“The Deadly Losharik Submarine Fire and Russia’s Secret Undersea Agenda”).

⁵¹ See, e.g., <https://www.americanbanker.com/news/fed-to-suspend-exams-for-banks-under-100b> (“Fed to suspend exams for banks under \$100B”) and <https://www.wsj.com/articles/fed-temporarily-eases-capital-requirements-for-big-banks-11585774838> (“Fed Temporarily Eases Capital Requirements for Big Banks”).

⁵² See Timothy D. Naegele, *Wells Fargo: An American Banking Nightmare*, 136 BANKING L. J. 493, 529 (October 2019) (Naegele October 2019) (<https://naegeleblog.files.wordpress.com/2019/09/timothy-d.-naegele.pdf>).

⁵³ See, e.g., <https://www.politico.com/news/2020/03/26/stimulus-coronavirus-special-deals-151108> (“Who got special deals in the stimulus and why they got them”) and <https://www.americanbanker.com/news/emergency-loan-program-plagued-by-chaos-on-eve-of-launch> (“Emergency loan program plagued by chaos on eve of launch”) and <https://www.wsj.com/articles/government-doubles-interest-rate-on-sba-loans-after-banks-complain-11585867578> (“Government Doubles Interest Rate on SBA Loans After Banks Complain”).

This was the first “Christmas tree package,” and there would be others, which follow a similar pattern. When the author left Capitol Hill after serving as counsel to the U.S. Senate Banking Committee, and heading the staff of a U.S. senator, he became a partner in a Washington law firm, and lobbied for banks and other large financial entities. Even though he was well paid, he disliked going back to the Hill—both the Senate and the House—and asking old friends for

AFTER THE CORONAVIRUS, WHAT?

Once the coronavirus has run its course, there will be other health risks on the horizon that must be anticipated and dealt with effectively before they become full-blown repeats—or even worse. Also, there is the possibility of attacks on the United States and its allies, such as a nation-ending EMP attack.

Launched from a barge off the U.S. coast—in the Atlantic or Pacific Oceans, or in the Gulf of Mexico or the Sea of Cortez—an EMP attack consisting of one nuclear warhead attached to a single missile might shut down much of the country and kill all except 30 million Americans.⁵⁵ Such an attack has been described as “a ‘giant continental time machine’ that would move us back more

favors. When he opened his own “K Street” law offices, two young attorneys who worked for him did the lobbying; he did not, “thankfully.”

Second, based on the author’s experience and beliefs, the idea of genuinely helping hourly employees who were out of work and barely surviving, if not destitute because of the Coronavirus’ economic impact, does not interest the lobbyists, and certainly is not paramount to America’s elected officials on the Hill. Many or most of them are up for reelection in November of 2020, and need campaign contributions from the lobbyists and the “special interests” that they represent. Again, hourly employees were not even on the “radar screens” of those in the power structure of Washington.

Third, the legislation was a “joke” and a farce in terms of helping them. It was reported that “every American” would receive a small “check” sometime in “May” of 2020—or a pittance. *See, e.g.*, <https://www.dailymail.co.uk/news/article-8182425/Treasury-Secretary-Steve-Mnuchin-pledges-1-200-bailout-payments-start-TWO-WEEKS.html> (“Treasury Secretary Steve Mnuchin pledges \$1,200 bailout payments will start in TWO WEEKS”). Query how hourly workers who had been terminated already, and had been barely existing from paycheck-to-paycheck before, would survive? Put bluntly, there was no relief in sight for them; the complexity of federal programs defies the imagination and talents of most high-paid lawyers, and is unfathomable to the those with little education; and they would suffer greatly—even if they and their family members did not contract the dreaded and deadly coronavirus.

See, e.g., <http://www.bnnbloomberg.ca/resentment-grows-on-main-street-over-bailout-winners-and-losers-1.1426347> (“Resentment grows on Main Street over bailout winners and losers”); *see also* <https://www.economist.com/leaders/2020/03/26/americas-emergency-stimulus-is-imperfect-but-necessary> (“The medicine tastes bad”).

⁵⁴ *See, e.g.*, <https://www.americanbanker.com/news/bofa-offers-emergency-loans-to-borrowers-first-freezing-out-depositors> (“BoFA offers emergency loans to borrowers first, freezing out depositors”).

