

President's Day 2015

“THE USURPER’S NAME IS BARACK HUSSEIN OBAMA”

by Joseph DeMaio, ©2015



“An expensive and unprincipled squatter”

(Feb. 16, 2015) — On this February 16, we observe what has come to be called “President’s Day.” Originally, the holiday in February was known as “Washington’s Birthday” and was observed on his actual birthday, February 22. However, in 1968, Congress passed the “Uniform Monday Holiday Act,” Pub.L. 90-363, and it was signed into law by President Lyndon B. Johnson (who was, incidentally, a “natural born citizen” eligible to hold the office).

The 1968 law shifted the dates for the observance by federal offices and federal employees (but no others) of several “traditional” or “actual” historical dates to the Mondays following certain weekends. The purpose, of course, was designed to provide several three-day weekends throughout the year for our tireless and dedicated federal employees and their tax-devouring agency employers. Lord knows federal employees can hardly function effectively being saddled with two-day weekends on historical dates like the rest of us.

Moreover, President’s Day is supposed to honor not just George Washington, the first president, nor Washington and Lincoln (both of whom had birthdays in February). Instead, it now observes all presidents, regardless of the month of their birth. We thus observe today the birthdays of all forty-three (43) presidents who have thus far served the Nation, some with more honor than others.

But wait, you say: have there not been 44 presidents? Is DeMaio’s math wrong?

Truthfully, no. To be precise, there have been 43 “presidents” of the United States... and one (1) “usurper.” The usurper’s name is Barack Hussein Obama. He currently occupies the executive residence at 1600 Pennsylvania Avenue in Washington as a common squatter. An expensive and unprincipled squatter, to be sure, but a squatter nonetheless.

And, problematically, one with access to the launch codes in the “football,” and we are here not talking “deflategate.”

The Nation has only once before come close to having a squatter/usurper occupy the Oval Office. [Chester A. Arthur](#) was rumored to have been ineligible to serve as president because he was alleged to have been born in Ireland, rather than, as he claimed, in the State of Vermont. Had his birth in Ireland been true, he would have failed the requirements of Art. 2, Sec. 1, Cl. 5 of the Constitution mandating that only a “natural born citizen” be eligible to the office of the president.

There was no credible evidence, however, that the claims of his birth in Ireland could be documented, and so he “dodged that bullet” and became the Nation’s 21st president. Indeed, in a website dedicated to arranging the presidents according to their “[home state](#),” both Chester A. Arthur and Barack Obama are listed as being born as “British subjects” as well as American citizens.

On the other hand, as to the squatter, there exists a mountain of evidence supporting the conclusion that he is not now – and never has been – a “natural born citizen” and that he is therefore illegally occupying the office. That, by definition, is a usurpation of the office. Rather than cite the reader to the multitude of posts and articles here at The P&E and elsewhere documenting the reasons why he is a usurper, consider just one interesting additional fact uncovered in researching for the composition of this post.

First, as noted in many of these posts, under the imprimatur of the Congressional Research Service (“CRS”), one Jack Maskell, a “Legislative Attorney” in the CRS “American Law Division” has over the years opined to the Congress (and, inferentially, the world) on the issue of who can be a “natural born citizen” under the Constitution.

Specifically, he has opined on at least three separate occasions that the “natural born citizen” provision of Art. 2, Sec. 1, Cl. 5 of the Constitution, coupled with his interpretation of the Fourteenth Amendment, simply means that if a person is born “in” this country, and is subject to this nation’s jurisdiction (thus excluding, for example, children born here to foreign diplomats), the natural born citizen requirement is satisfied. Case closed: Monsieur Obama, having been born “in” Honolulu (sic: purportedly), regardless of the citizenship of his parents (Barack Obama, Sr., the usurper’s father, was during his entire lifetime a citizen of Kenya, not the United States) is a natural born citizen. There is no difference between a “native born” citizen and a “natural born citizen.” Move along, birthers.... nothing to see here.

Not so fast.

In justifying his research and peddling his conclusions, Mr. Maskell relies on numerous sources, including United States Supreme Court opinions (some even unaltered by his elsewhere appearing ellipsis [omissions](#)), newspaper articles and, interestingly, a website identified as “factcheck.org.” For example, in the CRS memoranda authored by Mr. Maskell on April 3, 2009 and on March 18, 2010, Mr. Maskell states (4/3/09 memo at fn.

55; 3/18/10 memo at fn. 7) that the Obama campaign, after releasing an image of a purported “birth certificate” on its website, “reportedly invited a non-partisan, apparently independent, organization involved in public policy and the political process to examine the certificate, that is, ‘factcheck.org,’ a project of the University of Pennsylvania’s Annenberg Public Policy Center. See discussion at www.factcheck.org/elections/2008print_born_in_the_usa.html.”

Putting aside for the moment the comedic issue of whether the terms “non-partisan” and “independent” can peacefully coexist in the same sentence with the term “Annenberg,” the fact remains that Mr. Maskell had no difficulty relying on that website’s conclusions regarding the “authenticity” of the document (or the image of the document posted) supposedly examined by the folks at “factcheck.org.” And, by the way, don’t try to access the prior “born-in-the-usa” link, as it is no longer available. Go ahead... try....

