

## [An Open Letter to Congress - Dear Members of Congress](#)

by [Mountain Publius Goat](#) on Wed Dec 31, 2008 7:47 pm

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An Open Letter to Congress (Copy of a letter I FAX'd today to my Members of Congress with my real name of course in those letters):

<http://www.scribd.com/doc/9694653/>

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31 December 2008

**Subject:** "Natural Born Citizenship" and the ineligibility of Obama to serve as the President and Commander-in-Chief of our military under our Constitution. It has not been properly vetted by any third party adjudicating official in the political branch or judicial branch of our government.

**Re.** U.S. Constitution, 1787, ratified 1789, Article II, Section 1, clause 5:  
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.

**Def:** Law of Nations, Vattel, 1758, Section 212:  
"natural-born citizens, are those born in the country, **of parents who are citizens.** ... I say, 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 be only the place of his birth, and not his country." Emphasis added, "parents" meaning plural, both, not just one parent.

### **Dear Member of Congress:**

John Jay a founder of our country and a framer of our Constitution wrote a letter in 1787 to George Washington, President of the Constitutional Convention, requesting that he and the Convention add into the requirements for the office of the President and Commander-in-Chief of our military that the person is to be a "natural born citizen". Not an ordinary citizen. Not just a native born citizen with one or two foreign parents. But the future Presidents shall be a "natural born citizen". Since the new country was experimenting with democracy and we were setting up a Constitutional Republic of States, as Jay put it, this is necessary to further prevent the potential of a person being selected by the people at some time in the future who has divided loyalties and potential allegiance to a foreign

power from ever gaining command of our military, by having a parent of foreign birth who is not a citizen of the USA, i.e., by having a parent who has not sworn allegiance to the USA or said parent was not born in the USA. John Jay got the term and meaning of “natural born citizen” from the legal reference book of that time, “Law of Nations”, section 212. That legal reference book was written in 1758 and was first available in English a year later in 1759. It was used extensively by the framers of the Constitution in drafting our Constitution. John Jay later went on to become the First Chief Justice of the U.S. Supreme Court.

It was legally understood by lawyers and scholars and common knowledge to the citizenry in 1787 that the term “natural born citizen” meant born on the soil of a country to 2 citizens of that country. This term applied to all future persons who would be considered for the office of President who were not alive at the time of the Constitution’s adoption. The framers specifically exempted people living then, since they were all born under allegiance to the King of England. But the framers wanted any future generation’s President to be a “natural born citizen” to minimize any chance of future meddling by foreign powers in our new country from manipulating the citizenry of our country to elect a President who had foreign allegiance to another country at his birth. They wanted the citizenship of the President to be of the class of “natural born”, a very special class of citizenship which means both parents are citizens of the USA and that the person was born on the soil of the USA.

Barack Obama’s father was not born in the USA and Obama’s father was never a U.S. citizen. He was a foreigner here on a student VISA. He conceived Barack Obama (II/Jr.) when the mother was 17 and she was only 18 when Obama was born in 1961. She was not old enough under U.S. statutory laws at the time to convey automatic citizenship of the USA to her child, if that child was born in a foreign country. And that last part is another issue and cloud on Obama’s exact citizenship status. There is some doubt in many circles as to whether Obama was actually born in Hawaii due to conflicting statements made by his paternal line relatives in Kenya who state that Obama was born there in a hospital in Mombasa, Kenya.

Since Hawaii in 1961 allowed registration and “certification of live birth” of foreign born children to a U.S. citizen who lived in Hawaii one year prior to the child’s birth, Obama’s mother in this case, the short form “Certification of Live Birth” could legally be obtained and issued by Hawaii. That is the only document that Obama has provided and it does not conclusively prove he was born in Hawaii. In addition, his mother could have knowingly falsified data given to the registrars’ office if the birth was registered upon her return from Kenya. Only access to the original, long-form, which has the actual signatures of the mother, doctor, witnesses, and the name of the hospital, etc., would provide the necessary independent information to conclusively attempt to prove where Obama was born. And Obama has refused to release access to the long-form document and any third party witness information, if any therein. Why, many ask? What is he hiding? If he wishes to serve as President he must release much private information. His only reason expressed has been “personal privacy privilege”. That is not good enough to be confirmed and serve as the President of our country. It puts a cloud over him. What is he

hiding?

Personally, I think he is not releasing it because it contains information which either lends credence to the charges he was actually born in Kenya OR it does not contain any independently verifiable third party evidence to support the claim he was born in Hawaii. His mother may have given birth in Kenya, returned home to Hawaii a few days after with her child, and lied to officials there as to where Obama was born, to gain U.S. citizenship for her son. Lying on her part would gain him citizenship, which would be desirable for her son, but not “natural born” citizenship, since his father was not a U.S. citizen. Of course the mother never thought at that time that her son would grow up and run for President. She would have lied to gain her son citizenship, a desirable status to prevent problems in future travel. Thus Obama may be a citizen depending on what is stated in the original long-form, vault copy, birth certificate. But regardless he can never be a “natural born citizen” per Constitutional meaning of that term, per the original intent.

