



October 2, 2014

Mr. Thomas Homan
Executive Associate Director
Enforcement Removal Operations (ERO)
U.S. Department of Homeland Security
500 12th Street, SW
Washington, D.C. 20536

Mr. Thomas S. Winkowski
Principal Deputy Assistant Secretary
Immigration and Customs Enforcement (ICE)
U.S. Department of Homeland Security
500 12th Street, SW
Washington, D.C. 20536

Ms. Sarah Kendall
Associate Director
Office of Fraud Detection and National Security
National Security and Records Verification Directorate
U.S. Citizen and Immigration Services
U.S. Department of Homeland Security
500 12th Street, SW
Washington, D.C. 20536

Re: **Petition to Commence Deportation Proceedings**
Against Barack Hussein Obama for his Removal
From the United States

Dear Mr. Homan, Mr. Winkowski, and Ms. Kendall:

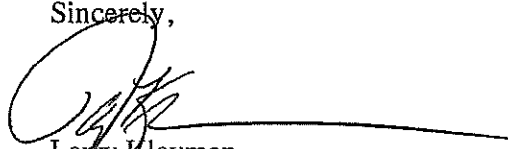
Freedom Watch, Inc. submits the attached Petition for Administrative Action to Convene an Investigation and Hearing provided by statute for deportation (removal) proceedings concerning Barack Hussein Obama.

As demonstrated by the evidence established in exhibits and attached affidavits, there is *prima facie* evidence that Barack Hussein Obama is removable from the United States and in violation of the law under the legally recognized categories of falsely claiming U.S. citizenship,

applying for and obtaining a U.S. passport under false pretenses, and document fraud and fraud and misrepresentation. This evidence requires an thorough investigation and the convening of a full evidentiary hearing under the statutory procedures.

Thus, to maintain the confidence of the American people and for the benefit of the country's democratic system, we ask that the Department conduct a comprehensive investigation, convene a full evidentiary hearing as provided by law, and initiate removal and deportation proceedings of Barack Hussein Obama.

Sincerely,



Larry Klayman
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In the Matter of
BARACK HUSSEIN OBAMA

**PETITION TO COMMENCE
DEPORTATION PROCEEDINGS
AGAINST BARACK HUSSEIN
OBAMA FOR HIS REMOVAL
FROM THE UNITED STATES**

October 2, 2014

Freedom Watch, Inc. hereby petitions the U.S. Department of Homeland Security and respectfully demands the Department by its Immigration and Customs Enforcement (ICE) and U.S. Citizen and Immigration Services (USCIS) components to initiate deportation (removal) proceedings of Barack Hussein Obama, claiming residence in Illinois.

Introduction and Overview:

This petition for removal and deportation addresses Barack Hussein Obama, whose legal name is "Barry Soetoro" (having been changed officially in Indonesia and never changed back to his name at birth), with reported date of birth of August 4, 1961, son of mother Ann Dunham (born November 29, 1942 in Wichita, Kansas) and father Barack Obama, Sr. (born in 1936 in Kanyaimiang Village, Nyanza, Kenya).

Any person accused of violating immigration laws including document fraud, falsely claiming to be a U.S. citizen, or fraud or misrepresentation to obtain entry into the United States or a desired immigration status may be placed in removal proceedings. U.S. citizens are generally protected from deportation, although if a naturalized U.S. citizen is found guilty of establishing citizenship through fraudulent means, he or she can be deported. A person with one parent who is a U.S. citizen but born outside of the United States must apply for naturalization relying upon identity documents and evidence.

The immigration laws of the United States of America are intended in part to ensure that those who become part of the country and particularly those who lead it bear allegiance and loyalty to the United States of America rather than to a foreign country or to interests of other countries generally. It is part of the constitutional design and intention for immigration laws and regulations to regulate those joining the citizenry of the country with the goal of loyalty and

allegiance to the country, among other factors. The U.S. Constitution requires that to be eligible to be President (or Vice President) a person must be a “natural born citizen” and that all federal elected officials must be citizens.

A young woman giving birth in a foreign country to a child whose father was not an American citizen (and was himself deported) did not have the legal capacity to pass along American citizenship to such child, a report for the Western Journalism Center confirmed.¹

“When enacted in 1952, section 301 [of federal immigration laws at the time] required a U.S. citizen married to an alien to have been physically present in the United States for 10 years, including five after reaching the age of fourteen, to transmit citizenship to foreign-born children. The 10-year transmission requirement remained in effect from 12:01 a.m. EDT December 24, 1952, through midnight November 13, 1986, and still is applicable to persons born during that period,” the Western Journalism Center’s Report explained.

Ann Dunham was only 18 years old upon Barack Hussein Obama’s birth on August 4, 1961. Her own date of birth in Wichita, Kansas, was November 29, 1942. She turned 14 on November 29, 1956. Therefore in contrast to the law’s requirement, she had lived only 4 ½ years from her 14th birthday up until Barack Hussein Obama’s birth on August 4, 1961 – and apparently not all of those years actually within the United States.

