

# obama eligibility primer

THE ELIGIBILITY ISSUE AND WHAT YOU CAN DO

**SPECIAL  
REPORT**

*Barack Hussein Obama being sworn in  
as the 44th president of the United States,  
Jan. 20, 2009. Photo by MSgt Cecillio Ricardo,  
U.S. Air Force/U.S. Department of Defense.*

Introduction: The eligibility issue

Has Obama proven he was born  
in the United States?

Why the persistent questions  
about Obama's eligibility?

Where do we go from here?

Conclusion

What you can do

# INTRODUCTION: The Eligibility Issue

The United States teeters on the edge of a constitutional crisis. Many Americans have serious doubts whether the man occupying the Oval Office, Barack Hussein Obama, is constitutionally eligible to serve as president. If Obama is not qualified, then every action he takes as president could be invalid.



## Article II, Section 1 of the U.S. Constitution 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.*

To be a U.S. citizen, a person must either be born in the country, or have at least one parent who is an American citizen and who is legally qualified to transmit citizenship to his children.



Native Born versus Natural Born Citizens





Assuming Obama's parents were Barack Obama Sr., a British subject of Kenyan origin, and Stanley Ann Dunham, an eighteen-year-old American woman, neither of his parents were qualified to transmit U.S. citizenship to him. Barack Obama Sr.'s foreign allegiance disqualified Obama's mother from conferring U.S. citizenship under the law prevailing at the time. The law required any U.S. citizen having a child with a non-citizen to have been physically present in the United States for at least five years after the age of sixteen to automatically transmit American citizenship.

Because neither parent could confer American citizenship to their son, Obama can only be a U.S. citizen if he were actually born in the United States.

The Constitution also imposes an additional standard for a president: that he be a "natural born citizen." When the Constitution was adopted, this term was understood to mean a person whose parents were both American citizens. The precise application of this term has never been legally determined. Only the courts can establish whether this requirement disqualifies Obama. CONTINUED ON NEXT PAGE



Barack Obama, Senior



Stanley Ann Dunham with Barack Obama

Their children  
residing here,  
deemed citi-  
zens.

Also, children  
of citizens born  
beyond sea, &c.

Exceptions.

ceedings thereon; and thereupon such person shall be considered as a citizen of the United States. And the children of such persons so naturalized, dwelling within the United States, being under the age of twenty-one years at the time of such naturalization, shall also be considered as citizens of the United States. And the children of citizens of the United States, that may be born beyond sea, or out of the limits of the United States, shall be considered as natural born citizens: *Provided*, That the right of citizenship shall not descend to persons whose fathers have never been resident in the United States: *Provided also*, That no person heretofore proscribed by any state, shall be admitted a citizen as aforesaid, except by an act of the legislature of the state in which such person was proscribed.(a)

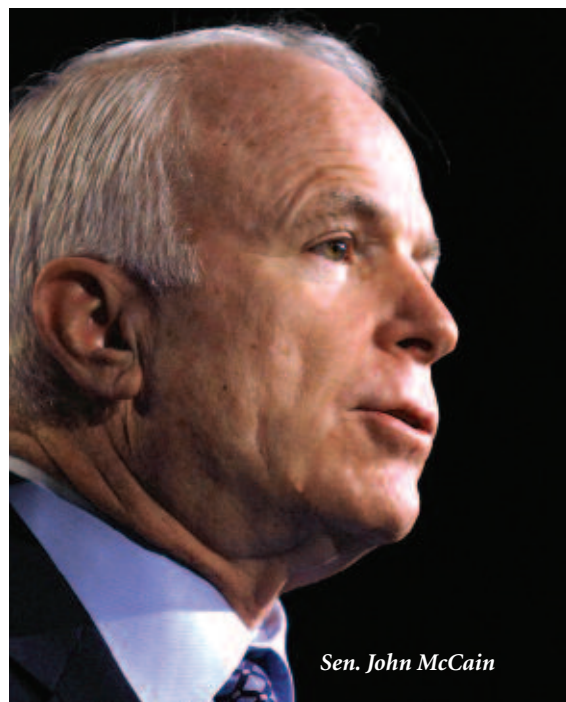
APPROVED, March 26, 1790.

*First Congress, Session II, Chapter 4, 1790*

Obama must have been born in the United States to be eligible for the presidency. Obama wrote in his autobiography that he was born in Honolulu, Hawaii, but he has resolutely refused to produce the original 1961 long-form, hospital-generated birth certificate that could prove where he was born. Instead, Obama has spent well over \$1 million fighting citizen-launched lawsuits seeking to force him to prove his exact place of birth.

No presidential candidate before 2008 has been required to prove his eligibility, but both the Republican and the Democratic candidates in 2008, Sen. John McCain and Sen. Barack Obama, faced eligibility challenges. The U.S. Senate conducted an investigation of McCain's eligibility. McCain, who was born in the Panama Canal Zone while his father was serving in the Navy, quickly produced the relevant documents including

his long-form birth certificate, and the Senate issued a resolution certifying his eligibility. In contrast, the Senate never investigated Obama, so his qualification has never been officially certified.



*Sen. John McCain*



When Obama's eligibility became an issue in June 2008, the Obama campaign did produce a document known as a Certification of Live Birth, or COLB – not a standard long-form birth certificate – as proof of his U.S. birth. Critics quickly pointed out numerous problems with the COLB that cast serious doubt on whether the document proves he was born in the United States.

Obama's failure to evince his U.S. birth and the disclosure of serious anomalies regarding his background and identity, have led to widespread public rejection of his account of his origins.

In a June 2010 poll by *60 Minutes/Vanity Fair*, only 39 percent of Americans said they believe Obama was born in Hawaii as he claims. An April 2010 CBS/*New York Times* poll found only 58 percent believed he was born in the United States. A May 2010 WorldNetDaily/Wenzel poll found 55 percent of Americans want Obama to release all records relating to his childhood and education, and 52 percent suspect he's hiding something by refusing to release his documentation. More than 500,000 people have signed a petition demanding that Obama prove he was born in the United States.

A great deal is at stake. If Obama is proven to be ineligible to serve as president, the validity of every presidential appointment, every directive, and every bill he signed into law

would come into question. Every legal case decided by an Obama-appointed judge could be reopened. He could be removed from office and face extensive criminal charges for perpetrating the greatest fraud in American history.

If Obama were, in fact, born in the United States, he could quickly and easily prove it by producing his original 1961 birth records.



Obama signs the financial reform bill into law.

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# Has Obama proven he was born in the United

The case that Obama was born in the U.S. rests on three pillars:

- 1** His Certification of Live Birth;
- 2** 1961 birth notices in two Honolulu newspapers;
- 3** The testimony of the Director of Hawaii's Department of Health, Dr. Chiyome Fukino, who says she personally has seen Obama's birth documentation in the department's files.



*The Obama presidency rests on three pillars of proof.*

## **1** The Certification of Live Birth:

When questions about Obama's eligibility began to circulate in June 2008, the Obama campaign provided a document called a **Certification of Live Birth**, or **COLB**, to a politically left-leaning Web site, The Daily Kos, and to the *Los Angeles Times* and several other newspapers. Obama campaign spokesman Ben LaBolt declared, "This is Sen. Obama's birth certificate," and the campaign posted the document on its own Web site, Fightthesmears.com, as proof Obama was born in Hawaii.

