

# Natural Born Citizen

**A Presidential Eligibility Qualification Requirement  
In Article II Section 1 Clause 5  
Of the United States Constitution**

**A Collection of Essays on Natural Born Citizenship  
By: CDR Charles F. Kerchner, Jr. (Retired)**

# **Table of Contents**

**The Who, What, When, Where, Why, and How of the “natural born Citizen” Term In Our United States Constitution**

**Who is a ‘natural born Citizen’ of the United States to Constitutional Standards?**

**The Three Legged Stool Test for Natural Born Citizen**

**Reporters Need to Ask People Mentioned as Presidential and Vice-Presidential Candidates the Correct Question**

**Constitution Day – September 17th: A Lesson from History. Is Being ‘Born a Citizen (Citizen at/by Birth)’ of the United States of Sufficient Citizenship Status to be President of the United States and Commander in Chief of Our Military? The Founders and Framers Emphatically Decided ... It Was Not!**

**A Simple Euler Logic Diagram Shows Logical Relationship of Constitutional Article II "natural born Citizens" to Other Type "Citizens" of the United States**

**Citizenship Status of All the Presidents of the USA**

**Natural Born Citizen = 3 Leaf Clover Citizens < > 4 Leaf Type**



# The Who, What, When, Where, Why, and How of the “natural born Citizen” Term In Our United States Constitution

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**Who:** The various sovereign, free, and independent several states, as a result of the revolution against England had loosely banded together in a confederation to battle England and thus formed the new United States in 1776. In 1787 they decided to convene a convention of the states to draw up a Constitution to form a stronger, “more perfect” union and appointed delegates from their several states for that purpose. The delegates met in the summer of 1787 in Philadelphia, PA to write the new contract<sup>1</sup> on behalf of We the People represented by our several states. While there, the delegates considered, among many things, the eligibility qualifications for who could be the President of the new stronger more perfectly unified United States under the in-draft and newly proposed Constitution of the United States<sup>2</sup>.

Early on they considered requiring the President to be only a “Citizen”<sup>3</sup>. Being very concerned about foreign intrigue and influence entering into the halls of power this was thought not to be a strong enough protection against foreign influence<sup>4</sup> on the person who would hold the singularly most powerful office under the proposed

<sup>1</sup> Constitution of the United States: [http://www.archives.gov/exhibits/charters/constitution\\_transcript.html](http://www.archives.gov/exhibits/charters/constitution_transcript.html)

<sup>2</sup> Timeline and various proposals and drafts of the U.S. Constitution:  
[https://en.wikipedia.org/wiki/Timeline\\_of\\_drafting\\_and\\_ratification\\_of\\_the\\_United\\_States\\_Constitution](https://en.wikipedia.org/wiki/Timeline_of_drafting_and_ratification_of_the_United_States_Constitution)

<sup>3</sup> Madison’s ‘Constitutional Convention Notes’: <https://archive.org/details/jamesmadisonsnot00scot>

<sup>4</sup> Federalist Papers – See and read the many papers about the concerns about ‘Foreign Influence’ on those who would govern under the new U.S. Constitution, especially in the executive branch: <http://usgovinfo.about.com/library/fed/blfedindex.htm>

new Constitution. Then as is mentioned in Madison's notes<sup>5</sup> of the Constitutional Convention proceedings, Alexander Hamilton at some points in time had proposed to the various delegates that for the office of President, that the person being simply and only a "Citizen" would be fine for the founding generation who were the "original Citizens", and who had shed their blood in the cause of forming the new nation, but that in the future after the new Constitution was adopted and once the founding generation was gone, the President would have to have stronger allegiance to the nation and be "born a Citizen"<sup>6</sup>, which today is more commonly called in U.S. Statutory Laws a "Citizen at or by Birth". Hamilton may have been concerned about those he possibly heard talking about and/or insisting on an even stronger eligibility clause which might have precluded him from ever becoming a President, since we know that Hamilton<sup>7</sup> was not born in the United States. But in the end he need not have worried about that since the grandfather clause covering the "original Citizens" would have exempted him from the ultimate much more restrictive 'birth status' term put into the new Constitution.

As the end product in Article II Section 1 Clause 5, the presidential eligibility clause<sup>8</sup> of our adopted and ratified Constitution of the United States shows that somewhat more restrictive term of simply being "born a Citizen", rather than being simply any "Citizen", was NOT accepted either as being strong enough to block foreign influence by birth on who would be a future President. And thus those who argue today that being "born a Citizen" is all that is required as to citizenship status to be eligible to run for the office of President are clearly wrong! The founders and framers considered it and it did not make it into the final adopted Constitution or into any of the ratified subsequent first 10 Amendments<sup>9</sup> put up to help get the new Constitution ratified by the several states. History shows that simply being "born a Citizen" was proposed by Hamilton and it was not accepted. What can be more demonstrative than that of "originalist" understanding and intent that simply being "born a Citizen" is NOT eligibility enough to be the President!

What even more restrictive term as to citizenship status did they choose and "Where" and "Who" did the delegates get the suggestion from? We learn from history and the records in our Library of Congress that in a letter<sup>10</sup> dated 25 Jul 1787 from **John Jay**<sup>11</sup> (who later became the first Chief Justice of the U.S. Supreme Court under the new Constitution) sent to **George Washington**<sup>12</sup>, the presiding President of the Constitutional Convention (and who had been the Commander in Chief of the Continental Army during the Revolutionary War and who later became the first President of the United States under the new Constitution), wherein John Jay suggested the much more restrictive term and "kind"<sup>13</sup> of Citizenship which is obtained only from Natural

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<sup>5</sup> Madison's notes compiled and edited by Max Farrand [1911] Vol.3: <http://oll.libertyfund.org/titles/farrand-the-records-of-the-federal-convention-of-1787-vol-3>

<sup>6</sup> Madison's notes compiled and edited by Max Farrand [1911] Vol.3 - See pg 619: <http://oll.libertyfund.org/titles/farrand-the-records-of-the-federal-convention-of-1787-vol-3>

<sup>7</sup> Hamilton not born in the USA – Born in the West Indies: [https://en.wikipedia.org/wiki/Alexander\\_Hamilton](https://en.wikipedia.org/wiki/Alexander_Hamilton)

<sup>8</sup> Presidential Eligibility Clause in U.S. Constitution - Article II Section 1 Clause 5: [http://press-pubs.uchicago.edu/founders/tocs/a2\\_1\\_5.html](http://press-pubs.uchicago.edu/founders/tocs/a2_1_5.html)

<sup>9</sup> Constitution of the United States and First Twelve Amendments: <http://press-pubs.uchicago.edu/founders/documents/v1ch1s9.html>

<sup>10</sup> John Jay letter of 25 Jul 1787 to George Washington: <https://www.scribd.com/doc/241491173/>

<sup>11</sup> John Jay was the first Chief Justice of U.S. Supreme Court: [https://en.wikipedia.org/wiki/John\\_Jay](https://en.wikipedia.org/wiki/John_Jay)

<sup>12</sup> George Washington was the Commander in Chief of Continental Army and was the first President of the United States under the new constitution: [https://en.wikipedia.org/wiki/George\\_Washington](https://en.wikipedia.org/wiki/George_Washington)

<sup>13</sup> The Five Kinds of Citizens Mentioned in the U.S. Constitution: <https://www.scribd.com/doc/11737124/Citizenship-Terms-Used-in-the-U-S-Constitution-The-5-Terms-Defined-Some-Legal-Reference-to-Same>

Law<sup>14</sup> and the Laws of Nature and Nature's Creator and not from positive, man-made, resolutions, statutory laws, treaties or amendments, that is requiring the future Presidents to be a "natural born Citizen"<sup>15</sup>, a person born in the country to parents (plural – father and mother) who were both Citizens (born or naturalized Citizens but both Citizens of some "kind") of the country when their child was born in the country. Born in the country of a father who is a Citizen of the country and the mother is a Citizen of the country form the Three Legged Stool Test<sup>16</sup> for a "natural born Citizen". Without either leg it cannot stand.

This Natural Law term provides for sole allegiance and unity of citizenship at birth to only one country. No "dual-Citizenship at birth" person would be permitted to be a future President and Commander in Chief of our military. Thus, the key "Who" that were the essential and key people in getting the Natural Law "natural born Citizen" term put into the adopted Constitution of the United States<sup>17</sup> are John Jay and George Washington. Knowing "Who" the key people were who put the "natural born Citizen" term into the new Constitution, and their backgrounds and roles in the revolution and in the formation and early governance of our new nation, will help us much more clearly understand the reason "Why" that Natural Law strongly restrictive 'status at birth term' of "natural born Citizen" was selected, instead of the less restrictive "born a Citizen" or the even less restrictive simply a "Citizen" terms. We will discuss this again later in the "Why" section of this paper.