Thus because of the requirement to reside in the United States continuously for five years after becoming 14 and a total of 10 years in the United States overall, Barack Hussein Obama could not acquire U.S. citizenship through his mother Ann Dunham.² At the very least, he would have had to apply at some point for naturalization.

Details requiring removal / deportation are set forth in full detail in the attached affidavits:

- of Michael Zullo dated June 11, 2012 (Exhibit A)
- of Michael Zullo dated May 13, 2013 (Exhibit B)
- of Sheriff Joe Arpaio dated June 12, 2012, (Exhibit C)
- of Jerome Corsi dated June 12, 2012 (Exhibit D) and
- of Lucas Daniel Smith dated September 3, 2009 (Exhibit E)

The book by Dr. Jerome Corsi, Where's the Birth Certificate?: The Case That Barack Obama Is Not Eligible to Be President (April 17, 2011), marked as Exhibit F, is verified and sworn to by Dr. Corsi’s affidavit in Exhibit D, also sets forth in full detail the necessity of deportation.

This book will be submitted under separate cover in 3 copies to each of the addressees at the Department. The book can also be obtained over the Internet at:
<http://superstore.wnd.com/sales/Obama-Store/A-Question-of-Eligibility-e-book>

¹ <http://www.westernjournalism.com/exclusive-investigative-reports/clearing-the-smoke-june10/>

² <http://www.wnd.com/2009/07/105371/#WH0EQAcCeHuRtqAr.99>

Furthermore, an update to Dr. Corsi's book formatted as an "e-book" titled Where's the REAL Birth Certificate?, which addresses the latest information up through the 2012 election and documents released in the Spring of 2012, is also being submitted under separate cover as Exhibit G. The e-book can also be obtained over the Internet at: <http://superstore.wnd.com/specialty-items/birth-certificate/wheres-the-real-birth-certificate-e-book>. The e-book by Dr. Jerome Corsi with Michael Zullo, A Question of Eligibility: A Law Enforcement Investigation into Barack Obama's Birth Certificate and His Eligibility to be President, (Feb 29, 2012), marked as Exhibit H, will be submitted under separate cover. This e-book is also available over the Internet at: <http://superstore.wnd.com/sales/Obama-Store/A-Question-of-Eligibility-e-book>

The following videos show and illustrate in detail the forensic analysis and indicia of forgery, which are collectively identified as Exhibit "I", can be accessed on You Tube at:

http://www.youtube.com/watch?v=ID_KfcmG9gs

<http://www.youtube.com/watch?v=S40WKxKSIHc>

<http://www.youtube.com/watch?v=-qDzMYWTjds>

<http://www.youtube.com/watch?v=WQUGwEZ-xDo>

<http://www.youtube.com/watch?v=jgTZUVpb3dk>

http://www.youtube.com/watch?v=CHAM3hRI8_Y

Barack Hussein Obama has relied upon a birth certificate from the State of Hawaii which is clearly a forgery – that is, not a valid birth certificate – and indeed also a rather sloppy forgery with easily-detected, unmistakable errors and defects.

It is a fair inference that Barack Hussein Obama would not have relied throughout his life upon a forged birth certificate if a genuine birth certificate showing a live birth in U.S. territory existed. No one would present a birth certificate that document analysis exposes to be a forgery if they could just as easily present their actual, genuine birth certificate. As a result, claims that an undisclosed birth certificate exists and a more recent document must face serious credibility questions as to why a forgery was being used – a crime and document fraud under the Immigration and Naturalization Act (INA) – unnecessarily.

Yet for many years, Obama engaged in dozens of legal contests, with legal fees that have been estimated by other lawyers to be in excess of \$1 million, all of which could have been avoided by merely giving his permission for the release of his birth certificate – much as candidates have traditionally authorized the release of a variety of documents from tax returns to medical records in order to satisfy voters' legitimate interest in evaluating the choices in elections.

Even if a legitimate birth certificate exists, Barack Obama's repeated use of a clearly forged birth certificate is still a crime and an INA violation of document fraud. The use of a forged birth certificate for many years is still illegal, even if a real one exists.

Here, the errors and defects found and proven are irreconcilable with a genuine birth certificate from the State of Hawaii. They prove that the document is a forgery, not merely a poor copy. Details of the document make it impossible for the document to be genuine.

Investigators such as Dr. Jerome Corsi have traveled to Kenya and investigated Barack Hussein Obama's birth near Mombasa, Kenya, and have confirmed that Barack Hussein Obama was not born in the United States of America. For example, one of Barack Hussein Obama's grandmothers reports being present at his birth in Kenya near Mombasa.

