

Is Ilhan Omar a U.S. Citizen?

AND WHO HAS “STANDING” TO DISCOVER THE TRUTH?

by [Joseph DeMaio](#), ©2019



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(Jul. 24, 2019) — Recently, the intrepid P&E Editor brought to your humble servant’s attention a [post](#) revisiting the question of whether Representative Ilhan Omar (D-MN) is constitutionally eligible to serve in the House of Representatives. P&E readers will recall that a similar question was raised [here](#) with regard to the eligibility of Representative Tulsi Gabbard.

While Ms. Gabbard is one of the myriad Democrat candidates competing for the right to be crushed in the 2020 general election by President Trump, the issue raised in the prior post was that in addition to being ineligible to the presidency as failing the “natural born Citizen” criterion of Art. 2, § 1, Cl. 5 of the Constitution, she is also likely ineligible to serve in the House of Representatives.

All members of Congress are subject to the eligibility requirements of Art. 1, § 1, Cl. 2 of the Constitution. That provision states: “No Person shall be a Representative who shall not have attained to the Age of twenty-five Years, *and been seven Years a Citizen of the United States....*” (Emphasis added). The issue with regard to Ms. Gabbard is whether because she was born in American Samoa and is by federal statute, therefore, a “U.S. national,” but not a U.S. “citizen,” she meets the eligibility requirements for both the presidency and the House of Representatives. A substantial body of law indicates that she meets neither requirement.

If despite all of these warning flags, neither the House nor the Congress (nor, for that matter, the Supreme Court) does anything to address the situation and, by some hyper-cruel twist of fate, Gabbard (or, for that matter, [Kamala Harris](#) wins in 2020...., yikes... we will have elected our Third Usurper of the United States after Chester A. Arthur, # 1, and Barack Hussein Obama II, # 2.

Is this a great country, or what??!

The situation with Ms. Omar, on the other hand, is more complicated and different than Ms. Gabbard's, because there is a growing body of evidence that not only is Omar not a "citizen" of the United States, her claim that she *is* a citizen may be based on fraud and the filing of false documents. That is the suggestion of the post above brought to your humble servant's attention by The P&E Editor. Readers are encouraged to review that post prior to moving on through this offering, as it will put into perspective some of the comments to be made.

Back already? OK, let us proceed.

First, as the Third Rail Talk post notes, her purported citizenship via "acquisition" is unavailable because neither of her parents were U.S. citizens at the time of her birth in Mogadishu, Somalia (date uncertain). Moreover, her purported citizenship via her parents through "derivation" is also unavailable because in order for that avenue to apply, a foreign-born child must have turned age 18 on or *after* February 27, 2001.

Omar's prior widely-published birthdate of October 4, 1981 was subsequently changed in various places to October 4, 1982 under extremely curious [circumstances](#). Perhaps Omar will post an image of her Somali birth certificate on the Internet, a tactic that has in the past been used by other usurp.... sorry..., politicians..., in an effort to "prove" their eligibility. Using her prior documented birthdate of 1981 would mean that she turned 18 in 1999 and 19 one year later, in 2000, rendering her ineligible for derivation citizenship.

Finally, as for the formal naturalization path, under [8 U.S.C. § 1433](#) governing acquisition of citizenship for children born outside of the United States, Omar's father would have had to have acquired his own U.S. naturalized citizenship prior to Ilhan Omar's turning 18. But because the Omar family arrived here in 1995, and since majority-aged Somali refugees were required to reside here for five years prior to applying for naturalization, her father could not have applied for (or legally received) naturalization for himself until 2000, *after* Ilhan Omar had herself attained majority.