A Certification of Live Birth, however, is not a standard birth certificate, which is known as a **Certificate of Live Birth**. The shorter COLB is a lesser document. It does not con-

tain certain information provided by a long-form birth certificate, such as the hospital in which the baby was born and the name of a supervising doctor. The short-form COLB is much easier to obtain. Applicants need only to affirm the parents are legal residents of Hawaii, not that the child is born there. In fact, a COLB is the standard document issued by the state of Hawaii to residents whose baby is born out of state or overseas.

Standard birth certificates, or "long forms," are based on information provided to the Hawaii Department of Health, or DOH, by a hospital or medical professional within a few days of a child's birth. COLBs, or "short forms," can be created in two ways. The DOH

would generate a COLB based on information taken from a long-form birth certificate for various purposes, such as providing information to newspapers for birth announcements. Or, when no hospital was involved in a birth and no standard birth certificate was generated, the DOH would create a short-form COLB to serve as the principal birth document. Such COLBs are based on information provided by family members or adults “having knowledge of the birth.”

There were at least three ways to obtain a short-form COLB in 1961, according to a report by the Western Center for Journalism. Any person “having knowledge of the birth” could submit a form by mail and obtain a COLB in lieu of a standard birth certificate. Secondly, a parent or knowledgeable adult could file in person for a “delayed certificate” up to a year after the birth and receive a COLB. Finally, children for whom no delayed certificate was requested within a year could later obtain a document called a Certificate of Hawaiian Birth.

Because the state of Hawaii routinely issues COLBs to families of children born overseas, no COLB can actually prove where someone was born. Only a genuine, long-form, hospital-generated 1961 birth certificate would prove conclusively Obama was born in Hawaii.

Critics soon noted the birth document provided by the Obama campaign did not resemble a 1961 Hawaii birth certificate. It was missing significant information such as the name of the supervising doctor and hospital of birth. In addition, the document was computer-generated, apparently having been printed on a laser printer. Birth certificates were typewritten in 1961. A time stamp on the back of the COLB was dated June 6, 2007, indicating that the document was of recent origin. The COLB may have been based on original birth documents, but it was not a contemporaneous 1961 record of Obama’s birth.

COLB only requires both parents to be *residents* of Hawaii.



*COLB (Certification of Live Birth) only requires “residency.”*



## Certification of Live Birth (COLB)

CERTIFICATION OF LIVE BIRTH		
STATE OF HAWAII HONOLULU		DEPARTMENT OF HEALTH HAWAII U.S.A.
		CERTIFICATE NO. [REDACTED]
CHILD'S NAME BARACK HUSSEIN OBAMA II		
DATE OF BIRTH August 4, 1961	HOUR OF BIRTH 7:24 PM	SEX MALE
CITY, TOWN OR LOCATION OF BIRTH HONOLULU	ISLAND OF BIRTH OAHU	COUNTY OF BIRTH HONOLULU
MOTHER'S MAIDEN NAME STANLEY ANN DUNHAM		
MOTHER'S RACE CAUCASIAN		
FATHER'S NAME BARACK HUSSEIN OBAMA		
FATHER'S RACE AFRICAN		
DATE FILED BY REGISTRAR August 8, 1961		
OHSM 111 (Rev. 11/01) LASER		
This copy serves as prima facie evidence of the fact of birth in any court proceeding. HRS 338-13(b), 338-19]		
ANY ALTERATIONS INVALIDATE THIS CERTIFICATE		

*This short-form **certification** of Live Birth image, which is not the same as a long-form, hospital-generated Certificate of Live Birth, was released by the Obama campaign June 2008.*

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# Certificate of Live Birth (official birth certificate example)

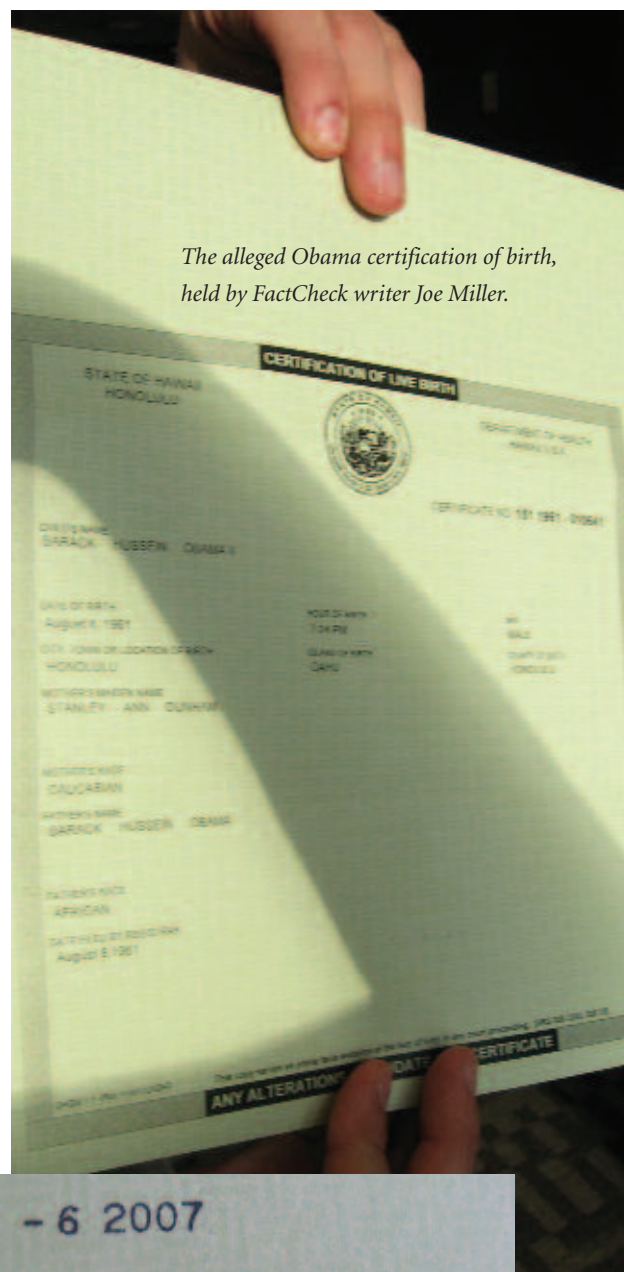
STATE OF HAWAII		CERTIFICATE OF LIVE BIRTH		DEPARTMENT OF HEALTH	
		FILE NUMBER 151		61 10637	
1. Child's First Name (Type or print)		2. Middle Name		3. Last Name	
SUSAN		ELIZABETH		NORDYKE	
4. Sex	5. Date of Birth	6. Place of Birth (City, Town or Rural Location)	7. Month	8. Day	9. Year
Female	August 5, 1961	Honolulu	Aug	5	1961
10. Name of Hospital or Institution (If not in Hospital or Institution, give street address)			11. Is Place of Birth Inside City or Town Limits?		
Kapiolani Maternity & Gynecological Hospital			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
12. Usual Residence of Mother (City, Town or Rural Location)			13. County and State or Foreign Country		
Honolulu			Honolulu, Oahu		
14. Street Address			15. Is Residence Inside City or Town Limits?		
2013 Kakaia Drive			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
16. Mother's Mailing Address			17. Is Residence on a Farm or Plantation?		
			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
18. Full Name of Father			19. Race of Father		
ROBERT ALAN NORDYKE			Caucasian		
20. Age of Father			21. Kind of Business or Industry		
42			Private Practice		
22. Full Maiden Name of Mother			23. Race of Mother		
HELENE LOUISE OOLE			Caucasian		
24. Age of Mother			25. Type of Occupation Outside Home During Pregnancy		
36			None		
26. Date of Birth			27. Date Last Worked		
8-7-61			8-7-61		
28. Signature of Person or Other Relationship			29. Date of Signature		
Elizabeth C. Nordyke			8-7-61		
30. Signature of Attendant			31. Date of Signature		
Came Smith			8/11/61		
32. Signature of Local Registrar			33. Date Assigned to the Record		
Bertie L. Ufford			8-11-61		
34. Signature of Medical Officer or Administrator					
THIS CERTIFIES THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE ORIGINAL RECORD ON FILE IN THE RESEARCH, PLANNING AND STATISTICS OFFICE HAWAII STATE DEPARTMENT OF HEALTH					
Leo Bernstein, M.D. Director of Health			Charles G. Bennett Registrar General		
DATE: 3-3-1966					

Copy of original long-form birth **certificate** of Susan Nordyke, born in Honolulu the day after Obama's reported birthdate. President Obama has never produced any document like this.