**What:** The "What", of course, is the "**natural born Citizen**" term in the presidential eligibility clause in Article II, Section 1, Clause 5 of the United States Constitution<sup>8</sup>.

**When:** The summer of 1787<sup>2,18</sup>.

**Where:** The physical location "Where" they made the choices and decisions as to what went into our Constitution and what did not was at **Independence Hall** during the **Constitutional Convention** held in **Philadelphia, PA.**<sup>19</sup>

But "Where" intellectually did John Jay get the term "natural born Citizen" and his understanding of the strong check on foreign influence and restrictive citizenship "kind" it was? He got it from Natural Law and the enlightenment movement of Europe writing about the natural rights of man and about new forms of government of which the founders and framers were readers, students, and followers and in particular the preeminent legal treatise of the time on the principles of Natural Law, "The Law of Nations or Principles of Natural Law" by Emer de Vattel (1758/1775). That legal treatise was widely read and put to use by the founders and framers in justifying the revolution and writing the founding documents<sup>20</sup>.

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<sup>14</sup> Emer de Vattel's "Law of Nations or Principles of Natural Law" [1758/1175/1797]: <http://lonang.com/library/reference/vattel-law-of-nations/>

<sup>15</sup> Natural Law "natural born Citizen" definition per Emer de Vattel "Law of Nations or Principles of Natural Law" [1758/1775/1797] - Vol.1 Chap.19 Section 212: <http://lonang.com/library/reference/vattel-law-of-nations/vatt-119/>

<sup>16</sup> Three Legged Stool Test for Natural Born Citizenship: <https://www.scribd.com/doc/185258103/Three-Legged-Stool-Test-for-Natural-Born-Citizen-to-Constitutional-Standards>

<sup>17</sup> Constitution of the United States and First Twelve Amendments: <http://press-pubs.uchicago.edu/founders/documents/v1ch1s9.html>

<sup>18</sup> Constitutional Convention of 1787: [https://en.wikipedia.org/wiki/Constitutional\\_Convention\\_%28United\\_States%29](https://en.wikipedia.org/wiki/Constitutional_Convention_%28United_States%29)

<sup>19</sup> Independence Hall: [https://en.wikipedia.org/wiki/Independence\\_Hall](https://en.wikipedia.org/wiki/Independence_Hall)

<sup>20</sup> Use of Vattel's "Law on Nations or Principles of Natural Law" by 'Founders and Framers' such as Ben Franklin, Thomas Jefferson, and George Washington to justify the revolution and write the Founding Documents: <http://puzo1.blogspot.com/2010/04/benjamin-franklin-in-1775-thanks.html>

**Why:** When John Jay suggested via letter “**to provide a strong check to the admission of Foreigners into the administration of our national government**” in his 25 July 1787 letter<sup>10</sup> to George Washington, who was presiding over the Constitutional Convention in the summer of 1787, John Jay was telling George Washington, and by us reading that letter, telling all of us the “Why” he was suggesting to George Washington that the presidential eligibility clause be made much more restrictive. He wrote suggesting that in order to help prevent foreign influence on the future Presidents, who under the new Constitution would also be the Commander in Chief of our military, the new Constitution should “**provide a strong check**” against foreign influence via birth on the person who would be in command of our military. John Jay wrote “**that the Command in chief of the American armies shall not be given, nor devolve on, any but a natural born Citizen**”<sup>10</sup>. And since the President was going to be the Commander in Chief of our military the President had to be a “natural born Citizen”. It was a national security concern. That is “Why” the “natural born Citizen” term is in the presidential eligibility clause. The term was selected for national security protection reasons to specifically keep persons born with foreign citizenship and divided allegiances at birth, and/or aka dual-Citizens at birth, from ever constitutionally being eligible to be President and Commander in Chief of our military. We must respect and enforce the original understanding, meaning, and intent – the “Why”!

George Washington on 2 Sep 1787 replied<sup>21</sup> by letter to John Jay appreciating his “hint”. He passed along the recommendation to the Committee of Eleven which was responsible for the actual writing and updating the various drafts to be considered. And thus in the next draft of our U.S. Constitution two days later we see the “natural born Citizen” term in the presidential eligibility clause. Of course they had to include a ‘grandfather clause’ to exempt their current generation, the founding generation, since none of the “original Citizens” were “natural born Citizens”. The “natural born Citizens” are the children born in the country of “Citizens”. Most of the “original Citizens” were born British Subjects and were in effect self-naturalized into being “original Citizens” by being the founding members of the newly created nation via the 1776 Declaration of Independence and adhering to the Revolution. Historian David Ramsay of the founding generation wrote an excellent paper in 1789 on who were the “original Citizens”<sup>22</sup>

The “original Citizens” and future “naturalized Citizens” and “U.S. Citizens” of whatever “kind” can and would procreate the “natural born Citizens”, the children born in the country of Citizen parents<sup>14</sup>. A “natural born Citizen” obtains their citizenship via Natural Law at birth with combined soil “jus soli” and both parents “jus sanguinis” citizenship<sup>23</sup>. They need not point to any man-made law, constitutional amendment, or court ruling to prove they are Citizens of the USA. They are born with sole allegiance at birth to the USA and only the USA. They are by their very nature the largest group and “kind” of citizens of a nation. They are the three leaf clover<sup>24</sup> of kinds of Citizens, the “natural born Citizens”, not the four leaf clover kinds. Dual-Citizens at birth are the rare four leaf clover kind. But under our Constitution that does not bring them good luck as to eligibility to be President. The Constitution requires us to choose our President and Commander in Chief from the

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<sup>21</sup> Letter of reply to John Jay from George Washington thanking him for the hint to require “natural born Citizen” term in the ‘Presidential Eligibility Clause’ in our new constitution: On September 2, 1787 George Washington wrote a reply to John Jay in which he said, “I thank you for the hints contained in your letter.” And then two days later on September 4, 1787 the “natural born citizen” clause for presidential eligibility appeared in the next draft of the U.S. Constitution reported out from the Committee of Eleven of the convention delegates.

<sup>22</sup> Paper by David Ramsay on the manner of acquiring citizenship in the new United States: <https://www.scribd.com/doc/33807636/A-Dissertation-on-Manner-of-Acquiring-Character-Privileges-of-Citizen-of-U-S-by-David-Ramsay-1789>

<sup>23</sup> Venn Diagram showing a “natural born Citizen” gains ‘Sole Allegiance’ and ‘Unity of Citizenship’ at birth via being born on the soil of the USA and having both parents being Citizens of the USA when the child is born: <https://www.scribd.com/doc/44814496/Of-Trees-and-Plants-and-Basic-Logic-Citizen-at-Birth-NOT-Identical-to-Natural-Born-Citizen-by-CDR-Kerchner-Ret>

<sup>24</sup> Natural Born Citizens are The Three Leaf Clovers of Citizens – Not the Four Leaf Clovers:

<https://www.scribd.com/doc/160107354/Natural-Born-Citizen-3-Not-4-Leaf-Clover-Type-of-Citizenship>

plentiful and ordinary three leaf clover variety of Citizens, not the more exotic or maybe more politically attractive four leaf clover kind. No dual-Citizen at birth or persons born with divided allegiances to two or more countries can ever constitutionally be eligible to be President and Commander in Chief of our military. That is what the founders and framers understood the Natural Law “natural born Citizen” term to mean and intended it to mean. That is the “originalist” understanding and meaning and intent of the term.

This strongly restrictive birth status term is a national security clause and it must be protected and it applies only to the office of the President and Commander in Chief, and per the last line of the 12<sup>th</sup> Amendment it was made applicable also to who can be the Vice-President<sup>9</sup>. We must protect this national security clause to prevent foreign influence innately as to who can be the Commander in Chief of our vast military power.

Man’s nature and the Laws of Nature have not changed. It was a truism back then to block access to persons born with foreign influence on them by birth from gaining access to the most powerful political office in our nation and it is a much more important truism today. We must support and defend the Constitution of the United States and in particular Article II Section 1 Clause 5 which is currently under repeated attack from politicos pushing ineligible candidates of various political stripes to gain access to the Oval Office. No matter how attractive a political candidate sounds or looks, we cannot allow them to violate the Constitution.

**How:** Via the letter written 25 July 1787<sup>10</sup> by John Jay to George Washington, the presiding President of the Constitutional Convention in Philadelphia, PA, in the summer of 1787.

