



## Northeast Intelligence Network

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### **An investigative report detailing the Obama eligibility controversy**

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#### **The man John Jay warned about**

**27 April 2010:** I cannot think of any other subject in recent American history that has been so mired in controversy, so factually misrepresented, mischaracterized and so misunderstood than the matter of the eligibility of Barack Hussein OBAMA II to hold the office of President of the United States. Despite its importance, the topic has been summarily dismissed as fodder for conspiracy theorists by many, while others insist that the question of OBAMA's citizenship has been "asked and answered." But has it really been answered, *and if not, why not?*

In consideration of the controversy that continues to plague Barack Hussein OBAMA over his citizenship status and his well documented sustained pattern of refusal to provide authenticated documentation of his birth records and numerous other pertinent records, I've conducted an in-depth investigation into the matter in an effort to separate fact from fiction, myth from reality. My approach was the same I've used as an investigator over the last 25 years on behalf of Fortune 100 companies in their selection of corporate executives, conducting due diligence background investigations. In this case, however, I was not afforded direct and unfettered access to the "applicant's", or in this case, OBAMA's original records. Nonetheless, I conducted inquiries and a lengthy investigation researching the information directly or indirectly disclosed by OBAMA, as well as collections of documents, court records, official federal and state documents, verbal statements, utterances and other documents determined to be of authentic provenance.

At issue is whether Barack Hussein OBAMA or any of his representatives have furnished sufficient documentation to prove his eligibility for the office of President of the United States under [Article II, Section I of the U.S. Constitution](#) that states:

“No person except a natural born citizen, or a citizen of the United States, at the time of the adoption of this Constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years, and been fourteen years a resident within the United States.”

Presently, OBAMA occupies the White House as the Chief Executive Officer of the United States of America. As president, he is the commander-in-chief of our armed forces and ultimately responsible for the security of the United States. Any person of reasonable sensibilities would logically believe that his eligibility status has long been established by the Federal Election Commission (FEC) or those in positions of oversight for such matters. But has it?

In order to be as comprehensive as possible, my investigative findings include important background information into the legal definition of a “natural born citizen” as applicable to Article II of the U.S. Constitution. This background information is provided to clear up many common misconceptions about the eligibility controversy, and to explain why so many people are confused and easily misled over this issue. After thoroughly investigating this matter, I have found demonstrable evidence that this confusion is a deliberate and highly effective tactic used to divert attention from a constitutional issue and thus, the rule of law, to the detriment of American citizens.

This report will also provide insight into the reasons for the largely ignored yet unprecedented legal fight by Barack Hussein OBAMA II, his representatives and assigns, against any release of the authenticated copy of his long form birth certificate and a multitude of other relevant historical documents.

### **Natural Born Citizen Qualification: The Facts**

Based on extensive research, there are two separate but equally relevant legal issues that involve the specific eligibility of Barack Hussein OBAMA II to legally serve as President of the United States. First is the U.S. Constitution which was adopted into law on 17 September 1787. As noted by Article II, Section I of the U.S. Constitution, an individual born after 1787 cannot legally or legitimately serve as U.S. President unless that person is a “natural born citizen” of the United States.

The second issue is the precise definition of a “natural born citizen.” The Fourteenth Amendment of the U.S. Constitution, adopted on 9 July 1868, furnishes a rather broad definition of who qualifies as a “natural born citizen.” Specifically, who qualifies as a natural born citizen legally qualified to hold the office of President of the United States under Article II, Section I of the U.S. Constitution lies at the core of the eligibility argument. For the sake of clarity in advance of potential ancillary arguments, it is noted here that the Twelfth-Amendment to the U.S. Constitution mandates that Vice-Presidents possess the same qualifications as Presidents.

Obviously, there is no legitimate controversy over the eligibility status of Barack Hussein OBAMA in terms of his age and length of residency within the U.S. Despite popular belief by many to the contrary, there is, however, an unresolved issue over his status as “a natural born citizen, or a citizen of the United States.”

While many constitutional scholars hold different beliefs over the intent of the natural born citizen qualifier, I submit that an extraordinarily prescient illustration of logic behind this qualification can be found in a brief letter from John JAY, a founding father of the United States and the first chief justice of the U.S. Supreme Court to George WASHINGTON dated 25 July 1787:

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Dear Sir,

Permit me to hint whether it would not be wise and seasonable to provide a strong check to the admission of foreigners into the administration of our national government; and to declare expressly that the command in chief of the American army shall not be given to, nor devolve on any but a natural born citizen.