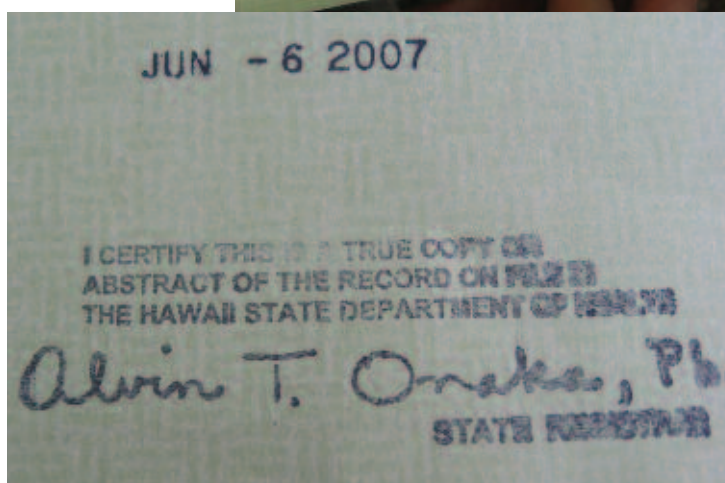
Computer graphics expert Dr. Ron Polarik (an assumed name) contends the COLB is not a record of Obama's birth at all, but an outright forgery. Polarik, who analyzed the COLB in detail, observed that "the Obama form has a border like that used in Hawaii in 2007, [but] the seal is like that used in 2006 or 2008, but not 2007." He concluded somebody "cut and pasted" new information onto the background and that the document was a Frankenstein-like fabrication assembled from parts of several different documents.

While some investigators have declared the June 2007 COLB to be authentic, Hawaii Department of Health officials have repeatedly refused to authenticate the document or verify that the DOH provided it to the Obama campaign.

The COLB posted by the Obama campaign in June 2008 might be based on a long-form 1961 birth certificate. It could be based on a short-form 1961 COLB. It might also be a recently created fraud. Whether or not it's genuine, Obama's Certification of Live Birth cannot conclusively prove he was born in the United States and is eligible to be president.



*The alleged Obama certification of birth, held by FactCheck writer Joe Miller.*



*June 6, 2007 time stamp*



## 2 Newspaper announcements of Obama's birth

The *Honolulu Star-Bulletin* and the *Honolulu Advertiser* ran identical announcements of Obama's birth in August 1961. The cryptic messages list only the name of the parents and their address, the sex of the baby, and his birth date, August 4, 1961.

Both newspapers relied on data from Hawaii's Department of Health – and not a hospital – for their birth announcements. Neither newspaper vetted birth information provided by the health department. According to the DOH, the department currently provides only a COLB for the purpose of birth announcements, though it's unclear whether this was the policy in 1961. Thus, it's impossible to know whether the information for Obama's birth announcement was based on definitive information from a long-form birth certificate. If it were based on a COLB, the newspaper announcements could have been derived from information from a relative who only needed to demonstrate the parents were legal residents of Hawaii, not that the child was born in Hawaii.

91-939 Kalapu St., Ewa Beach, Ewa, daughter, Aug. 5.  
Mr. and Mrs. Barack H. Obama, 6085 Kalanianaʻole Hwy., son, Aug. 4.  
Mr. and Mrs. Norman Asing, 2135 Anl Aniku St., son, Aug. 4.  
Mr. and Mrs. Andrew A. M.

*Announcement published in the Honolulu Advertiser on Sunday, Aug. 13, 1961*

The home address listed in both announcements for Obama's mother and father is the home address of Obama's maternal grandparents. In fact, Barack Obama Sr. lived at a separate address, so both newspaper announcements were inaccurate in at least one detail.

In sum, the newspaper announcements of Obama's birth possibly confirm he was born on August 4, 1961, but because they may have been based on a short-form COLB, they cannot be viewed as conclusive proof Obama was born in the city of Honolulu, the state of Hawaii, or even the United States.



## More than one birth hospital ...

Hospital birth records would fill in the gaps left by the newspapers, but the actual hospital in which Obama was born remains a mystery, since there have been published reports of two different facilities.

In November 2004, Obama's sister, Maya Soetoro, told reporters with the *Rainbow Newsletter* that Obama was born at the Queen's Medical Center in Honolulu. But in February 2008, she told the *Honolulu Star-Bulletin* that Obama was born at the Kapi'olani Medical Center for Women and Children, also located in Honolulu.

During the presidential campaign in October 2008, WorldNetDaily went directly to the hospitals to gather information about Obama's birth. The WND investigator encountered sheriff's deputies stationed at both hospitals to fend off press inquiries about Obama's birth certificate. Neither hospital has produced any record of Obama's birth, and neither has formally claimed to be the president's birthplace.

An interesting development took place in January 2009 when a letter allegedly written by Barack Obama was read aloud at a centennial celebration for Kapi'olani.

"As a beneficiary of the excellence of Kapi'olani Medical Center – the place of my birth – I am pleased to add my voice to your



Obama's sister, Maya Soetoro, has told reporters that Obama was born at two different hospitals.



Kapi'olani Medical Center



Queens Medical Center

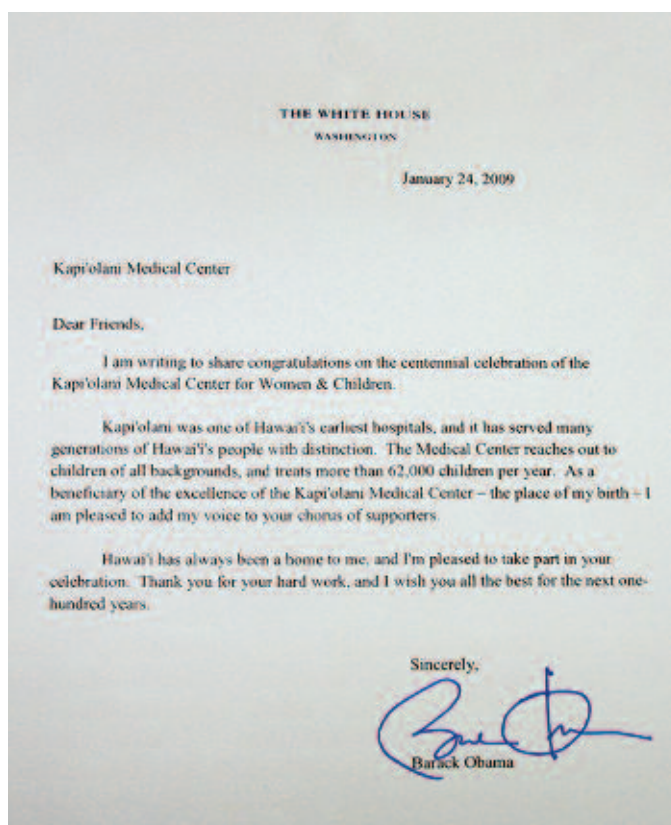
chorus of supporters," Obama purportedly wrote. At WND's request, Kapi'olani photographed this letter which contains an embossed White House seal and the apparent signature of Mr. Obama. However, despite numerous requests, the White House has refused to confirm if the letter is authentic and that its content originated with the president.