Investigator Lucas Daniel Smith, attached as Exhibit E, swore under oath in an affidavit that was filed (and which he knew would be filed) in the United States District Court for the Central District of California that he obtained the birth certificate of Barack Hussein II, son of Stanley Ann Dunham born in Wichita, Kansas, and Barack Obama, Sr. from Coast General Hospital in Mombasa, Kenya. This affidavit dated September 3, 2009, of course is subject to both the laws of perjury and the authority of the federal courts if untrue.

As a result, the evidence indicates that Barack Hussein Obama:

- 1) was not born in the United States of America;
- 2) departed the U.S.A as a child to live in Indonesia;
- 3) acquired Indonesian citizenship, including by being adopted by an Indonesian father and changing his name to "Barry Soetoro";
- 4) was registered in Indonesia as a citizen of Indonesia;
- 5) is the child of a father who is not a citizen of the U.S.A, and was himself deported from the U.S.A.;
- 6) later entered the U.S.A. using fraudulent documents, fraud and misrepresentation, and by falsely claiming to be a citizen;
- 7) never applied for adjustment of status to become a U.S. citizen;
- 8) assuming that acquiring Indonesian citizenship afforded Barack Hussein Obama dual citizenship in both Indonesia and the U.S.A, he never went through any process of renouncing Indonesia citizenship or electing U.S. citizenship.

Barack Hussein Obama spent most of his childhood in Indonesia after the marriage of his mother to Lulu Soetoro, a national of Indonesia. However, upon re-entering the United States of America, he falsely represented himself to be a U.S. citizen. He did not then apply for naturalization at that time nor upon turning 18 years old.

Moreover, it appears that Barack Hussein Obama's legal name was officially changed in Indonesia to "Barry Soetoro." However, upon returning to the United States of America, Barry Soetoro never undertook any legal action – even after studying law and graduating from law school – to legally change his name back to "Barack Hussein Obama."

Instead, he inconsistently used different names within the United States, which is itself document fraud and illegal under many circumstances. Despite studying law, he used both the names Barry Soetoro and Barack Hussein Obama in the United States, and variations of both. However "Barry Soetoro" never secured U.S. citizenship.

As a result, Barack Hussein Obama re-entered the United States from Indonesia using fraudulent documents, falsely claiming to be a U.S. citizen, and by fraud and misrepresentation. Subsequent to his re-entry, he continued to use those fraudulent identity documents to obtain immigration status-related benefits and other benefits.

Barack Hussein Obama did not petition to adjust his status or go through any naturalization process after returning from Indonesia or upon turning 18 years old.

Obama also applied for a U.S. passport by submitting the clearly-forged birth certificate later released publicly in 2008. Thus, Obama committed document fraud under the INA to fraudulently obtain a U.S. Passport, as well as failing to identify his legally-changed name of Barry Soetoro and falsely claiming U.S. citizenship.

Finally, Barry Soetoro (a/k/a Barack Hussein Obama) reportedly traveled as a young adult to Pakistan, Kenya, and/or Indonesia on an Indonesia passport as a citizen of Indonesia.

Actions Requested

Under the governing law, specifically those cited below, specifically upon allegations of document fraud, the Department must convene a hearing and conduct an investigation. Based on the serious questions raised as to the documents, Petitioner specifically requests that the Department of Homeland Security:

- 1) Receive the Petitioner to appear and present evidence;
- 2) Receive the appearance and testimony before the hearing of investigators Michael Zullo, Daniel Lucas Smith, and Dr. Jerome Corsi along with the documents provided as exhibits hereto and their other evidence;
- 3) Receive the appearance, testimony and evidence of the experts consulted by the investigative team as to the authenticity of the identity documents;
- 4) Receive the appearance and testimony of Tim Adams, former employee of the State of Hawaii government;
- 5) Obtain all records, including supporting documentation, related to any and all applications for a U.S. Passport by Barack Hussein Obama, including what birth certificate he used to obtain a U.S Passport;
- 6) Obtain samples of genuine Hawaii birth certificates from August 1961 for analysis and comparison with claimed birth certificates for Obama;