Moreover, efforts to discover her purported "citizenship" status via the "normal" as opposed to "derivative" naturalization process have been rebuffed. Federal privacy laws preclude the disclosure of naturalization information about persons other than the requestor absent that person's permission. For example, a Freedom of Information Act ("FOIA") request for disclosure of Omar's naturalization papers would be rejected absent her signing of a waiver of confidentiality. This is much like the looney basis interposed by the Kapi'olani Hospital in Honolulu when asked to confirm that Barack Hussein

Obama II was born there, despite the fact that Obama himself has repeatedly waived any claim of privacy or confidentiality by publicly announcing that he was – purportedly – born there.

Second, the questions about Omar’s citizenship seem to be intertwined with evidence that she [married her brother](#) (how... progressive...) as part of a scheme to come to the United States from Somalia under the so-called “P-3 Family Reunification Plan” then being administered by the Department of State under the usurping regime of... wait for it... wait for it... Barack Hussein Obama II.

In this regard as well, the conservative watchdog entity Judicial Watch has just filed an [ethics complaint](#) against Omar raising many of these same issues. The Judicial Watch complaint is compelling, well-crafted and worth reading in full. It will be interesting to see what, if anything, will come of that complaint, now pending before the House Ethics Committee. P&E readers’ alert: do not hold your breath for anything substantive from a committee organized and under the control of Nancy Pelosi, although given the feud between Pelosi and the “Squad,” don’t bet the farm that some sort of decision casting Omar in a negative light is impossible.

Third, it might well be that the only effective way of getting to the bottom of the question – Omar herself having no interest in searching out or securing the truth – would be for a candidate to challenge her in the next general election in 2020. Such a candidate would clearly have “standing” to file suit and be able, through the discovery process, to demand that Omar produce proof of her claimed U.S. citizenship as a constitutional condition of running for that office.

That candidate, of course, would need to bring the action in a timely manner in order to avoid the result suffered by Alan Keyes in *Drake v. Obama*, 664 F.3d 774 (9th Cir. 2011). Back then, a number of persons – including Ambassador Alan Keyes, as a candidate for the presidency versus Barack Hussein Obama II – challenged Obama’s constitutional eligibility, but did so in an amended complaint filed *after* Obama was sworn in as the Second Usurper of the United States.

By then, the plaintiffs had missed the deadline for preserving any continuing “standing” to prove a “concrete injury in fact” to fend off a motion to dismiss the complaint, which is what happened. The legal concept of “standing” – and the typical finding by a cowardly or complicit judiciary that it is “lacking” in a disfavored plaintiff – is the customary refuge of the Ninth Circuit.

Returning to the Omar likely usurpation, absent proof from Omar that she is, in fact, a U.S. citizen, by formal naturalization or otherwise, she would have no basis for claiming any right to be placed on the general election ballot or, for that matter, any right to fill out the remainder of any usurpation of the seat dedicated to Minnesota’s Fifth Congressional District.

The problem, of course, is finding a Republican candidate to go up against Omar in the general election. And with the concentration of Somali “[refugees](#)” now occupying the neighborhoods in Minneapolis and the Fifth Congressional District in Minnesota, the notion of finding a Democrat willing to “step up” and challenge her in a primary election is, as we say, close to an absolute “non-starter.”

And, speaking of Republican challengers to Omar, happily, it appears that one is already [on the horizon](#). Moreover, the fact that Ms. Danielle Stella is already being attacked by the left brings to mind the WWII phrase coined by bomber pilots flying over Germany: “If you’re taking flak, you’re over the target.” We will watch with interest how her campaign progresses.

Long story short: the status of Omar as a purported U.S. citizen will remain, as she prefers, murky and unresolved unless and until she voluntarily provides proof of same. As a committed founding member of the Squad, however, the likelihood of that happening in the near (or even distant) future is, shall we say, “remote.” Thus, the other avenues explored above – the Judicial Watch ethics complaint and/or a court action by a challenger possessed of “standing” – would seem to be the most efficient ways of getting to the truth.

But if the truth of her actual citizenship status is the ultimate goal, do not seek it from Ilhan Omar or her leftist, radical apparatchiks. Their interests lie elsewhere... like in dismantling the United States from within the halls of Congress.