When asked specifically about the letter at a news conference on July 13, 2009, White House Press Secretary Robert Gibbs evaded the question, but stated, “The noble truth is that the president was born in Hawaii, a state of the United States of America.”

In the wake of WND’s disclosures about the letter, several online information sites – including United Press International and Snopes.com – changed the president’s supposed birthplace from one Honolulu hospital to another.

WND has yet to identify any physician or medical attendant present at Kapi’olani in 1961 who can recall Ann Dunham, Obama’s mother, giving birth to baby Barack Obama at the hospital or who can identify the name of the attending physician. WND has offered to donate \$15,000 to any institution that produces records of Obama’s birth.



Photograph shows the letter allegedly written by President Obama on embossed White House stationery.

#### the Kapi’olani Medical Center – the place of my birth

This excerpt from the alleged Obama letter is perhaps the first formal declaration from the president about his exact birthplace. The White House has still not confirmed if the letter or its contents are authentic.

## 3 Testimony of Dr. Chiyome Fukino, director, Hawaii Department of Health

On Oct. 31, 2008, Dr. Chiyome Fukino issued a news release stating:

*“I as Director of Health for the State of Hawaii, along with the Registrar of Vital Statistics who has statutory authority to oversee and maintain these type of vital records, have personally seen and verified that the Hawai’i State Department of Health has Sen. Obama’s original birth certificate on record in accordance with state policies and procedures.”*

CONTINUED ON NEXT PAGE



Dr. Chiyome Fukino, director, Hawaii Department of Health

Dr. Fukino's statement suggests an original Obama birth certificate does exist, but it does not settle the question of Obama's eligibility. The issue hangs on what kind of birth document is in the files.

A standard, long-form birth certificate, clearly identifying the name of the attending physician and a Hawaiian place of birth, would prove conclusively Obama was born in Hawaii.

*According to the law,  
Upon application of an adult  
or the legal parents of a minor  
child, the director of health  
shall issue a birth certificate  
for such adult or minor, pro-  
vided that the proof has been  
submitted to the director of  
health that the legal parents  
of such individual while liv-  
ing without the Territory or  
State of Hawaii had declared  
the Territory or State of  
Hawaii as their legal resi-  
dence for at least one year im-  
mediately preceding the birth  
or adoption of such child.*

Alternately, a short-form COLB – the type of document routinely obtained for children born out of state or overseas – would only add fuel to the eligibility fire. If Obama's birth document is a COLB, then he would be forced to prove he was born in the United States to establish his eligibility.

One form of COLB would prove outright that Obama is not eligible. In 1982, Hawaii enacted a law, Act 182, that created a new way for Hawaiians to obtain original birth documents.

If Obama applied as an adult for his own birth certificate under Act 182, he would effectively be admitting he was born overseas. Had his mother given birth "without the Territory or State of Hawaii" but somewhere in the United States, Obama would have a birth certificate issued by the state in which he was born, and he would not need a Hawaii document.

According to Dr. Fukino's statement, she has "personally seen and verified that the Hawai'i State Department of Health has Sen. Obama's original birth certificate on record in accordance with state policies and procedures." This statement could apply to both a standard, long-form birth certificate and a COLB. Therefore, Dr. Fukino's initial statement fails to prove that Obama is born in the United States. CONTINUED ON NEXT PAGE



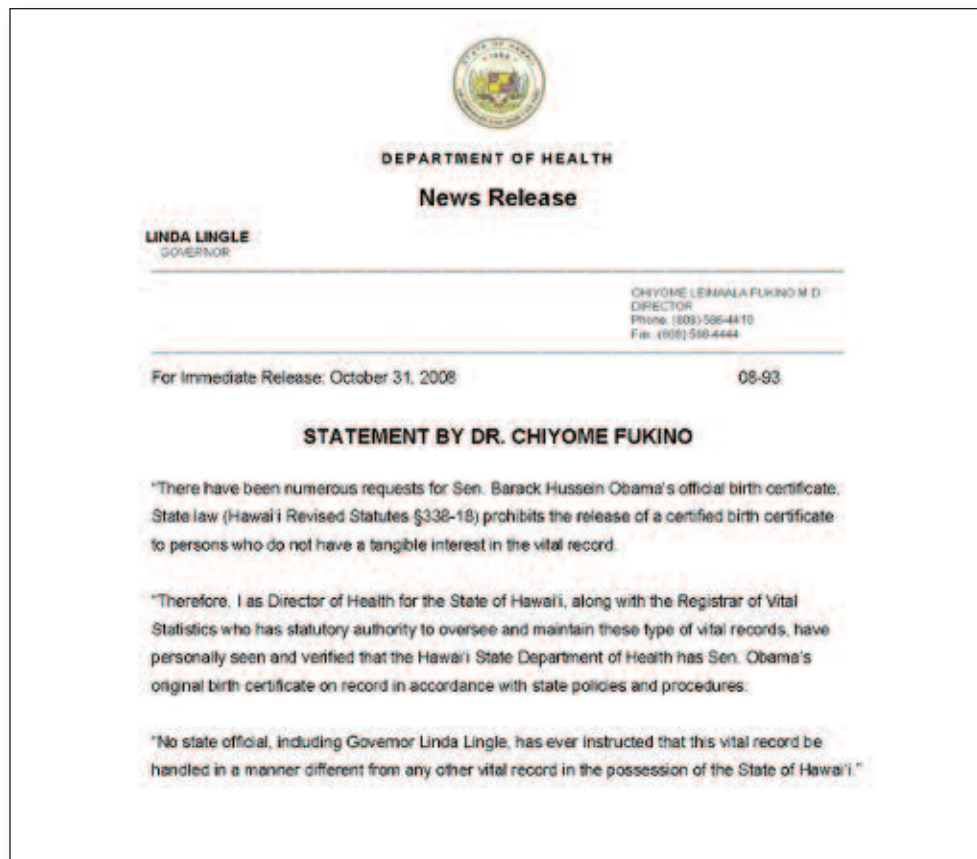
Dr. Fukino clarified her remarks with another public statement on July 27, 2009:

*I, Dr. Chiyome Fukino, director of the Hawaii State Department of Health, have seen the original vital records maintained on file by the Hawai'i State Department of Health verifying Barack (sic) Hussein Obama was born in Hawaii and is a natural-born American citizen. I have nothing further to add to this statement or my original statement issued in October 2008 over eight months ago.*

This statement claims to verify that Obama was born in Hawaii according to the records

on file. It fails, however, to explain the nature of the birth document in that file. Is it a long-form birth certificate or a short-form COLB? Because a COLB could be obtained without proving the place of birth, a COLB would not prove Obama is eligible even if it claims he were born in Hawaii.

Moreover, Dr. Fukino is a medical doctor, not a forensic or legal expert. She does not have the expertise to state definitively that the documents on file are genuine, or that they prove Obama is a natural-born American citizen. Dr. Fukino's unverified, inexperienced statements cannot be taken as proof Obama was born in the United States.