**In conclusion**, persons of true honor and respect for our Constitution would not even try to double-talk their way into the Oval Office or VP slot by trying to convince the electorate that constitutionally a “Citizen” at birth is logically and identically exactly the same as a “natural born Citizen” at birth<sup>25</sup>. Adjectives mean something!

As demonstrated above in this paper, the founders and framers told us those two citizenship terms are not the same. How can we trust a person to uphold any other part of the Constitution if they violate Article II of it by their very running as a constitutionally ineligible candidate? Marco Rubio was a dual-Citizen at birth – Cuban via his foreign national Cuban parents and U.S. by place of birth. Marco Rubio<sup>26</sup> is not constitutionally eligible to be President or Vice-President. Ted Cruz was a tri-Citizen at birth – Cuban via his foreign national Cuban father, U.S. via his mother, and Canadian via his place of birth. Ted Cruz<sup>27</sup> is not constitutionally eligible to be President or Vice-President.

You may say, well a Canadian Citizen at birth or a Cuban Citizen at birth, well that’s not so bad. They sound like good people. They make promises that sound good for the country. They say they are going to restore the Constitution. Well good and honorable people don’t violate the U.S. Constitution in order to try and save it. If we keep allowing the political establishment and major media and cowardly Congress and Judiciary to keep moving the true understanding and meaning of “natural born Citizen” further away from originalist understanding, meaning, and intent, where will it stop? The next time it could be a child born in Saudi Arabia to a U.S. Citizen mother and an Iranian Citizen and National father.

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<sup>25</sup> Euler Logic Diagram showing the logical relationship between the different ‘kinds’ of U.S. Citizens:

<https://cdrkerchner.wordpress.com/2016/02/14/euler-logic-diagram-shows-logical-relationship-of-constitutional-article-ii-natural-born-citizens-to-other-type-citizens-of-the-united-states/>

<sup>26</sup> Marco Rubio Missing Two Legs! He Cannot Constitutionally Stand for President and Commander in Chief, or VP:

<https://cdrkerchner.wordpress.com/2016/02/13/marco-rubio-is-missing-two-legs-he-cannot-constitutionally-stand-for-pres-or-vp-he-fails-three-legged-stool-test-for-natural-born-citizen/>

<sup>27</sup> Ted Cruz is Missing Two Legs! He Cannot Constitutionally Stand for President and Commander in Chief, or VP:

<https://cdrkerchner.wordpress.com/2016/01/13/ted-cruz-is-missing-two-legs-the-three-legged-stool-test-for-natural-born-citizen/>

Look at what has happened to our country and the rule of law under the current ineligible defacto President. We cannot allow a future repeat of what we have experienced with the current defacto unconstitutional President. The constitutionally ineligible defacto President Obama was born with dual-citizenship and allegiance (British and U.S.) and with that he brought his questionable loyalties and his “Dreams from His Father” to fundamentally transform America, a father who was never a U.S. Citizen and in fact was never even an immigrant to this country. We are a nation of immigrants but Obama’s father was not one. But with his promises of hope and change the people ignored the Constitution and elected him anyway. And our hamstrung political party-controlled Electoral College<sup>28</sup> and cowardly Congress confirmed the election. And then of course finally our cowardly Supreme Court Chief Justice John Roberts swore him in. Obama is exactly the example and reason why we cannot allow a dual-citizen at birth, a tri-citizen at birth, or citizen of the world to gain access and control of the Oval Office ever again. We cannot trust promises that sound good. This is not about politics. It is about the Constitution and the Rule of Law.

We cannot allow precedence to be set by electing and swearing into office another constitutionally ineligible person for President and Commander in Chief, or Vice-President, no matter how politically attractive to you they are. We must take a stand on this. Do not support any constitutionally ineligible candidates. We must support and defend Article II of the U.S. Constitution or very soon we won’t have a Constitution, a Constitutional Republic, or a nation governed by the Rule of Law at all.

To contact the author and/or to read more of the author’s writings about the constitutional term “natural born Citizen” see links below:

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<http://www.ProtectOurLiberty.org>

<http://cdrkerchner.wordpress.com/>

<https://www.scribd.com/user/52640192/protectourliberty>

<https://www.scribd.com/doc/48856102/All-U-S-Presidents-Eligibility-Grandfather-Clause-Natural-Born-Citizen-Clause-or-Seated-by-Fraud>

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<sup>28</sup> Some comments about the true purpose of the Electoral College. Unfortunately the major politically parties over the years have put into place in many states statutory laws mandating how the Electors from that state must vote (per said laws) which end up trumping their Oath to the Constitution to support and defend the Constitution. The political parties consider the Oath of Office taken by the Electors as nothing but ritual and the Electors are told to obey the state laws controlling how they must vote ... or else! They are no longer being allowed to carry out their constitutional oath and duties as originally intended per the Constitution as described in the Federalist Papers, and are under threat of individual and personal legal penalties, and/or removal from office, if they try to act on behalf of defending the Constitution as the supreme law of the land. If the Electoral College was allowed to act as originally intended as a stop-check against constitutional mistakes made by the political parties mislead people in the popular vote by voting for and selecting someone who is NOT constitutionally eligible, the Electors would stop things right then and there in that constitutional body and process when it convened, insuring that only a constitutionally eligible candidate is “elected” by the Electors and forwarded to the Congress for its confirmation action, and if necessary demand and call for a new election to provide to the College for consideration only a constitutionally eligible candidate(s), to allow the people and political parties to right their constitutional wrong. But the Electoral College today is now totally ineffective and hamstrung by the political parties and laws they have gotten put in place in 27 states and is now nothing more than a rubber stamp of the election results and candidates, no matter how constitutionally flawed those politically-party-endorsed candidates and election results may be. We are being governed by the Political Parties, not the U.S. Constitution in this and many other areas. See these articles about the Electoral College for more information:

<http://www.kerchner.com/protectourliberty/goatsledge/20081108%20Electoral%20College.pdf> and

<http://www.historycentral.com/elections/Electoralcollgewhy.html>

# Who is a ‘natural born Citizen’ of the United States to Constitutional Standards?

CDR Charles Kerchner (Retired)

Written: 17 Dec 2014



Regarding the legal term “natural born Citizen”<sup>1</sup> in our U.S. Constitution<sup>2</sup> and basic logic think of this for a few seconds -- Trees are plants but not all plants are trees. Natural born Citizens are a subset of “born Citizens (citizens at birth)” but not all “born Citizens (citizens at birth)” are “natural born Citizens”<sup>3,4</sup>

We know from the history, source and facts of the selection of the presidential eligibility clause that being only “born a Citizen” was considered and not accepted. Instead the founders and framers chose the much more restrictive term “natural born Citizen”<sup>5</sup> The word natural in that constitutional term refers to its Natural Law source. We learn this from original sources plus modern sources such as the renowned constitutional scholar Dr. Herb Titus<sup>6,7</sup>

Regarding Barack Obama, we know he is NOT a natural born Citizen no matter where he was born since his father was a foreign national, not even an immigrant to the USA. All prior elected Presidents after the founding generation passed were natural born Citizens.<sup>8</sup>

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<sup>1</sup> Presidential Eligibility Clause in U.S. Constitution - Article II Section 1 Clause 5: [http://press-pubs.uchicago.edu/founders/tocs/a2\\_1\\_5.html](http://press-pubs.uchicago.edu/founders/tocs/a2_1_5.html)

<sup>2</sup> Constitution of the United States and First Twelve Amendments: <http://press-pubs.uchicago.edu/founders/documents/v1ch1s9.html>

<sup>3</sup> Of Tree and Plants and Basic Logic: <https://www.scribd.com/doc/44814496/Of-Trees-and-Plants-and-Basic-Logic-Citizen-at-Birth-NOT-Identical-to-Natural-Born-Citizen-by-CDR-Kerchner-Ret>

<sup>4</sup> Three Legged Stool Test for Natural Born Citizenship: <https://www.scribd.com/doc/185258103/Three-Legged-Stool-Test-for-Natural-Born-Citizen-to-Constitutional-Standards>

<sup>5</sup> Article II Super PAC website: <https://www.scribd.com/document/161994312/Article-II-Presidential-Eligibility-Facts>

<sup>6</sup> YouTube video about natural born Citizen by constitutional scholar & professor Atty Herb Titus – Part I: <http://www.youtube.com/watch?v=esiZZ-1R7e8>

<sup>7</sup> YouTube video about natural born Citizen by constitutional scholar & professor Atty Herb Titus – Part II: <https://www.youtube.com/watch?v=xoaZ8WextxQ>