I remain, dear sir,

Your faithful friend and servant,

John Jay.  
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A study of the Federalist Papers and the writings of our founding fathers clearly indicate a concern for the security of the United States stemming from “threats from within,” or to prevent foreign enemies from becoming commander-in-chief. Given the nature and various enemies we currently face, the brief but ominous note to George WASHINGTON would certainly appear as relevant today, if not more so, as it was over 200 years ago.

Three years after that note was written, Congress affirmed in 1790 that a person born abroad whose parents are both citizens of the U.S. is, in fact, a U.S. citizen. In the years that followed, there have been many legal arguments to further define a natural born citizen. Based on extensive research, it would appear that the “next best” definition originates from an 1874 ruling by the U.S. Supreme Court in the case of [Minor v. Happersett](#) 88 U.S. 162 (1874). The U.S. Supreme Court ruled that if an individual is born in the United States and both parents are U.S. citizens at the time of birth, that individual is, in fact, a natural born citizen. That same Supreme Court decision also addressed the issue of a person born in the United States where one of the parents is *not* a U.S. citizen at the time of the birth of the child. The ruling noted that in such a case, the child’s natural born citizenship status is “in doubt.”

In any event, subsequent rulings by Congress and enacted by federal statute affirm that children born abroad by parents who are both U.S. citizens are not only U.S. citizens themselves, but are recognized as “natural born citizens.” On the other hand, individuals born in the United States or elsewhere *by one or more parents who are not* U.S. citizens are not likely to be eligible to hold the office of President of the United States absent of federal statute affirming their eligibility. **Therein lays the current situation of Barack Hussein OBAMA II and the need to establish his citizenship status through authenticated documents.**

## **Presidential eligibility; historical & current oddities**

Since the U.S. Constitution was adopted into law, every elected U.S. president who was born after 1787 was born in the United States of parents who were both U.S. citizens *except two*: **Chester Alan ARTHUR and Barack Hussein OBAMA II**. It is interesting to note that when Chester Alan ARTHUR was born, his father, William ARTHUR was a British subject and not a U.S. citizen. There is ample authenticated historical evidence to substantiate that ARTHUR deliberately and publicly misrepresented his family lineage during his campaign and following his election in 1880 as the 21st President, took steps to destroy evidence, including family and birth records.

Barack Hussein OBAMA II has publicly admitted that his father was a Kenyan native and a British citizen ***who never became a U.S. citizen***. Based on that admission and further verification of his father's nationality, OBAMA's status as a natural born citizen and thus, his eligibility to hold the office of President of the United States is questionable at best, at least according to the aforementioned Supreme Court ruling of [Minor v. Happersett](#). This issue becomes more prescient and ominously nefarious when one investigates the overt and covert behavior of OBAMA as a candidate, his actions following his election, the duplicity of the media, members of the U.S. Congress, the Federal Elections Commission and other factors by those who appear to be working individually or in concert to purposely misdirect the core Constitutional argument.

It is obvious that not all presidential candidates are treated equally in terms of their eligibility, as illustrated during the 2008 election. During the 2008 campaign, a lawsuit was filed petitioning the removal of Presidential candidate John McCain from the ballot. Ironically, the suit stemmed from the questions over McCain's constitutional eligibility as *his* natural-born status was in doubt. To put to rest any doubt, McCain responded by providing an authenticated copy of his long form birth certificate to the Federal Elections Commission (FEC) and Congress. **Despite the early rumblings of controversy over OBAMA's origins, OBAMA did not.**

Although McCain provided his long form birth certificate and took proactive measures to ensure his eligibility to hold office, many political and media pundits remained unsatisfied. Before the term "birther" became synonymous with racist conspiracy theorist, an article published on 28 February, 2008 in *The New York Times* titled [McCain's Canal Zone Birth Prompts Queries About Whether That Rules Him Out](#) questioned McCain's eligibility.

On that same day, Senator Claire McCASKILL, a Missouri democrat introduced a bill titled Children of Military Families Natural Born Citizen Act. Oddly, the bill was co-sponsored by both Senators **Barack Hussein OBAMA II and Hillary Rodham CLINTON**, *both who were running against* McCain at the time the bill was introduced. Despite the specificity of its title, the bill (SB 2678) was an attempt to change the legal definition of a natural born citizen as referenced by Article II, Section I, clause V of the U.S. Constitution, **a move that by default, would arguably and preemptively take away any constitutional challenges against the eligibility of Barack Hussein OBAMA II.**

Although the bill failed to progress in the Senate, the same lawmakers introduced a non-binding resolution ([Senate Resolution 511](#)) on 10 April 2008 to again ostensibly recognize McCain as a “natural born citizen,” the resolution contained broad language that could be applied to OBAMA.