*Statement issued July 27, 2009  
by Dr. Chiyome Fukino, director,  
Hawaii Department of Health,  
attempting to clarify her  
previous remarks.*

# Why the persistent questions about Obama's

Challenges to Obama's eligibility were inevitable for a number of reasons. To begin, many people have stated or implied on the record Obama was born in Kenya, even before the 2008 presidential campaign. More substantially, he was apparently born with dual citizenship, which may violate the constitutional requirement that the president must be a "natural born citizen" of the United States. He may have further disqualified himself by possibly swearing allegiance to Indonesia while in college. His official account of his identity and background is riddled with inaccuracy and unanswered questions. Even Obama's Social Security number may very well be fraudulent. He has literally spent a fortune in legal efforts to avoid producing the documents that would verify his eligibility.

## 1. Public descriptions of Obama as "Kenyan-born"

For a man who says he was born in Honolulu, Obama has a surprising number of people, including the Kenyan ambassador to the United States, who believe he was actually born in Kenya. Numerous African newspapers have described him as Kenyan-born. His wife, Michelle Obama, has twice implied publicly that he is a native of Kenya. Most famously, his step-grandmother has stated she was present at his birth in Mombasa, Kenya.

Absent corroborating documentary evidence, such statements are probably the least compelling reasons to doubt Obama's eligibility, but they have become prominent parts of the Obama eligibility lore. It's impossible to verify these statements with a contemporary birth certificate from a birth hospital in Kenya because the Kenyan government has reportedly sealed all files related to Obama.

Obama was described as a native of Kenya even before he emerged on the national stage during the Democratic Convention in July 2004. On June 27, 2004, the *Kenya Sunday Standard* used the term "Kenyan-born," though it misspelled Obama's first name:

*Kenyan-born US Senate hopeful, Barack Obama, appeared set to take over the Illinois Senate seat after his main rival, Jack Ryan, dropped out of the race on Friday night amid a furor over lurid sex club allegations.*





The article is credited to the Associated Press at the bottom of the page. Curiously, the article can no longer be found in online archives of both the AP and the *Sunday Standard*.

When the Obamas traveled to Kenya in 2006, the *African Travel Magazine* described Obama as “Kenyan born.”

*As Kenyan born US Senator Barack Obama jets into Kenya today as part of his African tour ...*

In December 2007, at a Tampa, Fla., fundraiser, Michelle Obama described her husband as a “Kenyan.”

*What it reminded me of was our trip to Africa, two years ago, and the level of excitement that we felt in that country – the hope that people saw just in the sheer presence of somebody like Barack Obama – a Kenyan, a black man, a man of great statesmanship who they believe could change the fate of the world.* CONTINUED ON NEXT PAGE



Sunday Standard article credited to the AP states Obama is “Kenyan-born.”



In June 2008, Michelle Obama told the Gay & Lesbian Leadership Council of the Democratic National Committee that Kenya is Barack Obama's "home country."

*Barack has led by example. When we took our trip to Africa and visited his home country in Kenya, we took a public HIV*

*test – for the very point of showing folks in Kenya that there is nothing to be embarrassed about in getting tested. We did it ...*

On Oct. 9, 2008, a blurb on National Public Radio's Web site described Africa correspondent Ofeibea Quist-Arcton's story about "the U.S. presidential race of Kenya-born Sen. Barack Obama." After WND reported on the NPR webpage on April 8, 2010, NPR deleted the reference.

On Oct. 16, 2008, Obama's step-grandmother, Sarah Obama, famously claimed in a telephone interview with an American religious leader she had been present at Obama's

October 16, 2009

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by OFEIBEA QUIST-ARCTON

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October 9, 2008

Ofeibea Quist-Arcton, NPR's Africa-based correspondent, tells why her beat has proved one of the most interesting this year.

She discusses the stories that have been painful and devastating for many nations on the continent such as the violent political fights that have led to power-sharing deals.

She also describes the stories that have been exciting, including the U.S. presidential race of Kenyan-born Sen. Barack Obama

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*National Public Radio describes Obama as "Kenya-born Sen. Barack Obama."*



birth at a hospital in Mombasa. Sarah Obama speaks Luo, not English. Her interpreter, the “community chairman” of her village, immediately intervened and claimed she said Obama was born in America. Other Luo speakers who have listened to the tape, however, including a member of the Kenyan government, say she insisted twice that she had been present at his birth in Kenya.



Obama and Kenyan grandmother Sarah Hussein Obama

On Election Day, Nov. 4, 2008, the *Nigerian Observer* described Obama as “Kenyan-born”:

*“Americans will today go to the polls to elect their next president with Democratic Party candidate, Senator Barack Obama largely favoured to win. The Kenyan-born Senator will, however, face a stiff competition from his Republican counterpart ...”* CONTINUED ON NEXT PAGE

**The NIGERIAN OBSERVER**

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**US Presidential Polls: Obama, McCain slug it out today**

By SOLOMON ASORATA WITH AGENCY REPORTS

WASHINGTON -- Americans will today go to the polls to elect their next President with Democratic Party candidate, Senator Barack Obama largely favoured to win.

The Kenyan-born Senator will, however, face a stiff competition from his Republican counterpart, John McCain who has taken the presidential battle to the finishing line with vigorous campaign strategies.

The other candidates are Cynthia McKinney (Green Party), Bob Barr (Libertarian Party), Chuck Baldwin (Constitution Party) and Ralph Nader who is running as an independent candidate.

Aiming for a last-minute upset, Republican John McCain embarked on a grueling odyssey through seven swing states yesterday while Democrat Barack Obama was headed toward three long time GOP bastions that have become Democratic-leaning battle grounds in the historic presidential contest.

Obama, cruising comfortably ahead in national and many battle ground state polls, started his day with a late morning rally in Jacksonville, before heading to events in Virginia and

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On Nov. 4, 2008, the Nigerian Observer described Obama as “Kenyan-born.”

The next day, Nov. 5, 2008, the Kenyan parliament debated whether to end the session in order to free the members to celebrate Obama's victory. Two members of parliament praised their "brother from Kogelo" and "son of this soil," while others merely said Obama's "roots" or "blood" is Kenyan.

On Nov. 6, 2008, the Kenyan ambassador to the United States, Peter Ogego, told Detroit talk-show host Marc Fellhauer that Obama's birthplace, reportedly Coast Province General Hospital in Mombasa, is already a well-known attraction:

*Fellhauer: "One more quick question, President-elect Obama's birthplace over in Kenya, is that going to be a national spot to go visit, where he was born?"*

*Ogego: "It's already an attraction. His paternal grandmother is still alive."*

*Fellhauer: "His birthplace, they'll put up a marker there?"*

*Ogego: "It would depend on the government. It's already well known."*



*Peter Ogego, Kenyan ambassador to the United States*

On July 11, 2009, WND reported that on its Modern Ghana website, the African newspaper the *Daily Graphic* asserted Obama was born in Africa:

*"For Ghana, Obama's visit will be a celebration of another milestone in African history as it hosts the first-ever African-American president on this presidential visit to the continent of his birth."*



*Coast Province General Hospital in Mombasa, Kenya*





On March 25, 2010, Kenyan Member of Parliament and cabinet minister James Orengo said during a parliamentary debate that Obama was born in Kenya:

*If America was living in a situation where they feared ethnicity and did not see itself as a multiparty state or nation, how could a young man born here in Kenya, who is not even a native American, become the president of America?*

On April 11, 2010, MSNBC Africa correspondent Mara Schiavocampo called Obama a “Kenyan.”