⁵⁵ *See, e.g.*, <http://newsmax.com/Newsfront/gringrich-emp-weapon/2009/03/29/id/329110> (“Some studies estimate that 90 percent of all Americans might very well die in the year after such an attack as our transportation, food distribution, communications, public safety, law enforcement, and medical infrastructures collapse”).

than a century in technology to the late 1800s”—and effectively destroy our great nation.⁵⁶

Other health risks (or at least major concerns) include antibiotic resistance, viral hemorrhagic fevers, coronaviruses other than COVID-19, influenza and the Zika virus.⁵⁷

CONCLUSION

Before the coronavirus has run its course fully, the effects of the virus may be nothing short of catastrophic. Many will die; and the economic dislocations may be tragic, approaching Great Depression levels. The increase in lawlessness—and criminal elements—may be dramatic; perhaps like Mexico, chaotic and beyond the ability of law enforcement to contain it.⁵⁸ Whether the virus will remotely approach the Spanish flu in terms of its impact will not be known until years following the publication of this article, after the virus has swept across the continents of the world.

It is worth repeating:

Unusually deadly and virulent, [the Spanish flu] ended nearly as quickly as it began, vanishing completely within 18 months. In six months, some 50 million were dead; some estimates put the total of those killed worldwide at over twice that number.⁵⁹

It remains to be seen whether this is the coronavirus' trajectory, especially in Africa and poor countries around the globe where medical intervention may be

⁵⁶ See <http://online.wsj.com/article/0,,SB109226576685389289,00.html> (“Mother of All Blackouts”); see also, <http://online.wsj.com/article/SB121564702233840875.html> (“Iran’s Missile Threat”) and <http://newsmax.com/Newsfront/gringrich-emp-weapon/2009/03/29/id/329110> (“A Single Nuke Could Destroy America”). The “Commission to Assess the Threat to the United States from Electromagnetic Pulse (EMP) Attack” (or the EMP Commission) (see, e.g., <http://www.empcommission.org/>), which was created in 2000 to examine the possibility of an EMP attack and its aftermath, delivered its reports to Congress in 2004 and thereafter. It concluded that little in the private sector was “hardened” to withstand such an attack, and the American military had only limited protection.

⁵⁷ See, e.g., <https://en.wikipedia.org/wiki/Pandemic> (“Pandemic”) and https://en.wikipedia.org/wiki/Pandemic#Concerns_about_future_pandemics (“Concerns about future pandemics”) and <https://www.dailymail.co.uk/news/article-8245035/US-brace-perfect-storm-infectious-diseases.html> (“US to brace for the ‘perfect storm’ of infectious diseases”).

⁵⁸ See, e.g., <https://news.trust.org/item/20200403174102-7d66g> (“Murders rise in Mexico despite coronavirus restrictions”).

⁵⁹ See <https://en.wikipedia.org/wiki/Pandemic#Influenza> (“Pandemic, Influenza”) and https://en.wikipedia.org/wiki/Spanish_flu (“Spanish flu”); see also, *supra* n. 6.

ineffective or nonexistent.⁶⁰ Among the poor and homeless, prison populations and the like, the effects may be uncontainable. Despondency may be overwhelming; and “civil unrest”—aka riots—may occur.⁶¹

China launched the Coronavirus intentionally (as a bioweapon) or inadvertently—this much is indisputable—and it must be held responsible.⁶² As noted previously with respect to the possibility of a nation-ending EMP attack by China on the United States:

[I]sn't this very similar to the results that China has “achieved” with the [c]oronavirus?⁶³

Clearly, it must pay reparations and/or restitution to Americans; U.S. businesses and other organizations, both large and small; our federal, state and local governments; and to the world for the coronavirus—which will likely run into many trillions of dollars. Nothing less will suffice. Or a global boycott of China must be instituted and implemented.⁶⁴

⁶⁰ See, e.g., <https://www.economist.com/leaders/2020/03/26/the-coronavirus-could-devastate-poor-countries> (“The next calamity”—“The coronavirus could devastate poor countries”); see also <https://dailybruin.com/2020/04/10/the-quad-quarantine-can-be-a-time-to-follow-in-shakespeares-footsteps-explore-new-ideas/> (“Quarantine can be a time to follow in Shakespeare’s footsteps, explore new ideas”) and <https://www.nbclosangeles.com/news/national-international/grad-student-builds-ventilator-using-home-depot-supplies/2338570/> (“Grad Student Builds Ventilator Using Home Depot Supplies”) and <https://www.mae.ucla.edu/ucla-engineering-graduate-student-develops-low-cost-ventilator/> (“UCLA Engineering Graduate Student Develops Low-Cost Ventilator”).