And then there is the third challenge to Obama’s citizenship regarding the issue of his mother renouncing his citizenship when she remarried and they moved to Indonesia where his step-father adopted him, and/or by Obama’s own actions as an adult while in college by traveling to Pakistan on an Indonesian passport he got from being a citizen of Indonesia as a child.

So you see there are many questions and potential flaws to Obama’s exact citizenship status at this time. And no one in an official third party legal status has properly vetted this.

Do you know that no one in any official third party legal capacity has fully vetted the eligibility and Constitutional qualifications of Barack Obama to serve as President and Commander-in-Chief of our military?

The Democratic National Committee (DNC) did not legally vet and state his “natural born citizenship” by having a third party check his original long-form birth records in the vaults in Hawaii. The DNC could have requested and obtained certified copies but never did. The DNC has not signed any affidavit that Obama is a “natural born citizen” of the U.S. And the DNC was asked to do so by Atty. Berg prior to the Convention. But they ignored him at that time. Nancy Pelosi merely signed an affidavit to each state certifying that Obama was nominated. She never addressed the issue of his “natural born citizenship” qualifications to serve in any documents the DNC gave to the respective states. No where in that nominating document does it say he is qualified to serve as President per the Constitutional requirements, if he is elected.

The Congress of the U.S. has never passed a resolution declaring that Obama is a “natural born citizen” of the U.S. similar to the one the Senate passed with Senate Resolution 511 in April, 2008, for John McCain. Read that resolution and the supporting testimony in the Congressional Record. It clearly indicates that a person must have two U.S. citizens as parents to have no doubt that they are “natural born citizens” of the U.S. Read the statements of Secretary Chertoff in that record and other people speaking and testifying at

the hearing. And read the resolution itself. It states that you need both parents to be U.S. citizens to be “natural born”. And Obama does not meet that qualification. He never went to Congress to clarify the flaws in his citizenship status to serve as President. So Congress has not ruled on this issue to date on behalf of Obama. But looking at Senate Resolution 511, and the Congressional Record of the hearings about it, Obama is not qualified.

The Secretaries of the States (SOS) did not vet him either when they were asked to put Obama on the ballot since they all have stated that they depend on the political party to do that. Some SOS’s have said “It’s not my job.”, “It’s someone else’s job.”, “It’s the political party’s job.”, etc. But as I said above, the political party (DNC) never did legally vet Obama’s Constitutional qualifications. No one to date has. They just took Obama’s obfuscations and his campaign’s legal adviser’s lip service surmise that he was a “natural born citizen”. Thus he was placed on the ballot without anyone in a third party independent official legal capacity up to that point in the political process vetting his qualifications as a “natural born citizen”, per Constitutional standards and the framer’s intent.

The “People” did not vet him properly due to an enabling and misleading press covering for Obama on this issue and not digging into the original records in Hawaii, Kenya, and Indonesia. He won by his “cult of personality” and his “obfuscating oratory skills”. His victory in fooling the people regarding his exact citizenship status was also aided by Obama’s clever domination of the internet by his political machine and operatives and large numbers of ACORN workers to work the net for him, ridiculing challengers in blogs and burying any such online discussions with tons of counter postings by paid political operatives and volunteers online and denial of service internet attacks ... and having political control via his connections with the Annenberg Foundation over the two most frequently visited “fact checking” websites, FactCheck.org and Snopes.com, which were totally in the tank for Obama on this issue and putting out cleverly worded false and misleading information on Obama’s exact citizenship status, including images online that have been certified as forgeries and altered document images by at least two forensic document examiner experts. Both those online “fact checking” organization received funding from the same organizations and people, Annenberg and Soros, who were intimately connected to the Obama campaign. And recently Google.com has admitted that they too have been filtering by altering their search engine in regards to political news about this issue in regards to Obama. The CEO of Google.com is an ardent supporter of Obama. Thus the people were deprived of the so called “4th branch of our government”, an unbiased press and media to dig into all the original facts at the source where the original records are kept, on this citizenship issue. Obama has sealed them and the main stream press and media has not challenged him as to why and let him get away with it. That is not the usual role the media takes in this country. The press left “We the people ...” in the dark, and was routinely silent for the most part, on this issue and/or the challenges to Obama on this issue were ignored by the enabling press.

The Electoral College did not vet the candidate after the people’s vote. They merely counted on the action of the Secretary of State who put Obama on the ballot, assumed he

was qualified, and “rubber stamped” the vote of the people. Since most of these people are party loyalists they of course were not going to rock the boat and not elect Obama, even though under the Constitution, and their sworn oath to uphold it, they should not have voted for Obama without once and for all investigating fully his presumed claim to “natural born citizenship”, although Obama himself has never uttered those words with his own lips to assert he was. He has had others do it for him. But he did not. He hides behind his lawyers and campaign spokes people to obfuscate on this issue. Again, why has he not personally addressed these questions himself in public with his own lips if he has nothing to hide? Is he personally afraid of being charged with perjury some day? He is a very clever and smart lawyer. He has fooled everyone in a controlling position to stop him, every step of the way, thus far.