- 7) Employ a document analysis expert to investigate whether documents provided by or on behalf of Obama are accurate, such as Hartford Kittel, J.D., former FBI Special Agent Document Examiner, of Alexandria, Virginia;
- 8) Request copies of all original documents from the State of Hawaii government concerning any all records about Barack Hussein Obama's birth on or about August 4, 1961;
- 9) Request copies of all original documents from the suspected hospitals in the State of Hawaii concerning any and all records about Barack Hussein Obama's birth on or about August 4, 1961;
- 10) Determine the multiple, loose, and often unverified and unreliable methods by which the State of Hawaii issued birth certificates in 1961 regardless of where a baby was actually born;
- 11) Request from the nation of Indonesia any and all records concerning Barack Hussein Obama's entrance into the nation of Indonesia, change of name to Barry Soetoro, and possible adoption as Lulu Soetoro's son;
- 12) Determine the identification and documents required by the government schools of Indonesia at the time to enroll a student under the name of Barry Soetoro who was born as Barack Hussein Obama;
- 13) Request from the nation of Kenya, especially Coast General Hospital in Mombasa, Kenya, copies of any and all records about Barack Hussein Obama's birth on or about August 4, 1961;
- 14) Determine the laws of the State of Hawaii as of 1961 concerning the issuance of birth certificates to children not born in Hawaii and/or on the unverified claims of parents or other persons;
- 15) Determine the laws governing U.S. citizenship of a child born on August 4, 1961 outside the United States to a young woman 18 years old, born November 29, 1942, who had not yet lived 5 years in the United States after turning 14 on November 29, 1956;
- 16) Determine the policies of international airlines in 1961 concerning allowing expectant mothers to fly across the Pacific Ocean close to their due date;
- 17) Request from the Social Security Administration any and all records concerning the social security number used by Barack Hussein Obama, including all transactions under the social security number by any other person claiming that same social security number;
- 18) Investigate the curious, evasive, ambiguous, and non-responsive wording by officials who have sought to dismiss these concerns without ever directly answering the relevant questions clearly or head on;
- 19) Obtain all Customs travel documents for Barack Hussein Obama's adult trips to Pakistan, Indonesia and Kenya, including Customs forms he filled out to return to the United States of America, and passport stamps and activity;

- 20) Investigate whether Barry Soetero (a/k/a Barack Hussein Obama) traveled as an adult to Pakistan, Kenya, and/or Indonesia on an Indonesia passport as a citizen of Indonesia;
- 21) Request from Occidental College and the U.S. Department of Education (then part of the Department of Health, Education, and Welfare) information on whether Barack Hussein Obama applied for enrollment and/or financial aid by claiming to be a foreign student within the United States of America.

General Governing Law and Procedures:

Pursuant to Federal law of the United States of America, the following requirements apply:

Initially, according to **8 U.S. CODE § 1229A(a)(2)** “An alien placed in proceedings under this section may be charged with any applicable ground of inadmissibility under section 1182(a) of this title or any applicable ground of deportability under section 1227(a) of this title.”

Moreover, according to **8 U.S. CODE § 1229A(a)(1)** “An immigration judge shall conduct proceedings for deciding the inadmissibility or deportability of an alien.” Moreover, **8 U.S. CODE § 1229A(a)(2) “Charges”** provides:

“An alien placed in proceedings under this section may be charged with any applicable ground of inadmissibility under section 1182(a) of this title or any applicable ground of deportability under section 1227(a) of this title.

Pursuant to **8 U.S.C. § 1229**, the initiation of removal proceedings must include notice of

- (A) The nature of the proceedings against the alien.
- (B) The legal authority under which the proceedings are conducted.
- (C) The acts or conduct alleged to be in violation of law.
- (D) The charges against the alien and the statutory provisions alleged to have been violated.
- (E) The alien may be represented by counsel and the alien will be provided
 - (i) a period of time to secure counsel under subsection (b)(1) of this section and
 - (ii) a current list of counsel prepared under subsection (b)(2) of this section.

Also, regarding document fraud, **8 U.S.C. § 1324C** provides that:

(d) Enforcement

(1) Authority in investigations

In conducting investigations and hearings under this subsection—

- (A) immigration officers and administrative law judges shall have reasonable access to examine evidence of any person or entity being investigated,

(B) administrative law judges, may, if necessary, compel by subpoena the attendance of witnesses and the production of evidence at any designated place or hearing, and

* * *

According to **8 U.S. CODE § 1229A(e)(2)**

“The term “removable” means—

(A) in the case of an alien not admitted to the United States, that the alien is inadmissible under section 1182 of this title, or

(B) in the case of an alien admitted to the United States, that the alien is deportable under section 1227 of this title.

According to **8 U.S. CODE § 1229A(c)(1)(A)** “At the conclusion of the proceeding the immigration judge shall decide whether an alien is removable from the United States. The determination of the immigration judge shall be based only on the evidence produced at the hearing.”

Concerning document fraud, **8 C.F.R. § 270.2** Enforcement procedures.

(a) *Procedures for the filing of complaints.* Any person or entity having knowledge of a violation or potential violation of section 274C of the Act may submit a signed, written complaint to the Service office having jurisdiction over the business or residence of the potential violator or the location where the violation occurred. The signed, written complaint must contain sufficient information to identify both the complainant and the alleged violator, including their names and addresses. The complaint should also contain detailed factual allegations relating to the potential violation including the date, time and place of the alleged violation and the specific act or conduct alleged to constitute a violation of the Act. Written complaints may be delivered either by mail to the appropriate Service office or by personally appearing before any immigration officer at a Service office.