## 2. Obama’s dual-citizenship problem

It’s possible that anyone born with dual citizenship cannot satisfy the Constitution’s “natural born citizen” requirement. People become dual citizens when their parents are citizens of two different countries. Whether Obama is an American citizen or not, all par-

CONTINUED ON NEXT PAGE

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Mr & Mrs Obama US President Barack Obama is expected to announce a major foreign policy for Africa during his historic two-day visit to Ghana, beginning Friday, July 10, 2009.

Although Mr Obama has made foreign policy pronouncements for some parts of the world since assuming office in January, this year, he is yet to make one for Africa, and his visit to the country, which the White House describes as “one of our most trusted partners in sub-Saharan Africa”, is expected to be used as a platform to unveil his foreign policy for Africa.

“It is expected that President Obama will make a major foreign policy statement on Africa”, Ghana’s Minister of Foreign Affairs, Alhaji Mohammed Mumuni, told the Daily Graphic.

For Ghana, Obama’s visit will be a celebration of another milestone in African history as it hosts the first-ever African-American President on this presidential visit to the **continent of his birth**.

**Have Your Say (2)**

“ what is life but a moment of consciousness and so we live and die everyday, as when we lay and die on this earth we awake another morning in another life. - By: reuel jacques gnalega ”

On July 11, 2009, the African newspaper Daily Graphic asserts Obama was born in Africa.

ties agree that under the British Nationality Act of 1948, Obama was, as his father's son, a subject of the United Kingdom and Colonies at birth.



***British Nationality Act of 1948 (Part II, Section 5):***

*Subject to the provisions of this section, a person born after the commencement of this Act shall be a citizen of the United Kingdom and Colonies by descent if his father is a citizen of the United Kingdom and Colonies at the time of the birth.*

Attorney Leo D'Onofrio explains the term "natural born citizen" was added to the Constitution by the suggestion of Founding Father

John Jay. The term is not defined by U.S. statute, but D'Onofrio notes the term was understood at the time the Constitution was written to mean persons born in the United States to parents who are both American citizens. The parents might be naturalized citizens rather than citizens from birth. Jay's purpose in insisting the president be exclusively an American citizen from birth was to guarantee that no one with an allegiance to any foreign power could become the commander in chief of the U.S. Armed Forces.

The term imposes a higher standard on the office of president than for other constitutional offices, which merely require the officeholder be a U.S. citizen. Senators and congressmen could be citizens from birth or naturalized citizens.

Ironically, a previous U.S. president, Chester Arthur, was also the son of a British subject. Arthur, therefore, was born a dual American/British citizen, and he was aware his eligibility might have been challenged when he ran for vice president in 1880. Arthur concealed his eligibility problem by lying about his own age and his father's immigration status and age, and by burning most



*President Chester Arthur concealed his eligibility problems.*



of his papers. D'Onofrio writes that Obama supporters have suggested Arthur is a precedent establishing Obama's eligibility, but Arthur's dual citizenship was unknown at the time and his eligibility questions were never adjudicated.

### 3. Obama's Indonesian citizenship/passport problem

Regardless of where he was born, Barack Obama may have become an Indonesian citizen as a child. He also may have reaffirmed his allegiance to Indonesia as an adult, throwing into doubt any natural-born citizenship in the United States.

In 1966 and 1967, Obama's mother married an Indonesian, Lolo Soetoro, moved to Indonesia, and reportedly became a naturalized Indonesian citizen. Her new Indonesian husband apparently adopted Obama, because the boy was enrolled in Jakarta's Assisi Primary School under the name Barry Soetoro in January 1968. Former Pennsylvania Deputy Attorney General Philip Berg contends non-citizens were not allowed to attend school in Indonesia. Obama refuses to release any adoption records.

According to Indonesian law, if Obama had been adopted before he turned six years old, he would have automatically become an Indonesian citizen. Assisi School registration papers list him as an Indonesian citizen. In-

donesia does not allow dual citizenship, raising the possibility Obama's mother renounced his U.S. citizenship. It's possible that U.S. law would have continued to recognize his American citizenship even if his mother had renounced it. CONTINUED ON NEXT PAGE



*Obama wearing Somali elder clothing.*

In 1981, however, when he was in college, Obama traveled to Pakistan during a period when it was difficult for U.S. citizens to enter that country. He stopped in Indonesia on the way. Obama has written that he stopped in Indonesia to visit his mother, but this may be untrue, since his mother was reportedly in Hawaii at the time. Berg believes Obama stopped in Indonesia to renew his Indonesian passport, with grave consequences for his U.S. citizenship: “Renewing an Indonesian passport after the age of 18 is an affirmative act, as you are swearing allegiance to another country. Soetoro/Obama renewed his Indonesian passport when he traveled to Pakistan, that is why he had to stop in Indonesia first.”

In any case, Obama would have needed a passport to travel to Pakistan, and apparently the passport he used was not American. Berg notes that “[The U.S.] State Department has stated in response to a FOIA request that they do not have a U.S. Passport application on file for Barack H. Obama.”

In 1979 and 1980, Obama attended Occidental College on a scholarship. Investigators have attempted to obtain Obama’s Occidental records to determine whether he received scholarship funds set aside for foreign students. Obama refuses to release the records. Additionally, nine former employees of Vantage, Inc., a private company with access to student-loan records, have been indicted by Obama’s Department of Justice for looking up Obama’s loan records without a legitimate business purpose.

#### **4. Obama’s pattern of concealment and deception**

Less is known about Obama than any president in modern history, and the president has fought fiercely in court to keep it that way. Dozens of lawsuits have been filed across America challenging Obama’s eligibility, seeking to force him to produce background documents. Obama has paid an estimated \$1.7 million in legal fees to prevent this information from becoming public.

Obama’s birth certificate is only the tip of the iceberg. He has refused to release a staggering list of documents about his background, including: his kindergarten records, his Punahou School records, his Occidental College records, his Columbia University records, his Columbia thesis, his Harvard Law School records, his Harvard Law Review articles, his scholarly articles from the University of Chicago, his passport, his medical records, his client list from his time in private practice, his files from his years as an Illinois state senator, his Illinois State Bar Association records, his baptism records, and his adoption records.





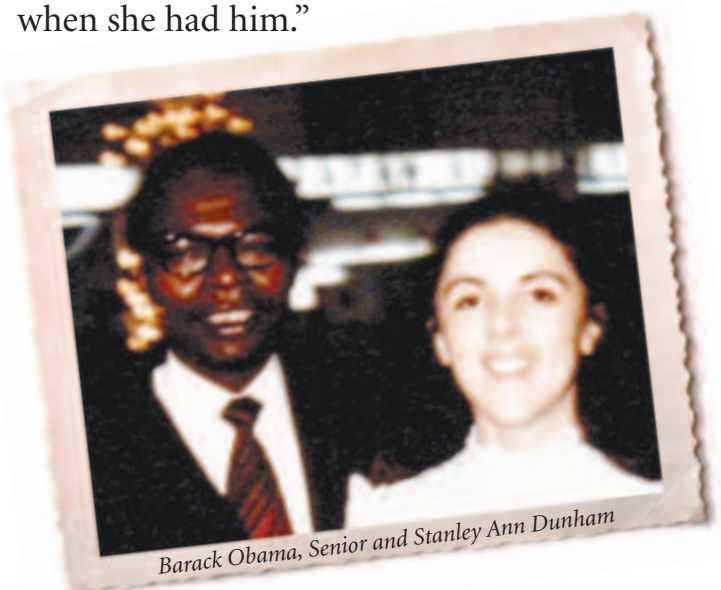
Why are Obama's kindergarten records important? Because parents had to provide a birth certificate or a passport in order to register children for class. Why are his Punahou School records of concern? Because his family was not wealthy, and it's unclear how they financed his education at one of Hawaii's most prestigious and expensive private schools from fifth grade through high school. His Occidental College records would reveal whether he received scholarship funds set aside for foreign students. His Columbia records might explain why none of his classmates, even officers in student organizations he claims to have joined, remember meeting him. Obama has repeatedly refused to discuss his years at Columbia.