<sup>8</sup> The Constitutional Eligibility of All U.S. Presidents to Date: <https://www.scribd.com/doc/48856102/All-U-S-Presidents-Eligibility-Grandfather-Clause-Natural-Born-Citizen-Clause-or-Seated-by-Fraud>

**Barack Obama was born with dual-citizenship, British via his father and basic statutory U.S. citizenship at best, and possibly only British Citizenship, depending on where exactly he was born<sup>9</sup> and the age of his mother when he was born.**

**Obama is NOT a ‘natural born Citizen’ of the United States to constitutional standards. A natural born Citizen of the USA is a person born in the USA to parents who are both Citizens of the USA (born or naturalized) when said child was born and thus the person was born with unity of citizenship and sole allegiance to the USA<sup>10</sup>. Ted Cruz<sup>11</sup> (born a citizen of Cuba, Canada, and USA), Marco Rubio<sup>12</sup> (born a citizen of Cuba and USA), and Bobby Jindal<sup>13</sup> (born a citizen of India and USA) are also NOT natural born Citizens of the United States since they were all born with dual or multiple citizenship and did not have sole allegiance at birth to the USA. They were born with foreign allegiances and thus potential foreign influences on them.**

**That is exactly what the founders and framers did NOT wish to have occur with future Commanders in Chief of our military forces once they, the founding generation, were gone. That was specifically the understanding and intent of the founders and framers in inserting the term ‘natural born Citizen’ into the presidential eligibility clause as to who could be President and Commander in Chief of our military once the founding generation had passed.**

**The founding generations had a grandfather clause in the presidential eligibility clause exempting them.**

**People need to read Article II Section 1 Clause 5 of the Constitution<sup>14</sup> to understand that grandfather clause, and understand the stricter requirements placed on future generations, and not be fooled by talking heads and political party leadership putting out misinformation and half truths. No such exemption exists from the natural born Citizen requirement for generations after the founders had passed.**

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<sup>9</sup> Statements from various sources saying that Obama was born in Kenya and not Hawaii:

<https://www.scribd.com/doc/36604073/Kenyan-Ministers-Orengo-Khalwale-Obama-born-in-Kenya-not-native-American-should-repatriate>

<sup>10</sup> Unity of Citizenship and Sole Allegiance at Birth legal essay by Attorney Mario Apuzzo:

<http://puzo1.blogspot.com/2009/04/article-ii-natural-born-citizen-means.html> or <http://www.scribd.com/doc/48756724/>

<sup>11</sup> Confirmed: Senator Ted Cruz Releases Canadian Birth Certificate – Was a Tri-Citizen at Birth – Did Not Have Sole Allegiance to the USA at Birth – Constitutionally Not Eligible to be U.S. President or Commander in Chief of Our Military: <https://cdrkerchner.wordpress.com/2013/08/19/confirmed-sen-ted-cruz-releases-canadian-birth-certificate-was-a-dual-citizen-at-birth-not-eligible-to-be-u-s-president/>

<sup>12</sup> Rubio not constitutionally eligible – Senator Marco Rubio’s father was not a naturalized citizen when Marco was born in May 1971 per National Archives data. His father applied for naturalization in Sep 1975. Marco Rubio not constitutionally eligible to run for President or VP: <https://cdrkerchner.wordpress.com/2011/05/22/senator-marco-rubios-father-was-not-a-naturalized-citizen-when-marco-was-born-in-may-1971-per-national-archives-data-his-father-applied-for-naturalization-in-sep-1975/>

<sup>13</sup> Jindal not constitutionally eligible - Gov Bobby Jindal was born a Citizen of India. He was a Native-Born U.S. Citizen yes, but Gov Bobby Jindal is NOT a Natural-Born Citizen. He is not constitutionally eligible to be President or Vice President: <https://cdrkerchner.wordpress.com/2011/05/22/native-born-citizen-yes-but-gov-bobby-jindal-is-not-a-natural-born-citizen/>

<sup>14</sup> Presidential Eligibility Clause in U.S. Constitution - Article II Section 1 Clause 5: [http://press-pubs.uchicago.edu/founders/tocs/a2\\_1\\_5.html](http://press-pubs.uchicago.edu/founders/tocs/a2_1_5.html)

**The founding generation had shed their blood to achieve that Constitution. The founders and framers did not wish some future generation to allow a person to become the President and Commander in Chief of our military forces who had foreign influence at birth due to possible secret access to foreign money, political charm, and/or political party desire and expediency to just put up anyone they desired. The Constitution was to limit eligibility as to who can be President. It was a restrictive clause not an inclusive clause.**

**John Jay, a scholar of natural law<sup>15</sup>, who became the first Chief Justice of the U.S. Supreme Court, is the source of this restrictive clause. As John Jay conveyed to George Washington<sup>16</sup> in his letter of 1787<sup>17</sup>, it would be a “strong check” on allowing anyone born with “foreign influence” on them from gaining command of our military.**

**Barack Obama is exactly the example of an individual whose loyalty to the U.S. Constitution is in question. The founders and framers were very wise in their choice of words they used in the Constitution.**

**Unfortunately the Progressive/Socialist leaning main stream and major media and leadership of both political parties have actively engaged in misinforming the American electorate and diluting the original intent meaning and understanding of the presidential eligibility clause. And the USA and We the People are paying the price for this every single day.**

**Hopefully the new Congress will do something such as call for public congressional hearings into the falsified life narrative<sup>18</sup> of Barack Obama and in the process re-discover the true understanding and intent of the founders and framers use of the constitutional term “natural born Citizen of the United States”.**

**I pray they do before it is too late for what is left of our Constitutional Republic.**

**CDR Charles Kerchner (Ret)  
ProtectOurLiberty.org**

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<sup>15</sup> 'The Law of Nations or Principles of Natural Law' as U.S. Federal Common Law Not English Common Law Define What an Article II Natural Born Citizen Is by Mario Apuzzo, Esq.: <http://puzo1.blogspot.com/2009/08/law-of-nations-and-not-english-common.html>

<sup>16</sup> Constitution Day – September 17th: A Lesson from History: <https://www.scribd.com/doc/278228840/A-Lesson-from-History-Is-Simply-Being-Born-a-Citizen-Citizenship-Enough-to-be-President-The-Founders-and-Framers-Emphatically-Decided-It-Was-Not>

<sup>17</sup> John Jay letter of 25 Jul 1787 to George Washington: <https://www.scribd.com/doc/241491173/>

<sup>18</sup> Hawaii Senior Election Clerk-Obama Was NOT Born in Hawaii-Washington Times National Weekly-5 Jul 2010, Page 5: <https://www.scribd.com/doc/33937307/Hawaii-Sr-Election-Clerk-Obama-Was-NOT-Born-in-Hawaii-Wash-Times-Natl-Wkly-20100705-Pg-5>

**November 15, 2013**

**The Three Legged Stool Test & Analogy for Natural born Citizenship of the United States to Constitutional Standards**

Filed under: [Articles/Reports-CFK](#) — cfkerchner @ 10:25 p.m.

Tags: [Article II Section 1 Clause 5](#), [Barack Obama not a natural born Citizen of U.S.](#), [child must be born in USA](#), [constitutional standards](#), [father must be U.S. Citizen](#), [mother must be U.S. Citizen](#), [natural born citizen](#), [presidential eligibility clause](#), [three legged stool](#), [U.S. Constitution](#)



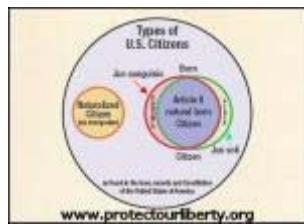
Click on image for more information about the legal term of art — natural born Citizen of the United States

**The Three Legged Stool Test & Analogy for Natural born Citizenship of the United States to Constitutional Standards | by CDR Charles Kerchner (Ret), ProtectOurLiberty.org**

A “[natural born Citizen](#)” of the United States is a child born in the USA of two (2) U.S. Citizens. The parents can be Citizens by Birth or they can be Citizens by Naturalization after immigrating to the USA. But to create a “natural born Citizen” of the United States both parents must be Citizens at the time the child is born in the USA. See this legal reference book used by the [founders and framers](#) of our Constitution: [Law of Nations or Principles of Natural Law, Vol.1 Chapter 19 Section 212](#), Emer de Vattel, 1758-1797. The [overwhelming majority](#) (probably 85%+) of citizens in the United States are natural born