(b) *Investigation.* When the Service receives complaints from a third party in accordance with paragraph (a) of this section, it shall investigate only those complaints which, on their face, have a substantial probability of validity. The Service may also conduct investigations for violations on its own initiative, and without having received a written complaint. If it is determined after investigation that the person or entity has violated section 274C of the Act, the Service may issue and serve upon the alleged violator a Notice of Intent to Fine.

(c) *Issuance of a subpoena.* Service officers shall have reasonable access to examine any relevant evidence of any person or entity being investigated. The Service may issue subpoenas pursuant to its authority under sections 235(a) and 287 of the Act, in accordance with the procedures set forth in § 287.4 of this chapter.

* * *

The Investigation

An exacting, professional and exhaustive investigation has been conducted since October 2011. An extended team of experts convened by Sheriff Joe Arpaio, and administered by lead investigator Michael Zullo conducted this investigation.

The Maricopa County Sheriff's Office has pre-existing and general authority to investigate "cold cases" among its other authority and responsibilities. The Office also has standing legal authority to enlist assistance from various experts, outside resources, and volunteers. This authority still retains the very old and somewhat colorful name of a "posse," although this simply means that the assistance of personnel outside of the Sheriff's actual government employees may be requested in support of the Sheriff of each Arizona County.

As a result, a standing legal process for attempting to solve "cold cases" goes under the name more familiar to the Western ear of the "Cold Case Posse." Translated into the terminology of Eastern regions, this simply means that a team – what would probably be called a "**task force**" in the East – has been set up to enlist the help of outside experts, professionals, and volunteers to try to resolve the more difficult cases.

At the request of Arizona citizens, in connection with the integrity of the Arizona ballot, Sheriff Joe Arpaio tasked the existing structure for investigating cold cases with the assistance of outside experts and personnel with the investigation of Barack Obama's citizenship and questions and mysteries surrounding Obama's claims about his citizenship. Thus, Sheriff Arpaio convened a **task force** (legally termed under Arizona's somewhat outdated legal jargon a "posse") to conduct an investigation.

A five-member team of experienced investigators was selected. The team included former police detectives and attorneys (who received additional investigational training by the Maricopa County Sheriff's Office) who worked voluntarily and at virtually no expense to the taxpayer.

Document Fraud with Barack Obama's Social Security Number

In March 1977, after residing in Indonesia and attending school there, and legally changing his name there to "Barry Soetoro," Barack Hussein Obama resided in Honolulu, Hawaii attending the Punahou School, from which he earned a high school diploma in the Spring of 1979.

In March 1977, Barack Hussein Obama was 16 years and eight months old – about the time that he would have started to think about using a social security number to apply for college and/or to apply for jobs. According to his own biographical account, Obama's first job was in 1979 at the Baskin Robbins on South King Street near his high school in Honolulu, Hawaii. Since he graduated in 1979, presumably he began work at Baskin Robbins early in the year in 1979, in his senior year in high school.

However, Barack Hussein Obama uses a social security number as his own which was assigned to the Social Security Administration region to persons residing in Connecticut, issued

between 1976 and 1977. Comparing social security numbers immediately before and after Obama's confirms that the social security number that Barack Obama claims as his own was issued around March 1977 to an applicant with a Connecticut address.³

However, no one in Obama's family nor Obama had any connection to Connecticut. His mother's family resided in Wisconsin and later Illinois. She was born in Wichita, Kansas. His family never had any connection to Connecticut.

Therefore, the social security number could only be the result of document fraud. Obama clearly, personally or through his family, made use of a forger or proxy in Connecticut to obtain a social security number, rather than submitting Obama's own identity documents to government scrutiny. Because Obama did not have genuine identity documents showing a birth in the United States, he had to resort to document fraud through a forger or trafficker in identity documents located in Connecticut.

In the context of immigration, enforcement of the fraudulent use of social security numbers has been notoriously lax and unserious, creating little hesitation to engage in document fraud concerning a social security number. The Social Security Administration adamantly refuses to report suspicious activity concerning social security numbers.

However, neither employment nor school nor family connections provided any reason to use a Connecticut mailing address to apply for Barack Obama's social security number in Connecticut.

Although Barack Obama, Sr. attended Harvard University, he left the United States in 1964 for the last time and never lived in Connecticut.

Therefore, Barack Hussein Obama is guilty of document fraud in the use of a social security number that is not his own or fraudulently obtained. Moreover, that Obama did not obtain a social security number legitimately in a normal manner creates the inference that Barack Hussein Obama did not (and does not now) have the legitimate identity documents necessary to apply for a social security number in the normal and legal manner. It should be noted that applying for a social security number is incredibly easy if one has the proper identity documents. The only reason to use a proxy in another state, in this case Connecticut, would be if one cannot make use of legitimate identity documents and wants to avoid government scrutiny of their documents.