⁶¹ See, e.g., <https://www.bloomberg.com/news/articles/2020-03-30/italy-risks-losing-grip-in-south-with-fears-of-looting-and-riots> (“Italy Risks Losing Grip in South With Fear of Looting, Riots”) and <https://www.infowars.com/retailers-prepare-for-civil-unrest-boarded-up-stores-seen-from-soho-to-beverly-hills/> (“Retailers Prepare For Civil Unrest; Boarded-Up Stores Seen From SoHo To Beverly Hills”).

⁶² See, e.g., *supra* n. 13.

⁶³ See *supra* n. 56.

⁶⁴ Americans across the political spectrum are angry—and understandably so—as this article goes to publication. See, e.g., <https://www.dailymail.co.uk/sciencetech/article-8161807/Coronavirus-Huge-surge-hate-speech-Chinese-Twitter.html> (“Coronavirus has led to a 900% increase of hate speech towards China and Chinese people on Twitter”).

Innocent Chinese citizens—such as the Uyghurs—have been brutalized by their despotic regime too, just as Mao Zedong was directly responsible for an estimated 30-40 million deaths between 1958 and 1960, as a result of what Mao’s regime hailed as the “Great Leap Forward.” Mao’s crimes involved Chinese peasants, many of whom died of hunger from man-made famines under collectivist orders that stripped them of all private possessions. The Communist Party forbade them even to cook food at home; private fires were outlawed; and their harvests were taken by the state. Those who dared to question Mao’s agricultural policies—which sought to

When all is said and done, the coronavirus' effects on millions of lives everywhere will have been epic.⁶⁵ Perhaps equally ominous is the prediction by two noted American doctors: "There's a reasonable hope for an effective vaccine by fall 2021"—at the earliest.⁶⁶ Also, "lockdowns" of an international, national, regional or local scope have far-reaching ramifications. As cited previously:

The trade-off between saving lives and saving livelihoods is excruciating. The worry, as Imran Khan, Pakistan's prime minister says, is that "if we shut down the cities . . . we will save [people] from corona at one end, but they will die from hunger."⁶⁷

Perhaps equally sobering are the predictions by respected investor Jim Rogers about the economic trajectory ahead—who expects "the worst bear market in my lifetime" in the next couple of years. Yet, no one is clairvoyant or has a crystal ball.⁶⁸ What seems clear is that Americans fear an indefinite shutdown, and worry that government may make things worse.⁶⁹ And there may be future waves of the virus in the United States, after the first wave passes.⁷⁰

maximize food output by dispossessing the nation's most productive farmers—were tortured, sent to labor camps, or executed.

See, e.g., https://en.wikipedia.org/wiki/Xinjiang_re-education_camps ("Xinjiang re-education camps") and <https://en.wikipedia.org/wiki/Uyghurs> ("Uyghurs").

Innocent Chinese cannot and must not be punished or discriminated against today. Despite the global outrage and anger directed at them, they have suffered and vast numbers have died, and continue to do so. The same thing is true of racist attacks on people of Asian descent around the world. It cannot and must not be tolerated.

⁶⁵ See, e.g., <https://www.dailymail.co.uk/news/article-8164235/US-coronavirus-Map-shows-eight-strains-raced-world.html> ("Map shows how eight strains of [the coronavirus] raced around the world").

⁶⁶ See *supra* n. 16; see also, <https://www.dailymail.co.uk/news/article-8196473/Normal-life-wont-resume-2021-says-scientist-pandemic-preparedness.html> ("Normal life won't resume until 2021.' Top scientist in pandemic preparedness says we won't going back to our daily lives until there's a coronavirus vaccine - which could take over a year"); but see <https://www.theguardian.com/world/2020/apr/18/dont-bet-on-vaccine-to-protect-us-from-covid-19-says-world-health-expert> ("Don't bet on vaccine to protect us from Covid-19, says world health expert").

⁶⁷ See *supra* n. 60; see also, <https://www.economist.com/briefing/2020/04/03/the-hard-choices-covid-policymakers-face> ("The hard choices covid policymakers face").

⁶⁸ See <https://www.newsmax.com/finance/investinganalysis/jim-rogers-gundlach-worst-rout/2020/04/01/id/960859/> ("Jim Rogers, Gundlach: Worst of the Rout Has Yet to Come").