Citizens. This clause was added for future presidents as a national security clause. It is from the group of natural born Citizens that our founders prescribed in the presidential eligibility clause in Clause 5, Section 1 of Article II of the U.S. Constitution that we shall choose a President and Commander in Chief of our military as a [strong check against foreign influence via birth allegiances](#) on the person in that singular and most powerful office. One needs all three citizenship legs to be a natural born Citizen and have sole allegiance and claim on you at birth to one and only one country — the United States: 1. Born in the USA. 2. Father must be a U.S. Citizen (born or naturalized). 3. Mother must be U.S. Citizen (born or naturalized). Like a three legged stool if you take away any of these [three citizenship legs](#) of the Article II constitutional intent and requirement to being a natural born Citizen, i.e., being born with [unity of citizenship in and sole allegiance](#) to the USA, the child is born with more than one country's citizenship and claim of allegiance/citizenship on them at their birth and thus they are NOT a natural born Citizen of the United States. And as in the analogy of a stool designed to stand on three legs and it is missing a leg, it falls down, likewise the person's claim to natural born Citizenship fails if the person does not have all three citizenship legs required to be a natural born Citizen at the time of their birth. See the below Venn Diagram which logically and graphically shows how a natural born Citizen has the intersection and unity of all three Citizenship statuses at birth. Read this essay "[Of Trees and Plants](#)" on basic logic which explains that being simply a "Citizen at Birth (CAB)" does not necessarily make oneself a "natural born Citizen (NBC)" at Birth. Natural born Citizens are overwhelmingly the largest subset of all American citizens. The location of birth being in the U.S. to a U.S. father and U.S. mother ... all being U.S. Citizens at the time of birth is the only way one achieves natural born Citizenship status. Natural born Citizenship is gained by the laws of nature not by any man-made law or statute or even a constitutional amendment granting that status. Natural born Citizens need no act of man for their Citizenship was created by nature and nature's Creator. Natural born Citizens of the United States have sole allegiance to one and only one country at birth ... the United States. No foreign power or country can claim their allegiance under U.S. law or the Law of Nations. Over 85% of American citizens fit that requirement, i.e., born in the USA of two U.S. Citizen (born or naturalized) parents.

[Natural born citizens are the 3 Leaf Clovers of the American citizens, Not the 4 Leaf Clovers.](#) It is from those 85% of American citizens that our founders and framers directed us via Article II, Section 1 of the U.S. Constitution that we shall choose our President and Commander-in-Chief, not a dual-citizen son of a foreign national and British Subject father who was never even an immigrant to this country, and said child being born a British subject himself via his foreign national father, as is the case with Obama's birth status.



Click image for more information on the constitutional legal term of art "natural born Citizen"

**More historical and legal papers and analysis on the true constitutional meaning and intent of the founders and**

**framers of the presidential eligibility clause, natural born Citizen, in our U.S. Constitution can be found at this link:  
<http://www.scribd.com/collections/3301209/>**

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<http://www.scribd.com/protectourliberty/collections/>

<http://cdrkerchner.wordpress.com/>

P.S. Also read this essay regarding the legal term of art “natural born Citizen” and basic logic, i.e., trees are plants but not all plants are trees. Natural born Citizens are a subset of “born Citizens (citizens at birth)” but not all “born Citizens (citizens at birth)” are “natural born Citizens”: <http://cdrkerchner.wordpress.com/2012/06/20/of-natural-born-citizens-and-citizens-at-birth-and-basic-logic-trees-are-plants-but-not-all-plants-are-trees-natural-born-citizens-nbc-are-citizens-at-birth-cab-but-not-all-cab/> ... AND ...  
<http://www.art2superpac.com/issues.html>

# Reporters Need to Ask People Mentioned as Presidential and Vice-Presidential Candidates the Correct Question

By: CDR Charles Kerchner (Ret)

Written: 28 May 2015

The correct question is not are you a “Citizen”<sup>1,7,8</sup> of the United States, but instead per the ‘Presidential Eligibility Clause’<sup>2</sup> in Article II Section 1 Clause 5 of our U.S. Constitution<sup>3</sup>, are you a “natural born Citizen”<sup>1,4,8</sup> of the United States.

One cannot ignore a word or term in our U.S. Constitution!

Every word in it was chosen carefully and put there for a reason.

*As U.S. Supreme Court Chief Justice Roger B. Taney wrote in *Holmes v. Jennison*, 39 U.S. 540 (1840):*

*“In expounding the Constitution of the United States, every word must have its due force, and appropriate meaning; for it is evident from the whole instrument, that no word was unnecessarily used, or needlessly added. The many discussions which have taken place upon the construction of the constitution, have proved the correctness of this proposition; and shown the high talent, the caution, and the foresight of the illustrious men who framed it. Every word appears to have been weighed with the utmost deliberation, and its force and effect to have been fully understood.”*

Since, as Chief Justice Taney explained, every word in the U.S. Constitution is there for a specific reason, reporters should not be omitting words when asking presidential and/or vice-presidential candidates about their citizenship status.

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<sup>1</sup> Citizenship Terms in U.S. Constitution: <https://www.scribd.com/doc/11737124/Citizenship-Terms-Used-in-the-U-S-Constitution-The-5-Terms-Defined-Some-Legal-Reference-to-Same>

<sup>2</sup> Presidential Eligibility Clause in U.S. Constitution - Article II Section 1 Clause 5: [http://press-pubs.uchicago.edu/founders/tocs/a2\\_1\\_5.html](http://press-pubs.uchicago.edu/founders/tocs/a2_1_5.html)

<sup>3</sup> Constitution of the United States: [http://www.archives.gov/exhibits/charters/constitution\\_transcript.html](http://www.archives.gov/exhibits/charters/constitution_transcript.html)

<sup>4</sup> The Three Legged Stool Test for Natural Born Citizen: <https://www.scribd.com/doc/185258103/Three-Legged-Stool-Test-for-Natural-Born-Citizen-to-Constitutional-Standards>

Thus the media and reporters should not be asking if the candidates or prospective candidates are simply a “Citizen”. Instead they should be asking if they are a “natural born Citizen” — to constitutional standards as intended and understood by the founders and framers<sup>5</sup>.

The adjective “natural” before the words “born Citizen” means something very specific. It means created by nature or natural law, not by positive, man-made laws such as Title 8 Section 1401<sup>6</sup>, amendments, or treaties. Man-made laws cannot create a “natural born Citizen”. Only the laws of nature and the facts at the time of the person’s birth can create a natural born Citizen.<sup>7</sup>

“Natural” in the “natural born Citizen” term points to the Laws of Nature and Natural Law and whether both your parents were U.S. Citizens when you were born. It takes two U.S. citizens to procreate a natural born Citizen when that child is born in this country. A “natural born Citizen” is a person born in the country to parents who are both Citizens of the country.<sup>8</sup> See the “Three Legged Stool Test for Natural Born Citizen” for more information.<sup>4</sup>

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<sup>5</sup> Article II Super PAC website: <http://www.Art2SuperPAC.com/issues.html>

<sup>6</sup> USC Title 8 Section 1401: <https://www.law.cornell.edu/uscode/text/8/1401>

<sup>7</sup> Of Trees and Plants and Basic Logic and Natural Born Citizen Term:  
<https://www.scribd.com/doc/44814496/Of-Trees-and-Plants-and-Basic-Logic-Citizen-at-Birth-NOT-Identical-to-Natural-Born-Citizen-by-CDR-Kerchner-Ret>

<sup>8</sup> Emer de Vattel’s “Law of Nations or Principles of Natural Law” [1758/1175/1797]:  
<http://lonang.com/library/reference/vattel-law-of-nations/>

# Constitution Day – 17 Sep 2014: A Lesson from History. Is Being [Born a Citizen \(Citizen at/by Birth\)](#) of the United States of Sufficient Citizenship Status to be President of the United States and Commander in Chief of Our Military? The Founders and Framers Emphatically Decided ... It Was Not!



By: CDR Charles F. Kerchner, Jr., P.E. (Retired)  
17 September 2014 – Constitution Day

During the process of developing a new U.S. Constitution Alexander Hamilton submitted a suggested draft for a Constitution on June 18, 1787. At some point, he also suggested to the framers a proposal for the qualification requirements in Article II as to the necessary Citizenship status for the office of President and Commander in Chief of the Military.