Disappearing Port of Entry Immigration Documents in 1961

Investigators located records of cards the U.S. Immigration and Naturalization Service required of all passengers – including both U.S. citizens and foreign citizens – to fill out and file with passport control when arriving in Honolulu from a foreign city of origin.

³ See: <http://www.ssa.gov/history/ssn/geocard.html>

Microfilm records of INS cards for passengers arriving in New York on foreign files in 1961 have also been found in the National Archives.

Microfilm records of INS cards for passengers arriving in Honolulu on international flights originating around the Pacific Rim in 1961 have been examined at the National Archives in Washington.

Remarkably, all INS records for the week of Obama's birth, August 1 – August 7, 1961, are missing. The National Archives confirmed in a letter written on National Archives stationery that the INS records for international flights arriving in Hawaii during that week (the week in which Obama was born) are missing, not only on the microfilm reels examined, but also in the primary records.

The arrival information for entry of passengers into the United States on international flights arriving in the United States would show if Obama's mother Ann Dunham arrived from a foreign country with an infant child.

This is significant in part because airline policies of the time would not have allowed a pregnant woman to fly on an international flight on the slow aircraft of the day. Therefore if Ann Dunham lingered too long in Mombasa, Kenya, she might have discovered that she was denied a seat by the airline until after she gave birth. Then she might have flown to Hawaii after giving birth.

This also must be taken seriously after real-world events in which IRS emails have mysteriously disappeared and in which former Clinton Administration official Sandy Berger stuffed National Archives documents down his pants and in his socks and removed archive documents from the National Archives, in order to protect the political viability of Hillary Clinton. When such events have actually occurred, and have been detected, one may not dismiss the concerns that other records have suffered a similar fate.

Different Types of Birth Certificates

Initially, it is important to note that a "long form" birth certificate is an actual, genuine, official birth certificate. It is created subject to the formalities of a government official document. The attending physician signs it. It is created contemporaneously with the live birth, such that the birth certificate is usually roughly typed with an old-style typewriter, probably with corrections in the typing and/or additions. Some information may be typed and some handwritten. The fact that it is filed within a few days of a birth is a further protection and safeguard of accuracy, compared with the opportunity to falsify a document at any later time as motivations and needs might change.

By contrast, a "short form" birth certificate or a "certificate of live birth" is not a birth certificate and is not an official, original document. It is an intermediate document issued to summarize the contents of an actual birth certificate.

For example, Barack Hussein Obama released a supposed birth certificate which was plainly printed on a computer laser printer. However, laser printers were not invented in 1961 and were certainly not in common usage until the 1980's or 1990's. A low-budget office in Hawaii handling birth and death statistics would certainly not have had a laser printer until the early to late 1990's.

This is especially significant because the law in various States especially in Hawaii allows for modification of a person's status from the original birth. Therefore a summary document issued by a State can incorporate new or different information than the original, official birth certificate. For example, a summary birth certificate incorporating the results of an adoption might be issued which would be different from the original, official birth certificate.

Moreover, governments maintain other records such as summary databases. Those databases are subject to modification both authorized and unauthorized.

To the legal mind, a long-form birth certificate may be compared to a valid will which requires formalities of signatures and witnesses to be legally valid as compared with an informal summary of what the will says which does not require any formality to ensure accuracy and legitimacy.

Lax Standards in Hawaii and U.S. Birth Certificates for non-U.S. Births

One of the main reasons that this entire topic is controversial and difficult is that Hawaii became a State only on August 21, 1959, and as a very new State in the 1960's was extremely lax in creating birth certificates for those not born in Hawaii or anywhere in the United States of America. Hawaii not only had to work out procedures to operate as a new State but also had a culture of openness and relationship to nations throughout the Pacific Rim – recall that Kenya is a coastal nation along the Pacific Ocean / Indian Ocean – which allowed very loose concepts of Hawaii citizenship and immigration.

As a result, Hawaii routinely and by standard legal procedure issued birth certificates for children who were not born in Hawaii or anywhere in the United States. Furthermore, Hawaii allowed birth certificates to be issued based on the unverified claims of one or both parents – or anyone signing for them (such as a grandparent).

People assume that the existence of a birth certificate from Hawaii proves a birth in Hawaii, when Hawaii law at the time is explicit that a parent could lawfully request a birth certificate from Hawaii for a child born in a foreign country.

Searching over a several year period, various researchers have found repeated listings of births to Japanese parents as being reported in the newspapers as Hawaiian births, even though the child was found to be born in Japan. In 1961, Hawaii Department of Health appears to have used local area offices outside Honolulu as reporting centers in which parents and other family members could present children born to the family as Hawaiian births, without submitting any proof the child was actually born in Hawaii.

The problem is also exacerbated by the more limited scope of medical care and government at the time. As a result, births outside of a hospital were not rare.