Legal challenges to date have mostly been turned aside due to lack of standing and other legal issues. The courts have basically said this is a “political issue” and problem at this point. The political process checks and balances should vet the candidate. But the political process this election cycle has failed to observe and uphold the Constitution, even with the questions being asked by many people, to properly vet this candidate’s exact citizenship status.

Now it is your turn again in Congress.

If you in Congress do not act to challenge Obama and confirm him, without a “natural born citizenship qualification challenge”, then I believe that your act of confirmation will be “unconstitutional” and that more lawsuits will be subsequently filed after your “unconstitutional” act. You will then have created a constitutional crisis. It is your duty to act now. That power is given to you and expected of you by the Constitution. SCOTUS has not acted up until now because they view it as still being in the “political process” and they expect Congress “can and should” still act first on this. It is your duty to act given the questions. But if Congress acts “unconstitutionally”, then SCOTUS will have jurisdiction on this and I believe they will step in after 8 Jan 2009 and either pick up for a hearing one of the two Obama citizenship challenge cases in their hands now (Atty Berg’s of PA and Atty Taitz’s of CA), or they will pick up one of the many new ones which will be filed, if you in Congress too fail to do your duty and fully vet the President-Elect to insure absolutely that he is qualified, i.e., a “natural born citizen” of the USA, which I believe he is not. And it is your duty to find out before you vote. You should not confirm a President with this cloud hanging over his legitimacy to hold the office.

In fact, you in the Joint Session could even request that SCOTUS conduct an immediate emergency hearing on this matter and report back to you their findings on this matter prior to the confirmation vote. Congress should take the lead here and not hide and thus force action to be taken by SCOTUS and the legal route. Congress should take the leadership role while this is still in the political arena before and at the Joint Session of Congress. You are the elected representatives of “We the people ...” Please do your duty.

At the Joint Session of Congress on 8 Jan 2009 you will be asked to count the Electors votes and confirm the election of Obama. At that time you as a Member of Congress have

a right to stand and object to the counting of the vote and confirmation of Obama's election until such time that he can conclusively prove that he is 100% qualified to serve as President of the United States and Commander-in-Chief of our military, i.e., that he is truly proven without any doubt to be a "natural born citizen". You can stand up and object and demand a full investigation of Obama's exact citizenship status. Congress can subpoena his original, long-form, birth records in the sealed records in Hawaii and also the alleged sealed birth records in Kenya in the hands of the Kenyan government. You can also subpoena the records of his citizenship status in Indonesia as well as his college records at Occidental College in CA and Columbia University in NY to see what citizenship he declared there in his admission records in order to gain tuition aide. You also can subpoena any and all existing passports prior to his getting elected to the Senate and/or other records of his life and travels which deal with citizenship.

Will you stand up and object and ask for an investigation? I respectfully ask that you do so. For the sake of our country and our Constitution please object to confirming Obama until he conclusively proves via all independent evidence that he is a "natural born citizen" of the USA. You swore an oath to uphold and defend our Constitution. The time has come for you to act on that oath. Please do your duty.

Respectfully,

Mountain Publius Goat  
(a retired veteran of 33 years service)

Enclosures:

1. Table/chart showing the various types of citizenship and legal reference for same.
2. Copy of 1787 letter of John Jay to George Washington - original at Library of Congress.

Enclosure 1

Constitutional Term	Parents	Conjunction (And, Or)	Location of Birth	Conjunction (And, Or)	Other	Legal Reference
Natural Born Citizen	Both are U.S. Citizens	AND	Born in the U.S. mainland			<ul style="list-style-type: none"> <li>- U.S. Co. Art. II, Sec. 5</li> <li>- U.S. v. V Kim Ark, 16 U.S. 649 (1858)</li> <li>- Perkins Elg, 307 U.S. (1939).</li> </ul> <b>Law of Nat. Sec. 212, (17)</b>
Citizen of the U.S.	Born to at least 1 US Citizen Parent (under federal statute)	OR	Born in the U.S. mainland	OR	Naturalized Citizen	<ul style="list-style-type: none"> <li>- U.S. Co. 14<sup>th</sup> Amend Sec. 1</li> <li>- U.S. v. V Kim Ark, 16 U.S. 649 (1858)</li> <li>- Perkins Elg, 307 U.S. (1939).</li> </ul>
Native Born Citizen			Born in the U.S. mainland			<ul style="list-style-type: none"> <li>- U.S. v. V Kim Ark, 16 U.S. 649 (1858)</li> <li>- Perkins Elg, 307 U.S. (1939).</li> </ul>

*Natural Born Citizen, Native Born Citizen, and Citizen Terms Defined and Legal Reference for Same*

naturalborncitizenshipchart.jpg (63.46 KiB) Viewed 178 times

Enclosure 2



Dear Sir

I was  
the 22<sup>d</sup> Inst: I am immediately  
being detained by business, did not

Permit me to hint, whether  
a strong check to the admission of  
Government, and to declare ex  
army shall not be given to, nor of

Mr. Jay is obliged by you  
Esteem & Regard - with similar



*1787 letter from John Jay to George Washington*  
JOHNJAY01.jpg (112.29 KiB) Viewed 289 times

"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



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