Alexander Hamilton's suggested presidential eligibility clause:

**"No person shall be eligible to the office of President of the United States unless he be now a Citizen of one of the States, or hereafter be born a Citizen of the United States."**

Many of the founders and framers had a fear of foreign influence on the person who would in the future be President of the United States since this particular office was singularly and uniquely powerful under the proposed new Constitution. The President was also to be the Commander in Chief of the military. This fear of foreign influence on a future President and Commander in Chief was particularly strongly felt by John Jay, who later became the first Chief Justice of the U.S. Supreme Court. He felt so strongly about the issue of potential foreign influence that he took it upon himself to draft a letter to General George Washington, the presiding officer of the Constitutional Convention, recommending/hinting that the framers should strengthen the Citizenship requirements. John Jay was an avid reader and proponent of natural law and particularly Vattel's treatise on Natural Law and the Law of Nations. In his letter to Washington he said that the Citizenship requirement for the office of the commander of our armies should contain a "strong check" against foreign influence and he recommended to Washington that the command of the military be open only to a "natural born Citizen". Thus Jay did not agree that simply being a "born Citizen" or "born a Citizen" was sufficient enough protection from foreign influence in the singular most powerful office in the new form of government. He wanted another adjective added to the eligibility clause, i.e., 'natural'. And that word natural goes to the Citizenship status of one's parents, both of them, when their child is born, as per natural law.

The below is the relevant proposed change language from Jay's letter which he proposed to strengthen the citizenship requirements in Article II and to require more than just being a "born Citizen" of the United States to serve as a future Commander in Chief and President.

John Jay wrote in a letter to George Washington dated 25 Jul 1787:

"Permit me to hint, whether it would 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 Commander in Chief of the American army shall not be given to nor devolve on, any but a natural born Citizen."

See a transcription of Jay's letter to Washington at this [link](#). This letter from Jay was written on July 25, 1787. General Washington passed on the recommendation from Jay to the convention and it was adopted in the final draft and was accepted adding the adjective "natural" making it "natural born Citizen of the United States" for future Presidents and Commanders in Chief of the military, rather than Hamilton's proposed "born a Citizen". Thus Article II, Section 1, Clause 5 of the U.S. Constitution, the fundamental law of our nation reads:

Article II, Section 1, Clause 5 of U.S. Constitution as adopted 17 Sep 1787:

"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."

There you have the crux of the issue now before the nation and the answer.

Hamilton's proposed principles for a Constitution and a presidential citizenship eligibility requirement therein requiring that a Citizen simply had to be 'born a Citizen' of the USA, i.e., a Citizen by Birth. See Madison's comment in his journal of the convention re this fact in which it reports as follows "... Copy of a paper Communicated to J. M. by Col. Hamilton, about the close of the Convention in Philada. 1787, which he said delineated the Constitution which he would have

wished to be proposed by the Convention: He had stated the principles of it in the course of the deliberations. ..." — [3 Max Farrand, The Records of the Federal Convention of 1787, at 619-630 \(1911\)](#). But that citizenship status for who could be President was rejected by the framers as insufficient. Instead of allowing any person "born a citizen" to be President and Commander of the military, the framers chose to adopt the more stringent requirement recommended by John Jay via George Washington, i.e., requiring the Citizen to be a "[natural born Citizen](#)", to block any chance of the person with foreign influence or allegiances or claims on their allegiance at birth from becoming President and Commander of the Military. No person having any foreign influence or claim of allegiance on them at birth could serve as a future President. The person must be a "[natural born citizen](#)" with [unity of citizenship and sole allegiance](#) to the United States at birth.

Jay's proposal and recommended clause added the additional adjective of "natural" before simply being a "born Citizen" which was proposed by Hamilton. And that word and adjective "natural" means something special from the laws of nature that modifies just being born a Citizen of the USA such as being simply born on the soil of the United States. Natural means from nature by the facts of nature of one's birth. Not created retroactively after the fact by a man-made law. A natural born Citizen needs no man-made law to bestow Citizenship on them. The added adjective "natural" comes from Natural Law which is recognized the world over as universal law and which is the foundation of the Law of Nations which was codified by Vattel in 1758 in his preeminent legal treatise [used by the founders, The Law of Nations or Principles of Natural Law](#). In Vol.1 Chapter 19 of Vattel's Law of Nations, the "[Des citoyens et naturels](#)", Vattel in [Section 212](#) explains to us (the French term "naturels" was translated to English [in 1781 in the Journal of the Continental Congress](#) and in [the 1797 English edition of Vattel](#)), to tell us that the "[natural born Citizens](#)" are those born in the country to parents (plural) who are Citizens of the country when their child is born. These are the natural Citizens of the nation per universal principles of natural law for which no man-made law is necessary to explain or justify. Such a person, a natural born Citizen, is born with [unity of Citizenship and sole allegiance at birth](#) due to having been both born on the soil AND being born to two Citizen parents. The person who would be President must be a second generation American with no foreign claims of allegiance on them at birth under the law of nations and natural law, [the child of two Citizens](#) and born in the USA. This is a much stronger check to foreign influence than simply being born a Citizen say on the soil of the USA but with one or the other parent being a foreigner, such as is the case of Obama. The situation with Obama's birth Citizenship status is exactly the problem that the founders and framers did not want. They did not want the child of a foreign national, non-U.S. citizen serving as President and Commander of our military. This was a national security concern to them. And it is a national security concern now.

Another founder of our nation and great historian of the American Revolution named [David Ramsay](#) contemporaneously defined in a 1789 essay what the term "natural born Citizen" means. Read a copy of Ramsay's original dissertation at this [link](#). Other research papers from history on the term "natural born Citizen" published long before the current controversy was created by the 2008 election debacle can be read at this [link](#). The paper by Breckenridge Long in 1916 is a particularly good one.

[Barack Hussein Obama II](#) may or may not be a born Citizen of the USA depending on what the 1961 contemporaneous birth registration documents sealed in Hawaii reveal. And Americans have good reason to be greatly concerned about the truth as to where he was physically born as opposed to where his birth may have been [falsely registered by his maternal grandmother](#) as occurring in Hawaii as this [Catalog of Evidence](#) details. But he can never be a "natural born Citizen of the United States" since his father was a foreigner, a British Subject who was never a U.S. Citizen and was not even an immigrant to the USA. Since his father was a British Subject and not a U.S. Citizen

when Obama was born, [Obama was born a British Subject](#). The founders and framers are probably rolling over in their graves knowing [this person](#) was sworn in as the putative President and Commander of our military.

The founders rejected acquisition of Citizenship by [birth on the soil](#) without consideration as to who were the parents. That is clear from the history and evolution of the writing the eligibility clause in Article II, Section 1, Clause 5, which specifies who can be President and Commander in Chief of the military.

So, can a “[born Citizen](#)” be President of the USA? The answer is a resounding NO per the founders and framers. Being a “born Citizen the United States” is a necessary but NOT sufficient part of being a “natural born Citizen of the United States”. Natural born Citizens are a subset of “born Citizens (citizens at birth)” but not all “born Citizens (citizens at birth)” are “natural born Citizens”: <https://cdrkerchner.wordpress.com/2012/06/20/of-natural-born-citizens-and-citizens-at-birth-and-basic-logic-trees-are-plants-but-not-all-plants-are-trees-natural-born-citizens-nbc-are-citizens-at-birth-cab-but-not-all-cab/> Only a “[natural born Citizen](#)” can be the President of the USA and Commander in Chief of our military. Obama is not a natural born Citizen of the USA and is thus constitutionally eligible (to constitutional standards) to serve as President and Commander in Chief of the military.

SBTP Dolly Madison Quote du Jour,

” *The Constitution was signed September 17, 1787, by 39 brave men who changed the world.* ”

HAPPY CONSTITUTION DAY!

CDR Charles Kerchner, P.E. (Retired)

<https://cdrkerchner.wordpress.com>

<http://www.protectourliberty.org>

<http://www.scribd.com/protectourliberty/collections/>

P.S. Here is a chart which lists and explains the [five \(5\) Citizenship terms](#) used in the U.S. Constitution.

P.P.S. Being a “born Citizen” or “Citizen at Birth” is [not identically the same](#) as a being a “natural born Citizen”.

P.P.P.S. Obama is NOT a “natural born Citizen of the United States” to U.S. Constitutional standards. Read this essay regarding the legal term of art “natural born Citizen” and basic logic, i.e., trees are plants but not all plants are trees. Natural born Citizens are a subset of “born Citizens (citizens at birth)”. All “natural born Citizens” are “born Citizens (citizens at birth) but not all “born Citizens (citizens at birth)” are “natural born Citizens”:

<https://cdrkerchner.wordpress.com/2012/06/20/of-natural-born-citizens-and-citizens-at-birth-and-basic-logic-trees-are-plants-but-not-all-plants-are-trees-natural-born-citizens-nbc-are-citizens-at-birth-cab-but-not-all-cab/> Also read the “Three Legged Stool Test” for Natural Born Citizen

<https://cdrkerchner.wordpress.com/2013/11/15/the-three-legged-stool-test-analogy-for-natural-born-citizenship-of-the-united-states-to-constitutional-standards/> ... AND ...