Obama has gone to great efforts to sell the public on his own version of his life, but his story has been inconsistent. For example, according to Illinois state filings, when Obama registered as an attorney in 1991, he stated he did not have any former names. In fact, he had been known for several years as Barry Soetoro.

Some of Obama's accounts of his history have proven to be artfully constructed myths. For example, he linked his background to Democratic icon John F. Kennedy during a 2007 campaign speech, claiming that Barack Obama Sr. came to study in the United States in an "airlift" of Kenyan students organized by Kennedy and Jackie Robinson. In reality, Obama Sr.'s name does not appear on the list of students aboard the plane, which flew

from Kenya to the United States on Sept. 9, 1959. By that date, Obama Sr. was already studying at the University of Hawaii. Elaborating on the tale, Obama claimed Kennedy advisers "in the White House" were wondering how America could defeat communism while failing to live up to its civil-rights ideals at home. In fact, Kennedy had nothing to do with organizing the 1959 flight, and he did not even become president until January 1961.

Obama also has written that his father abandoned the family in Hawaii when he accepted an invitation to study at Harvard in 1962. However, no proof exists that his parents ever lived together as man and wife. The couple was physically separated no later than two weeks after his birth. Just fifteen days after Obama was born on Aug. 4, 1961, his mother registered for college classes in Seattle, while his father continued to study in Hawaii. Even Michelle Obama has contradicted Obama's story about his parents' marriage, telling a Missouri audience in July 2008 that Obama's mother was "very young and very single when she had him."



## 5. Obama's mysterious Connecticut Social Security Number

Apart from his undisclosed birth documents, perhaps the greatest mystery involving Obama's identity is his Social Security Number. For reasons he has never explained, Obama uses a number beginning with 042, which is reserved for applicants from Connecticut, though he has never lived in that state.

In a legal affidavit, private investigator John N. Sampson stated that as a result of his formal training as an immigration officer and his twenty-seven-year career in professional law enforcement, "It is my knowledge and belief that Social Security Numbers can only be applied for in the state in which the applicant habitually resides and has their official residence."

Private investigations have also revealed that Obama's SSN should have been issued sometime between 1977 and 1979, when the numbers immediately preceding and following his were issued in Connecticut. Obama's first recorded use of the Connecticut SSN was in Chicago in 1986.

It's illegal for the Social Security Administration to issue a second Social Security number to any person, but Obama's Connecticut-based SSN may not have been the original number issued to him. Obama's work history purportedly began at a Baskin-Robbins ice-cream shop in 1975 or 1976, so unless he was working under the table, he must have had a number by 1976.

The investigators believe Obama needs to explain why he is using a Social Security Number reserved for Connecticut applicants that was issued at a date later than he is known to have held employment. Investigator Susan Daniels asserted, "There is obviously a case of fraud going on here."

amazingly does not possess a valid U.S. Social Security number, which every legal citizen of the US is supposed to possess, never proved his legitimacy to the presidency. Therefore the act is invalid, as it was not signed by one legally entitled to sign it.

Attached is Exhibit 1, Affidavit from a retired Deportation Officer with the Department of Homeland Security and licensed investigator Mr. John Sampson, stating that the Social Security number used by Mr. Obama most of his life 042-68-4425, cannot be a lawfully obtained number, as 042 are the initial digits assigned to the state of CT, while Mr. Obama was never a resident of CT.

Exhibit 2, is an affidavit from a private investigator, licensed with the Department of Homeland Security, Susan Daniels. It concurs that for most of his life Mr. Obama has used number 042-68-4425, which cannot be lawfully his, as indeed it was obtained in CT, when Mr. Obama resided in HI. Moreover, Ms. Daniels research shows that this is a number that was issued to an individual born in 1890, and Mr. Obama assumed this number

Taitz v Obama Motion to Multidistrict Judicial Panel to consolidate 10-cv-151 DC with 3:10-cv\_91 FLND 2

*Testimony from sworn affidavits of John Sampson and Susan Daniels*



## 6. Obama's fight to avoid proving his eligibility

The most compelling reason to doubt Obama's legal qualification to be president may be his own refusal to prove he's eligible, despite being faced with dozens of lawsuits.

If Obama's claim that he was born in a hospital in Honolulu is true, then proving his eligibility would be easy. It would require a simple phone call instructing his birth hospital or the governor of Hawaii to release his original, 1961 long-form birth certificate. It's possible, though, that no such document exists.

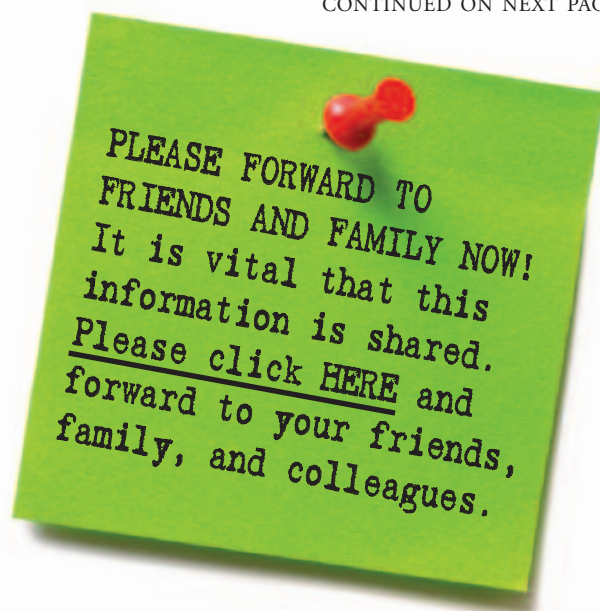
The senior elections clerk for Honolulu in 2008, Tim Adams, said in June 2010 he's willing to testify in court that no long-form, hospital-generated Barack Obama birth certificate is on file in Hawaii. Adams said, "There is no birth certificate. It's like an open secret. There isn't one. Everyone in the government there knows this."

According to Adams, administrators in the Honolulu elections office have access to birth records, along with many other forms of identification and personal information. Adams said his office checked with both hospitals reported to be Obama's birthplace, and "They told us, 'We don't have a birth certificate for him' ... They told my supervisor, either by phone or by e-mail, neither one has a document that a doctor signed off on saying they were present at this man's birth."

The absence of a long-form birth certificate might explain why Obama has vigorously resisted all efforts to force him to prove his eligibility. Before and after Obama's election, dozens of lawsuits were filed alleging he did not meet the Constitution's requirement that a president be a "natural born citizen." The suits primarily have asserted he was not born in Hawaii, or that dual citizenship with the U.K. or Indonesia disqualifies him. Several military officers have filed lawsuits challenging the legality of Obama's orders as commander in chief.

Obama has never addressed the merits of any of the cases against him, preferring to rely on legalistic procedural defenses. His attorneys have simply filed a series of motions to dismiss. They've argued, successfully thus far, that the plaintiffs lack standing to bring the suits because they cannot prove they've suffered harm by Obama's election. To date,

CONTINUED ON NEXT PAGE



none of these cases has reached the plateau of legal discovery, which would force information about Obama's birth to be made public.