Thus, **birth certificates often had to be issued based purely on the representation of parents, without the confirmation of an attending physician.** A birth before a mother could reach the hospital or in rural areas or by those who could not afford a hospital had to be accommodated.

This allowed very loose standards for a birth certificate to be issued based purely on the claims of parents, with no independent verification.

Furthermore, in 1961, parents and grandparents of Barack Hussein Obama had ample motivation to establish U.S. citizenship instead of a birth in a third-world country. Societal attitudes in 1961 would create an extremely strong desire for one's child or grandchild to enjoy the status of a U.S. birth compared to how third world countries were viewed in 1961.

It is not necessary for Obama's family to have any long-range plan or motivation other than the generic benefits of a U.S. birth over a Kenyan birth. If Obama's mother Ann Dunham lingered too long in Kenya visiting her new husband's family but then got caught being unable to travel home because of airline policies at the time about travel by very pregnant women, the entire family may have intended to have Ann Dunham give birth in Hawaii, but those plans did not work out as intended. Obama's birth in Kenya may very well have frustrated the plans of his grandparents, Ann Dunham's parents, to see their grandson born on U.S. soil. Ann Dunham, on the other hand, as a multi-cultural adventurer enamored of foreign countries and uninterested in the United States, may have relished an authentic African birth more in touch with nature and human history.

A Hawaii birth certificate memorializing Barack Hussein Obama's Kenyan birth would not require long-range political plans, only the desire of his grandparents (slightly more conventional than Ann Dunham) to push for every legal advantage for their first grandson. They could have applied for a birth certificate signing for their daughter.

Investigators for the Western Journalism Center found that "[i]n 1961, if a person was born in Hawaii but not attended by a physician or midwife, then all that was required was that one of the parents send in a birth certificate to be filed. The birth certificate could be filed by mail. There appears to have been no requirement for the parent to actually physically appear before 'the local registrar of the district,'" the investigator said. He called this option BC2.

The investigator further determined: "It would have been very easy for a relative to forge an absent parent's signature to a form and mail it in. In addition, if a claim was made that 'neither parent of the newborn child whose birth is unattended as above provided is able to prepare a birth certificate, the local registrar shall secure the necessary information from any person having knowledge of the birth and prepare and file the certificate,'" the report said. "I asked the Dept of Health what they currently ask for (in 2008) to back up a parent's claim that a child was born in Hawaii. I was told that all they required was a proof of residence in Hawaii

(e.g. a driver's license ... and pre-natal (statement or report that a woman was pregnant) and post-natal (statement or report that a new-born baby has been examined) certification by a physician. On further enquiry, the employee that I spoke to informed me that the pre-natal and post-natal certifications had probably not been in force in the '60s. Even if they had been, there is and was no requirement for a physician or midwife to witness, state or report that the baby was born in Hawaii."

Another opportunity arises because of the law in force in 1961 in Hawaii that if a person was born in Hawaii but not attended by a physician or midwife, then, up to the first birthday of the child, a 'Delayed Certificate' could be filed, which required that 'a summary statement of the evidence submitted in support of the acceptance for delayed filing or the alteration [of a file] shall be endorsed on the certificates,' which 'evidence shall be kept in a special permanent file,'" the report said of the option called BC3.

"In other words, this form of vault birth certificate, the Delayed Certificate, required no more than a statement before a government bureaucrat by one of the parents or (the law does not seem to me clear on this) one of Barack Obama's grandparents. If the latter is true, Ann Dunham did not have to be present for this statement or even in the country," the investigator said.

Finally, a Certificate of Hawaiian Birth is available for those born in Hawaii without attendance and for whom no Delayed Certificate was filed.

Investigators have found that there are many witnesses to Ann Dunham's presence on Oahu from September 1960 to February 1961. However, there are no witnesses to her being on Oahu from March 1961 to August 1962 when she returned from Seattle and the University of Washington. No Hawaiian physicians, nurses, or midwives have come forward with any recollection of Barack Obama's birth.

Barack Hussein Obama Proffers Forged Birth Certificate

The principal focus of the investigation was the electronic document or computer image presented to the public on the White House website that President Obama had presented as an authentic image of his long-form birth certificate to the American people.

Videos created by the investigation, attached as Exhibit I, illustrate point-by-point the investigators' conclusion that the features and anomalies observed on the Obama long-form birth certificate were inconsistent with features produced when a paper document is scanned, even if the scan of the paper document had been enhanced by Optical Character Recognition (OCR) and optimized.

Additionally, the videos demonstrated that the Hawaii Department of Health Registrar's name stamp and the Registrar's date stamp were computer-generated images imported into an electronic document, as opposed to actual rubber stamp imprints inked by hand or machine onto a paper document.

The team contacted a nationally recognized computer expert, Mara Zebest, who has served as a contributing author and technical editor for more than 100 books on Adobe and

Microsoft software. Ms. Zebest was contacted and invited to participate in a two-day investigational meeting, to which the team invited five other participants: investigators, attorneys, and professionals in computerized graphic design, IT professionals, and a physician.