<http://www.art2superpac.com/issues.html> Also watch this video by the renowned constitutional scholar Dr. Herb Titus: <http://www.youtube.com/watch?v=esiZZ-1R7e8>

# A Simple Euler Logic Diagram Shows Logical Relationship of Constitutional Article II "natural born Citizens" to Other Type "Citizens" of the United States



A Simple Euler Logic Diagram Shows Logical Relationship of "natural born Citizens" to Other Type "Citizens" of the United States. A "natural born Citizen" is the largest subset of the super-sets of "Born a Citizen" and "All U.S. Citizens". "natural born Citizens" are the overwhelming majority of U.S. Citizens. It is from this set that the Constitution tells us to choose our President. Only a "natural born Citizen" can Constitutionally be the President and Commander in Chief or the Vice-President.

**Click on Image For More Information.**  
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# CITIZENSHIP STATUS of the PRESIDENTS OF USA

Eligibility under U.S. Constitution Article II Section 1

Original Citizen ‘Grandfather’ Clause (GFC)

Or Natural Born Citizen Clause (NBC) or Were They Frauds

And Unconstitutionally and Illegally Seated as President

by: CDR Charles Kerchner (Ret), Lehigh Valley PA USA

Originally Compiled: 16 Feb 2009 -- Last Updated 20 Jan 2017

<http://www.protectourliberty.org>

Note: For Natural Born Citizenship (NBC) clause status per natural law and the law of nations and relevant U.S. Supreme Court rulings such as Venus (1814), Minor v Happersett (1875), and Perkins v Elg (1939); it is not where the parents were born that is controlling but whether or not the both parents were Citizens of the United States (via birth or naturalization) at the time of the birth of their child in the USA. Both parents must be U.S. Citizens when their child is born in the USA for that child to be a “natural born Citizen” of the USA. It is important to note that until recent times foreign born women gained naturalized status upon marrying a U.S. Citizen husband or upon the naturalization of the husband under the legal concept of citizenship fusion in a marriage. The Citizenship of the wife was always legally fused to that of her husband until more recent times.

1. George WASHINGTON – covered by Article II Grandfather Clause (GFC) - was born on 22 Feb 1732 in VA.
2. John ADAMS – covered by Article II Grandfather Clause (GFC) - was born on 30 Oct 1735 in MA.
3. Thomas JEFFERSON – covered by Article II Grandfather Clause (GFC) - was born on 13 Apr 1743 in VA.
4. James MADISON – covered by Article II Grandfather Clause (GFC) - was born on 16 Mar 1751 in VA.
5. James MONROE – covered by Article II Grandfather Clause (GFC) - was born in 1758 in VA.
6. John Quincy ADAMS – covered by Article II Grandfather Clause (GFC) - was born in 1767 in MA.
7. Andrew JACKSON – covered by Article II Grandfather Clause (GFC) - was born in 1767 in Carolinas.
8. Martin VAN BUREN - Article II (NBC) both parents Citizens when he was born - was born in 1782 in NY. This was the first President qualified under the NBC clause. He was born in the USA to two Citizen parents. His parents were original Citizens who gained their citizenship by adhering to the Revolution in 1776.
9. William Henry HARRISON – covered by Article II Grandfather Clause (GFC) - was born in 1773 in VA.
10. John TYLER - Article II (NBC) both parents Citizens when he was born - was born in 1790 in VA.
11. James K. POLK - Article II (NBC) both parents Citizens when he was born - was born in 1795 in NC.
12. Zachary TAYLOR - Article II (NBC) both parents Citizens when he was born - was born in 1784 in VA.
13. Millard FILLMORE - Article II (NBC) both parents Citizens when he was born - was born in 1800 in NY.
14. Franklin PIERCE - Article II (NBC) both parents Citizens when he was born - was born in 1804 in NY.
15. James BUCHANAN - Article II (NBC) both parents Citizens when he was born - was born in 1791 in PA. His father James Sr. was foreign born (Irish) who came to Pennsylvania in 1783. His parents married circa 1788. By the time James Jr. was born in 1791 his father had already become a large land owner and a naturalized Citizen of the Sovereign Commonwealth of PA via the process outlined in the PA 1776 Constitution. He was a large land owner and to own land in PA one had to “naturalize” under the process set forth in the PA 1776 Constitution, i.e., take the Oath of Allegiance and live in the state for one year. In James Sr.’s case he was living in PA for 8 years prior to James Jr. being born. Thus James Sr. was a Citizen of the United States by being a Citizen of one of the original 13 colonies. Having a foreign born parent is OK if the foreign born parent has become a naturalized Citizen of the U.S. prior to the child being born.

16. Abraham LINCOLN - Article II (NBC) both parents Citizens when he was born - was born in 1809 in KY.
17. Andrew JOHNSON – Article II (NBC) both parents Citizens when he was born - was born in 1808 in NC. He was seated due to assassination of President Lincoln.
18. Ulysses S. GRANT - Article II (NBC) both parents Citizens when he was born - was born in 1822 in OH.
19. Rutherford B. HAYES - Article II (NBC) both parents Citizens when he was born - was born in 1822 in OH.
20. James GARFIELD - Article II (NBC) both parents Citizens when he was born - was born in 1831 in OH.
21. Chester A. ARTHUR - Not an NBC or original Citizen . He was NOT an Article II NBC since he was born before father's naturalization. He was seated due to assassination of President Garfield. But based on the facts uncovered in later history, he was unconstitutionally seated due to the falsified nativity story and fraud by Chester Arthur which was not fully discovered and proven until long after his death. He burned his early family records to cover up his lies and fraud. He was born circa1829, allegedly in VT.
22. Grover CLEVELAND - Article II (NBC) both parents Citizens when he was born - was born in 1837 in NJ.
23. Benjamin HARRISON - Article II (NBC) both parents Citizens when he was born - was born in 1833 in OH.
24. Grover CLEVELAND - Article II (NBC) both parents Citizens when he was born - was born in 1837 in NJ.
25. William MCKINLEY - Article II (NBC) both parents Citizens when he was born - was born in 1843 in OH.
26. Theodore ROOSEVELT - Article II (NBC) both parents Citizens when born - was born in 1858 in NY. He as seated due to assassination of President McKinley.
27. William Howard TAFT - Article II (NBC) both parents Citizens when he was born - was born in 1857 in OH.
28. Woodrow WILSON - Article II (NBC) both parents Citizens when he was born - was born in 1856 in VA. His mother was foreign born U.S. Citizen, English, but when he was born she had become a naturalized Citizen of the United States prior to his birth due to her marriage to Woodrow's father, a U.S. Citizen. Having a foreign born parent is OK if the foreign born parent has become a naturalized Citizen of the U.S. prior to the child being born.
29. Warren G. HARDING - Article II (NBC) both parents Citizens when he was born - was born in 1865 in OH.
30. Calvin COOLIDGE - Article II (NBC) both parents Citizens when he was born - was born in 1872 in VT.
31. Herbert HOOVER - Article II (NBC) both parents Citizens when he was born - was born in 1874 in IA. His mother was a foreign born U.S. Citizen, a Canadian, but when he was born she had become a naturalized Citizen of the United States prior to his birth due to her marriage to Herbert's father, a U.S. Citizen. Having a foreign born parent is OK if the foreign born parent has become a naturalized Citizen of the U.S. prior to the child being born.
32. Franklin D. ROOSEVELT - Article II (NBC) both parents Citizens when he was born - was born in 1882 in NY.
33. Harry S. TRUMAN - Article II (NBC) both parents Citizens when he was born - was born in 1884 in MO.
34. Dwight D. EISENHOWER - Article II (NBC) both parents Citizens when he was born - was born in 1890 in TX.
35. John F. KENNEDY - Article II (NBC) both parents Citizens when he was born - was born in 1917 in MA.
36. Lyndon B. JOHNSON - Article II (NBC) both parents Citizens when born - was born in 1908 in TX. He was seated due to the assassination of President Kennedy.
37. Richard M. NIXON - Article II (NBC) both parents Citizens when he was born - was born in 1913 in CA.
38. Gerald R. FORD - Article II (NBC) both parents Citizens when he was born - was born in 1913 in NE.
39. James CARTER - Article II (NBC) both parents Citizens when he was born - was born in 1924 in GA.