The controversy surrounding the eligibility of John McCain to hold office continued, at least in the media. On 11 July 2008, an article was published in *The New York Times* under the title [A Hint of New Life to a McCain Birth Issue](#). The article cited a law professor from the University of Arizona who concluded, in a detailed analysis “that neither Mr. McCain’s birth in 1936 in the Panama Canal Zone nor the fact that his parents were American citizens is enough to satisfy the constitutional requirement that the president must be a “natural-born citizen.” The law professor cited in that article, Gabriel J. Chin, published a sixty-two page discussion paper in August 2008 titled *Why Senator John McCain Cannot be President: [Eleven Months and a Hundred Yards Short of Citizenship](#)* (Arizona Legal Studies, Discussion Paper 08-14).

The status of Barack Hussein OBAMA, however, remained unquestioned by the majority of academia.

### **Arguments over importance & relevance: “Birthers” are born**

Like the layers of an onion, one must peel back the layers of hyperbole, political agendas, accusations of racism, and other types of detractions and distractions to arrive at the very core of the argument, which is simply this: **Is Barack Hussein OBAMA in fact legally eligible, under the United States Constitution, to serve as President of the United States?**

There are many who claim that the issue of Obama’s eligibility is unimportant and irrelevant, or an unnecessary distraction to the “real” crises facing America, including but not limited to OBAMA’s policies and actions as President. It is an interesting dichotomy that some of the most vocal proponents of the first amendment are the same who appear to disregard the fourteenth amendment, a practice especially virulent among those in the media. There are also those self-proclaimed conservative media pundits who have the collective audience of millions of Americans who flatly refuse to discuss, let alone demand answers to a legitimate legal question as defined by the U.S. Constitution.

Others claim the argument is moot, as the President was duly elected by the will of the people. Those people are in need of a history lesson as that argument is technically flawed at the most fundamental level. Others assert that questioning the eligibility issue is rooted in racism and bigotry, at which point the rule of law is ultimately lost in a flurry of deliberate distractions presented in the form of incendiary accusations.

Perhaps the most calculated and methodical approach in use today to dissuade people from addressing this issue is the labeling of anyone who believes that American citizens deserve to know whether Barack Hussein OBAMA meets the eligibility requirements as a “birther.” The negative connotations of this label are vast and incisive, and the evolution of this term has grown to include ancillary questions of OBAMA’s past.

The popular but erroneous perception is that “birthers,” often lumped together with “9/11 truthers” and others who have legitimate questions and concerns about important issues either live in a world where conspiracies dominate their thoughts, or are simply branded as kooks seeking answers to non-existent questions. The fact is that there are indeed legitimate unanswered questions about the events of 9/11 as there are legitimate unanswered questions about the background and overall eligibility of OBAMA. Individuals asking rational, fact based questions about either subject are intentionally combined with others whose questions are obviously well beyond the realm of reason.

In particular, it is not only the absence of authenticated evidence regarding OBAMA’s citizenship status at birth that cause rational people to question his eligibility status under Article II, Section I of the United States Constitution, but the manner in which OBAMA and those in positions of government oversight have responded to legitimate inquiries. It is also how some members of the media have chosen to report on this issue, misreport or otherwise distort the issue, or not report on it at all.

Whatever arguments are used to understate or even mock the importance of this matter, it cannot be denied that the rule of law is being ignored and as a result, the Constitution of the United States is being trampled. If the fourteenth amendment is permitted to be exploited, ignored or violated, it might not be long before other amendments, along with the entire Constitution, become nothing more than a footnote in American history. As such, questions surrounding this matter must be taken seriously.

### **The Obama eligibility issue: has it already been answered?**

No. It has been a common tactic to refute questions about OBAMA’s eligibility by citing the Internet publication of a Certification of Live Birth (COLB), also known as a “short form birth certificate” purportedly issued by the state of Hawaii. The controversial document was originally posted on the Internet at <http://www.dailykos.com>, a political website on or about 12 June 2008 as questions about OBAMA’s place of birth and eligibility status began to become a popular Internet topic. As there was no certification of authenticity that accompanied the alleged document, its provenance could not be established.