You might ask: so what? Here’s what. On August 29, 2008, and well before Mr. Maskell penned his first (April 3, 2009) memo, factcheck.org. published a [post](#) addressing the question of whether Obama was a citizen of Kenya. In that post, a “non-partisan” and “independent” researcher named “Joe Miller” responded to a question raised by the Rocky Mountain News, Denver, in an August 6, 2007 article entitled “Things You Might Not Know About Barack Obama.” That question was: “Does Barack Obama Have Kenyan Citizenship?” In response, Mr. Miller summarizes thusly: “A. No. He held both U.S. and Kenyan citizenship as a child, but lost his Kenyan citizenship automatically on his 23rd birthday.”

Later on in the post, Mr. Miller states: “In other words, at the time of his birth, Barack Obama Jr. was both a U.S. citizen (by virtue of being born in Hawaii [ed.: purportedly]) and a citizen of the United Kingdom and Colonies (or the UKC [including what would in 1963, and not before, become “Kenya”]) by virtue of being born to a father who was a citizen of the UKC.”

Really? This presents some interesting questions.

First, according to Mr. Maskell in his various memos, one of the core concerns of the Founding Fathers was ensuring that the office of the “Chief Magistrate” of the new nation could be held ONLY by a person who was not only born here, but who at the time of birth was possessed of zero foreign allegiances supplied through his/her parents. And yet one of the sources Mr. Maskell uses to justify his conclusions that mere birth “in” the United States to non-diplomatic persons, regardless of their citizenship status – factcheck.org. – posits just the opposite.

Indeed, as soon as Mr. Miller notes that Monsieur Obama Jr. was born a “citizen of the UKC...,” he confirms that he cannot also have been born a “natural born citizen.” Even if under Mr. Maskell’s theories he was a “native born citizen” by virtue of the Fourteenth Amendment, under his own logic, he could not satisfy what the Founders intended when they “elevated the bar” for the office of the president by stating that, in addition to being a “citizen,” the president must also be a “natural born citizen.”

Stated otherwise, the factcheck.org post further documents that the current occupant of the White House was, from the time of his birth, ineligible under the Constitution.

Second, Mr. Miller concludes that the reason Monsieur Obama Jr. possessed, until age 23, Kenyan citizenship was that he had been “born to a father who was a citizen of the UKC.” This is precisely the point made by Emmerich de Vattel in his tome, “The Law of Nations,” upon which the Founders [relied](#) in drafting the Constitution.

LE DROIT DES GENS.

OU
PRINCIPES DE LA
LOI NATURELLE,

*Appliqués à la conduite & aux affaires des
Nations & des Souverains.*

PAR M. DE VATTEL.

*Nilil est scdm illi principi Deo, qui omnem hunc mundum regit, quod
quidem in terris fiat, acceptius, quam concilia ceterisque hominum
iure facta, quae Civitates appellantur. CICERO. Deam. Scipio.*

TOME I.



A LONDRES.

MDCCLXXVIII.

Specifically, de Vattel postulated in Book I, Chapter XIX, Section 212 that to be a “natural born citizen” of a country, one must be born in the country to parents who are themselves, at the time of birth, also citizens of that country. He also posited that “those children naturally follow the condition of their fathers, and succeed to all their rights...” and that “in order to be of the country, it is necessary that a person be born of a father who is a citizen; for, if he is born there of a foreigner, it will only be the place of his birth, and not his country.”

Mr. Maskell attempts to deflect and trivialize these conclusions in his April 3, 2009 memo (pp. 13-14) by referring to the United States Supreme Court decision in *Perkins v. Elg*. For reasons articulated elsewhere, including [here](#), those deflections fail. Miserably.

Those responsible for “fact-checking” Mr. Maskell’s end product might well have done a better job of uncovering Mr. Miller’s August 2008 observations at the “non-partisan” and “independent” website. If the CRS and Mr. Maskell seek consistency, then better pre-publication research could help the end product. Then again, as noted by [Emerson](#), “a

foolish consistency is the hobgoblin of little minds, adored by little statesmen...[and others].”

It is noteworthy as well that Mr. Miller’s factcheck.org article was “corrected” on Sept. 3, 2009 (after the original Maskell CRS memo) to reflect the “true” date when Monsieur Obama Jr. “lost” his Kenyan citizenship, i.e., Aug. 4, 1984. Even if automatic forfeiture of his Kenyan citizenship occurred in 1984, it would not retroactively convert his “native born” status in 1961 (even if the Fourteenth Amendment applied) into “natural born” status as of that or any other date.

Mr. Miller’s article has not been since amended or corrected, but it will be interesting to see if, after reading this post, magically, somehow, the Miller article either “disappears” (bad things can happen, you know.... computers crash, e-mails vanish, words get altered....) or it gets scrubbed to remove passages deemed to be inconsistent with the party-line narrative that Obama is eligible and is not a usurper.

This could be good... stay tuned. Happy President’s Day.