A prominent plaintiff, former Pennsylvania Deputy Attorney General Philip Berg, rejects the notion that any American lacks legal standing, as he said, "This is a question of who has standing to uphold our Constitution ... If I don't have standing, if you don't have standing, if your neighbor doesn't have standing to question the eligibility of an individual to be president of the United States – the commander in chief, the most powerful person in the world – then who does?"

The attorney filing another of the eligibility lawsuits, Mario Apuzzo, has written, "Not being eligible to be president and commander in chief, he is currently acting as such without constitutional authority. It is Obama's exercising the singular and great powers of the president and commander in chief without constitutional authority which is causing plaintiffs' injury in fact."

In failing to address the merits of the cases, Obama may have admitted the charges against him are true, at least in a narrow legal sense. According to Berg, "Rule 36 of the Federal Rules of Civil Procedure states that unless the accused party provides written answer or objection to charges within 30 days, the accused legally admits the matter." Under such reasoning, Obama has legally ad-

mitted the charges in a case filed by Berg in September 2008: "He admits he was born in Kenya. He admits he was adopted in Indonesia. He admits that the documentation posted online is a phony. And he admits that he is constitutionally ineligible to serve as president of the United States."

If Obama were to be proven ineligible, it's likely his political agenda would suffer, and he could be removed from office, just as Gov. Thomas Moodie of North Dakota was declared ineligible and removed by that state's Supreme Court in 1935. Moreover, all of Obama's accomplishments could be reversed. Bills he signed into law might be invalid since his signature was not by a legitimate officeholder, and his appointments of federal judges could be challenged and removed from the bench.

Obama's fight to avoid documenting his past might have to do with the severe legal consequences should he be found ineligible. The United States Justice Foundation assessed Obama's legal liability and concluded he could be charged with numerous crimes, including false personation of an officer or employee of the United States; conspiracy to commit offense or to defraud the United States; activities affecting Armed Forces during war; false statement in application and use of passport; false personation of a citizen of the United States, and perjury. He could be sent to prison for years if convicted.



# Where do we go from here?

**T**he campaign to verify Obama's eligibility, and to amend the nation's laws to avoid future eligibility disputes, is marching forward in both the political and the legal arenas.

Despite a virtual blackout by the mainstream media, Obama's eligibility troubles have spread across America, and public opinion has gradually turned against the president. Prominent politicians have come out in favor of efforts to investigate the matter, and state and federal legislators have taken notice.

In March 2009, more than a dozen U.S. House Republicans co-sponsored a bill proposed by Bill Posey, R-Fla., called the Presidential Eligibility Act. Posey's bill would require presidential candidates to prove their eligibility by

providing a copy of their birth certificates. But Posey's bill is not expected to advance in the Democrat-controlled Congress.

Similar efforts may find greater success at the state level. Legislators in more than half a dozen states have introduced bills to require the eligibility of presidential candidates be proven before they could appear on the ballot. In Arizona, for example, three dozen state legislators have co-sponsored a bill mandating presidential candidates prove their qualification, which would be verified independently by state officials. The bill was adopted by the Arizona House, but was defeated by a parliamentary maneuver in the state Senate.

Other states considering similar action include Georgia, Indiana, New Hampshire, New York, Oklahoma, and Virginia. The National Conference of State Legislatures has reported legislators in several additional states are investigating the issue.

On the legal front, dozens of cases have been filed in federal, state, and military courts challenging Obama's qualifications to occupy the Oval Office and to give orders to the military. Though some have been dismissed, others are still working their way through the courts. If any case reaches the level of discovery, Obama would be forced to produce his Hawaii birth records.



*Rep. Bill Posey, R-Fla.*

Perhaps the case most likely to force production of such records is that of Lt. Col. Terrence Lakin, a senior Army doctor who refuses to follow orders to deploy to Afghanistan until Obama documents his eligibility. Lakin is presently being court-martialed, making him the defendant in a criminal case. Though an Army legal officer has denied Lakin's initial request for Obama's birth documents and the testimony of Hawaiian state officials in charge of the records, his lawyer is confident Lakin will be permitted to obtain the information before he goes on trial.

Lakin's attorney, Paul Rolf Jensen, expressed confidence the necessary information will be obtained for the defense.



*Lt. Col. Terrence Lakin*

"This is a criminal case," he told WND, with a possible punishment of several years in jail. "In order for a criminal defendant to defend himself in a criminal court he has to be given the opportunity to put on a defense."

If the legal efforts continue to be frustrated in court, it's still possible the legislative efforts will bear fruit. U.S. Rep. Trent Franks, R-Ariz., the ranking Republican member of the House Constitution committee, has stated publicly Obama should be forced to prove his eligibility before being permitted to run for re-election in 2012. If any of the bills currently being debated in state legislatures become law, Obama would be forced to prove his qualification in order to appear on the ballot in those states.

The year 2012 is key. As U.S. Justice Foundation attorney Gary Kreeb told WND, "We're seeking to bar anyone from going on the presidential ballot in 2012 unless they can prove that they're eligible."





# Conclusion

**T**he citizens of the United States have the right to know if their president is constitutionally eligible to hold the office.

Obama's hospital of birth, birth documents, passport, and Social Security Number are all in question, and his legal

defense never addresses the merits of the eligibility challenges. Instead, Obama relies on procedural objections and compliant judges to get the cases thrown out of court.

President Obama could quickly and easily resolve the issue by releasing his personal historical documents to authenticate his claims.

*The citizens of the United States have the right to know if their president is constitutionally eligible to hold the office.*



Barack Obama

# What can you do?

**Y**ou can keep the pressure on Obama, the politicians, and the courts by helping WorldNetDaily keep the issue alive. You can provide financial support, participate directly in WND's eligibility efforts, and spread the word to your friends. Here is a list of some things you can do:

- FORWARD THIS REPORT TO FRIENDS, FAMILY AND COLLEAGUES!
- Sign the WorldNetDaily petition! Join half a million fellow Americans who are demanding that the Congress, the Supreme Court, and the president take seriously the constitutional eligibility requirement, and make public Obama's birth documents. Forward it to your friends.
- Support the WorldNetDaily billboard campaign! WND has placed "Where's the birth certificate?" billboards next to highways across the nation, putting the issue directly in front of millions of motorists. The billboards have generated local media coverage wherever they've been placed and have had great effect on public opinion. You can help bring the next billboard to your own city.



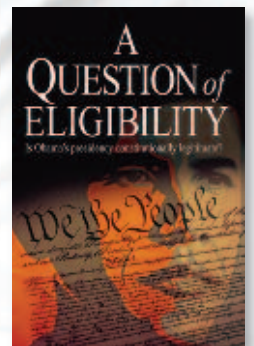
- Support the journalism! Give to WND's Fund for Truth about Obama's Birth.
- Support the WorldNetDaily Hospital Challenge! WND has offered to donate at least \$15,000 to any hospital that produces Obama's birth records.
- Get the bumper sticker! WND is offering magnetic, easy-on, easy-off bumper stickers asking, "Where's the birth certificate?"



- Wear the T-shirt! Available at WND's Superstore.
- Get the yard signs. Available at WND's Superstore.



- Get the DVD! Watch WND's video documentary primer on the eligibility issue, "A Question of Eligibility," and give it to a friend.



- Get the the most complete and thorough exposé of the eligibility questions surrounding Barack Obama's presidency in the April 2009 edition of WND's acclaimed Whistleblower magazine titled "Your Papers, Please?"