⁶⁹ See https://www.rasmussenreports.com/public_content/politics/current_events/disease/voters_fear_indefinite_shutdown_worry_government_may_make_things_worse ("Voters Fear Indefinite Shutdown, Worry Government May Make Things Worse") and <https://www.thedailybeast.com/this-coronavirus-lockdown-may-just-be-the-first-of-several> ("What if This Coronavirus Lockdown Is Only the Beginning?") and <https://www.msn.com/en-us/news/world/european->

The crisis in the United States and globally has been aptly likened to a catastrophic weather event:

[I]f the COVID-19 health crisis is an earthquake, then the economic crisis is the tsunami that follows the earthquake. The tsunami rolls in after it and covers everything.⁷¹

Once the coronavirus' onslaught has ceased, it may be a fair question to ask and ponder: Will America be the same ever again?⁷²

The grim reality is that until a vaccine is found, tested and determined to be safe and effective—and it is administered domestically and globally—no

leaders-warn-coronavirus-could-lead-to-the-breakup-of-their-union/ar-BB125QZz (“European leaders warn coronavirus could lead to the breakup of their union”).

⁷⁰ See, e.g., <https://www.newsmax.com/us/cdc-pandemic-summer-seasonal/2020/04/01/id/960946> (“CDC Projects Another Virus Wave to Hit in Fall”—“The coronavirus might be mitigated by the summer in the U.S., but the Centers for Disease Control and Prevention is warning of a possible tidal wave rolling back in this fall. . . . Most respiratory viruses are seasonal, but this coronavirus is more virulent than influenza and can be passed between humans showing no symptoms, according to the CDC director [Dr. Robert Redfield]. ‘This virus does have the ability to transmit far easier than flu,’ he said. . . . ‘It’s probably now about three times as infectious as flu. One of the [pieces of] information that we have pretty much confirmed now is that a significant number of individuals that are infected actually remain asymptomatic. That may be as many as 25%. ‘This helps explain how rapidly this virus continues to spread across the country, because we have asymptomatic transmitters and we have individuals who are transmitting 48 hours before they become symptomatic,’ he added”) and <https://www.npr.org/sections/goatsandsoda/2020/03/27/822407626/mystery-in-wuhan-recovered-coronavirus-patients-test-negative-then-positive> (“Some Recovered Coronavirus Patients In Wuhan Are Testing Positive Again”) and <https://www.history.com/news/spanish-flu-second-wave-resurgence> (“Why the Second Wave of the 1918 Spanish Flu Was So Deadly”) and <https://www.dailymail.co.uk/news/article-8186047/Dr-Anthony-Fauci-says-not-half-time-fight-against-coronavirus.html> (“Dr Anthony Fauci says the US is ‘not even at half-time’ in the fight against coronavirus”) and <https://thehill.com/homenews/sunday-talk-shows/491239-fauci-says-its-likely-coronavirus-will-be-seasonal> (“Fauci says it’s likely coronavirus will be seasonal”) and <https://www.dailymail.co.uk/news/article-8242921/CDC-director-warns-second-wave-coronavirus-winter-difficult.html> (“CDC director warns a second wave of coronavirus next winter could be ‘even more difficult’”) and <https://www.newsmax.com/health/health-news/covid19-coronavirus-who/2020/04/25/id/964650/> (“WHO: ‘No Evidence’ Recovered COVID-19 Patients Cannot Be Reinfected”).

⁷¹ See <https://jewishinsider.com/2020/04/the-jewish-non-profit-future-uncertainty-anxiety-furloughs-and-slashed-budgets/> (“The Jewish non-profit future: uncertainty, anxiety, furloughs and slashed budgets”); see also <https://www.jpost.com/health-science/coronavirus-has-mutated-into-at-least-30-different-strains-new-study-finds-625333> (“Coronavirus has mutated into at least 30 different strains study finds”).

⁷² See, e.g., <https://buchanan.org/blog/when-its-over-will-we-be-the-same-america-138378> (“When It’s Over, Will We Be the Same America”).

American or anyone else will be totally safe. It is naïve and an illusion to believe otherwise.

. . .

This is a bizarre new Orwellian world in which we are living—as if in a dream (or nightmare), or straight out of a horror movie—surreal. But it is real, and each of us is living in it.⁷³

⁷³ See <https://www.usatoday.com/story/news/health/2020/05/11/coronavirus-expert-michael-osterholm-warns-virus-spread-far-from-over/3108333001/> (“COVID-19 expert: Coronavirus will rage ‘until it infects everybody it possibly can’”).