Subsequent to the document being posted on the aforementioned website, the “Fight the Smears” website reproduced the document [here](#). While many believe “Fight the Smears” website is an independent organization dedicated to separating fact from fiction, it is actually owned and operated by “Organizing for America,” the successor organization to “Obama for America.” Clearly, it is far from independent.

Yet another website purported to be an independent arbiter of truth is “FactCheck.org,” which claims that the eligibility status of OBAMA has long been satisfied. Like the previous site, it is important to understand who owns or operates the site in order to assess the reliability of the site. The Fact Check website is a project of the Annenberg Public Policy Center of the Annenberg School for Communication at the University of Pennsylvania. It receives its primary funding from the Annenberg Foundation. It is relevant to note that Barack Hussein OBAMA II was a founding member, chairman, and past president of the Chicago Annenberg Challenge, which was also funded by the Annenberg Foundation. Accordingly, it is reasonable to challenge the neutrality of the information provided by that site.

Since then, the image, including variations of the image, have appeared on the Internet to “prove” that Barack Hussein OBAMA meets the eligibility requirements under Article II, Section I of the U.S. Constitution.

Since its original posting, numerous individuals and websites have sought to disprove the authenticity of the document, which was posted as an image in JPEG format, through analysis of the image or by other means (e.g. sequencing of certificate numbers, absence of state seal, etc.). Although there appears to be sufficient evidence suggesting the document is *not* a valid certificate and has been falsely created or the image has been deliberately altered, limiting discussion at this time to the merits of the COLB detracts from a much larger issue: OBAMA’s massive and unprecedented campaign to keep sealed his actual birth certificate (and other relevant records) from public view.

This is not to say that the publication of the COLB document is unimportant. In fact, quite the opposite is true if the matter of legal eligibility is ever properly and thoroughly investigated by a legitimate court of inquiry within the United States. As agents, representatives or the assigns of Barack Hussein OBAMA have publicly asserted that the question of eligibility has been officially answered by the publication of the COLB as listed on officially sanctioned web sites, *and* it is ultimately proven that the document is deliberately deceptive by any means, an inquiry into violations of the United States Crimes Code, 18 USC Section 1028 encompassing fraud and other related activity involving identification documents might apply.

Since the initial COLB was first published in June 2008, there have been at least two additional incarnations of the document, each containing revisions that bear additional information allegedly “supporting” its authenticity. Accordingly, the Certification of Live Birth is consistently cited by individuals, the media and others to prove the constitutional eligibility of Barack Hussein OBAMA. Nonetheless, even an authenticated and genuine Certification of Live Birth is *legally insufficient for the purpose of proving eligibility*, as it merely represents that OBAMA’s birth record is on file in the state of Hawaii. It falls short of providing the information necessary to determine constitutional eligibility in at least two areas: it does not offer any information regarding *who* supplied the information, nor does it *confirm the authenticity* of the information provided. Again, it merely indicates that the information is “on file.”

### **Hawaii officials declare Obama eligible**

Yet another deception levied against the American people is the assertion that the Hawaiian officials have confirmed Barack Hussein OBAMA’s “eligibility” through a [statement issued on 27 July 2009](#) by Dr. Chiyome FUKINO, Director of the Hawaii Department of Health, which declared Obama Hawaiian-born and a “natural-born American citizen.” Those who claim that the 2009 press release by Dr. FUKINO must understand that FUKINO has absolutely no statutory authority to make such a statement. Accordingly and based on the rule of law, that statement cannot be considered as evidence or legal documentation either to support or deny OBAMA’s eligibility status.

## **Hawaii birth announcements: anecdotal evidence of eligibility**

Many who argue that Barack Hussein OBAMA II was born in Hawaii not only point to the COLB as direct evidence of eligibility, but they also point to two separate birth announcements that appear in the *Honolulu Sunday Advertiser* and the *Star-Bulletin* in 1961. Those doing so either fail to understand the legal definition of a natural born citizen as it applies to the eligibility factor, or are guilty of intentionally misdirecting the core issue. A birth announcement is simply that – a public announcement that a baby was born. The birth announcements do not provide any information about the child's citizenship, cannot be authenticated, and hold no weight of evidence to support either side of the eligibility argument.

**Coming next:** Legal Stonewalls & identifying the money & people behind the fight

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