40. Ronald REAGAN - Article II (NBC) both parents Citizens when he was born - was born in 1911 in IL.
41. George H. W. BUSH - Article II (NBC) both parents Citizens when he was born - was born in 1924 in MA.
42. William J. CLINTON - Article II (NBC) both parents Citizens when he was born - was born in 1946 in AR.
43. George W. BUSH - Article II (NBC) both parents Citizens when he was born - was born in 1946 in CT.
44. (Putative President) Barack Hussein OBAMA – Not a natural born Citizen (NBC). His father was a foreign national and British Subject and was NOT a U.S. Citizen. Obama was seated due to FRAUD about his nativity story and the progressive domination and corruption in the main-stream media of the legal and constitutional meaning of NBC and due to the willful complicity and neglect of Congress. Obama's father was a foreign national. His father was never a U.S. Citizen nor was Obama's father even an immigrant to the USA or even a permanent resident in the USA. His father was only sojourning in the USA attending college, first in HI and then later at Harvard University in Massachusetts, and was deported back to Kenya at the request of Harvard University due to his unseemly activities there. Obama was born in 1961. [Obama himself claimed he was born in Kenya for many years in his various editions of his pre-2007 book agent's biographies for him](#). After 2007 Obama claims he was born in HI but [his birth registration there most likely was falsified by the maternal grandmother \(to get her new grandson much desired and coveted U.S. Citizenship\) since no official hospital record of his birth has been produced](#). A PDF version of an alleged long-form birth certificate has been posted online by Obama but it has been proved to be a [computer manufactured forgery](#) by AZ Sheriff Arpaio and his Lead Investigator Mike Zullo. They have also proved that [Obama's alleged draft registration card is a forgery too](#). The laws in HI were very lax in regards to registration of births. There is no independent evidence of Obama being born in HI. No pre-natal records and no post-natal records for his mother being in HI during the alleged birth month in 1961 have been found. No name of an attending physician, mid-wife, or paramedic called to the scene of a speculated home birth report exists. No independent witnesses to the claimed birth in Hawaii have ever been named or surfaced. No post-natal care records exist in Hawaii for the care of Obama's mother or the child. [In fact, there is no record at all for his mother even being in Hawaii in August 1961, the alleged month of Obama's alleged birth in Hawaii](#). No records exist of her being in HI for the 6 months prior to the alleged birth date. As to the much touted two newspaper announcements, false registration of a birth at home in HI with no witnesses would have generated the vital record in HI and also would have automatically generated the two newspaper ads. Those ads were placed automatically by the state as a result of ALL birth registrations – real or falsified! And to further contradict the Hawaiian birth nativity story of Obama, there are many accounts by Obama's paternal family in Kenya, Kenyan government officials, and Kenyan and African newspapers -- that Obama really was born in the hospital in Mombasa, Kenya. And again, [prior to 2007 Obama himself touted to the world that he was born in Kenya](#) as exemplified by the book agent's biography published and re-edited over many years as Obama's career unfolded but always saying he was born in Kenya, up until 2007 when he decided to run for President and the massive scrubbing, forging, and re-creation of his life history and records began. No other President in history has had so many accounts attesting to his being foreign born and/or can provide NO contemporaneous birth witnesses or independent evidence to corroborate their subsequent claim to U.S. birth. There is a disinformation technique called “The Big Lie”. [Obama is “The Big Lie”!](#)
45. Donald J. Trump - Article II (NBC) - both parents were U.S. Citizens when he was born in the USA – He was born in 1946 in NY. His father was born in NY and was a U.S. Citizen by birth. His mother was born in Scotland but became a naturalized U.S. citizen in 1942 - four years before Donald Trump was born. Thus both of Donald Trump's parents were U.S. Citizens when he was born in the USA.

## The Who What When Where Why and How of the "natural born Citizen" Term in Our U.S. Constitution

# Natural Born Citizen = 3 Leaf Clover Citizens <> 4 Leaf Type



by: CDR Charles F. Kerchner, Jr. (Retired)

Writing with the Name de Plume of Mountain Publius Goat<sup>1</sup>

Written: 7 Nov 2008

Regarding the term "natural born citizen"<sup>2</sup> (NBC) term in our U.S. Constitution<sup>3</sup>, it is not a very limited club and category of citizenship. In fact it is exactly the opposite. NBCs are the most common, garden variety, most populous group of citizenship that exists in a typical nation and is typically by far the most populous group or class of citizenship in virtually all nations. Thus, we have a very, very large pool of NBCs from which to choose a President and CINC. We don't need to search the ranks of those with foreign allegiances and foreign influence and foreign powers claims on them by birth. The pool of NBCs is vast in our nation.

An analogy: Natural born Citizens are the 3 Leaf Clover kinds of Citizens not the 4 Leaf Clover kinds. They are not rare but the most frequently occurring kind in a nation. Those that are born in the country to two citizens of a country, i.e., the "natural born Citizens" are the largest group of citizens in this country.

An Idea: Go buy a three leaf clover pin and pin it on your lapel. And when people ask you why you are wearing a three leaf clover, tell them it signifies that you are a "natural born Citizen". Then explain why.

Regarding Obama, no matter where he claimed he was born at various stages in his life, because his father was not a U.S. citizen when Obama was born and never was. In fact, Obama's father was not even an immigrant to the USA and was never even a permanent resident here. Obama's father was a foreigner simply here for a couple years on a student or diplomatic visa. And then he went home to Kenya. He was a foreigner in the truest sense of the meaning of that terminology as it was used by John Jay in his letter to General George Washington about what

<sup>1</sup> Archives and website for writings using name de plume Mountain Publius Goat:

<http://www.kerchner.com/protectourliberty/goatsledge/table.htm>

<sup>2</sup> Presidential Eligibility Clause in U.S. Constitution - Article II Section 1 Clause 5: [http://press-](http://press-pubs.uchicago.edu/founders/tocs/a2_1_5.html)

[pubs.uchicago.edu/founders/tocs/a2\\_1\\_5.html](http://press-pubs.uchicago.edu/founders/tocs/a2_1_5.html)

<sup>3</sup> Constitution of the United States and First Twelve Amendments: <http://press-pubs.uchicago.edu/founders/documents/v1ch1s9.html>

type of citizen cannot serve as President and what type of citizenship is required to serve as the President and Commander in Chief of our Army for our new nation in the future. And General Washington agreed that it should only be a "natural born Citizen" of the new nation, for this singular most powerful office in our new nation, with the grandfather clause put into Article II of that requirement to exempt the generation there at the time the Constitution was adopted. For any other political office in our country beyond the Pres and VP, ordinary citizenship is fine. But for the Pres and VP, you must be an Natural Born Citizenship and have 100% allegiance to this nation by birth in the country to two citizens of the country, and allegiance to no other, nor with any claim on you by another country or power, solely by the events of nature at your birth, not any retro-active after the fact citizenship granted by the laws of man.

As a further idea and as a suggestion, the three leaf clover could be the symbol of "the birthers". As Teo says, the "Birthers" name tag was put on us by the O-Bots in the press to try and mock and ridicule us using their Saul Alinsky rule #5 and #12 training. It was meant to ridicule us but it too hard it has back fired on them. Alinsky rule #10 and #6. They need to go back to Alinsky School for a refresher course from Obama and ACORN as they have fallen into a "Teo the Bear" trap with this name tag the O-Bots chose for patriots and constitutionalists. That name tag has now been adopted as a badge of pride by our side. It now stands for the rebirth of our Constitutional Republic and our Constitution which Obama and his Obot supporters have trampled on thus far. So it's back to the drawing board for the O-Bots.

See Teo Bear's new site: <http://www.birthers.org><sup>4</sup> Again, those that are born in the country to two citizens of a country, i.e., the "natural born citizens" are the largest group of citizens in this country -- the 3 leaf clover variety – of the various kinds of citizenship mentioned in our U.S. Constitution.<sup>5</sup>

## Mountain Publius Goat



Location: Mountain Publius Goat's Ledge<sup>1</sup> in the Mountains of Pennsylvania

"The American people will never knowingly adopt Socialism. But under the name of liberalism they will adopt every fragment of the Socialist program, until one day America will be a Socialist nation without knowing how it happened." Norman Thomas

<sup>4</sup> Birthers.org website: <http://www.birthers.org>

<sup>5</sup> The Five Kinds of Citizens Mentioned in the U.S. Constitution: <https://www.scribd.com/doc/11737124/Citizenship-Terms-Used-in-the-U-S-Constitution-The-5-Terms-Defined-Some-Legal-Reference-to-Same>