During that meeting, all aspects of the alleged birth certificate were examined with the intention of attempting – as an investigative technique – to disprove the allegation that the document had been fabricated. This included a review of the work of an author by the name of John Woodman. John Woodman, a self-described computer expert, had authored a book putting forth explanations on how computer software automatically caused the anomalies contained in the White House document. Mr. Woodman's work had been cited vigorously by numerous media outlets attempting to disqualify allegations suggesting that the .pdf document offered by Mr. Obama was anything but authentic.

The theories set forth in Mr. Woodman's book were thoroughly tested by investigators and found to speculation and supposition. The investigators concluded Mr. Woodman's work was nothing more than conjecture.

The investigators agreed unanimously that the White House computer image .pdf file contained anomalies that were unexplainable unless the document had been fabricated piecemeal by human intervention, rather than being copied (scanned into a computer) from a genuine paper document. This conclusion also served to contradict the alleged chain of events surrounding the production of the document, as put forth by the White House and the Hawaii Department of Health.

The team announced that there was probable cause that forgery and fraud had been committed in respect of two documents: 1) the long-form or original birth certificate computer image presented by Mr. Obama, which contained multiple errors and anomalies, many of them serious, and; 2) the selective-service document for Mr. Obama, which contained a two-digit year-stamp. This was contrary to specifications issued by federal regulation to the effect that the year of issue should be expressed as four digits on the stamp, and also contrary to any other selective-service registration document that we had been able to examine.

The lead investigator visited Hawaii twice and continued the investigation. After further in-depth computerized testing and discovering additional information, the team concluded in mid-2012 that Mr. Obama's identity documents were not only forged beyond the legal standard of probable cause, but due to loop holes in the state of Hawaii's vital statistics reporting laws, there was the distinct evidence suggesting that Hawaii's statutes appeared to be in conflict with federal immigration law and posed an independent threat to the national security of the United States.

The investigators determined that the computer file containing the test scan of an actual, authentic birth certificate has only one layer and one link. Moreover, the texture of the paper could be seen underneath the ink and the image noise was consistent throughout the document.

In contrast, the Obama birth certificate displays nine different layers, with nine containing the security paper, suggesting the security paper was added last. Further, the Obama document displays a white halo effect around the letters, such that the texture of the paper cannot be seen underneath the ink, and the image noise is inconsistent throughout the document.

A close examination of the state registrar's stamp on the Obama birth certificate provides obvious proof the document is forged, according to the preponderance of Adobe experts consulted. There are two different registrar stamps evident on the Obama birth certificate issued by the White House on April 27: (1) the date stamp, indicating April 25, 2011, and (2) the text and signature stamp containing Dr. Alvin Onaka's signature. Both registrar stamps appear to have been applied by a rubber stamp inked from a blotter.

The investigators further determined that the Registrar's date stamp and the register text, along with the signature of Dr. Alvin Onaka, constitute two separate layers, indicating the date stamp was electronically placed on the electronic birth certificate separately from the state registrar text and signature.

The investigators also determined that the Registrar date stamp and the Registrar text/signature stamps were both created by links to external objects imported into the Obama birth certificate. This is confirmed by turning on "Links" in the "Window" menu in Adobe Illustrator. Further evidence that the two Registrar stamps are external objects imported into the Obama birth document can be seen in that the date stamp and the registrar text/signature can easily be moved and repositioned anywhere on the document. Moreover, moving the two registrar stamps leaves behind a white halo residue that indicates where the two external links had initially been placed.

The inescapable conclusion from this analysis is that the Obama birth certificate as presented by the White House is not an authentic copy of an original 1961 document held in the file of the Hawaii Department of Health, but instead, an electronic manipulated document created most likely from pieces of authentic records – in other words, a forgery.

"Absent the authentic Hawaii Department of Health 1961 birth records for Barack Obama, there is no other credible proof supporting the idea or belief that President Barack Obama was born in Hawaii, as he and the White House have consistently asserted," Lead Investigator Michael Zullo said. "In fact, absent the authentication of Hawaii Department of Health 1961 birth records for Barack Obama, there is no other proof he was born anywhere within the United States."

Claims by Hawaii Government Create Greater Doubt and More Questions

The State of Hawaii – enjoying the experience of having the first and only President ever claiming Hawaii birth – has celebrated this historic claim. And the government and elected officials of the State of Hawaii are overwhelmingly in agreement politically with Barack Hussein Obama as an elected official.

However, every statement from officials in Hawaii has deepened the mystery and raised more questions than they answered. Hawaii's officials have vaguely and oddly referred to reviewing "birth records," discussed in curious ways.

For example, On July 28, 2009, USA Today reported that Dr. Chiyome Fukino, director of the Hawaii Department of Health at that time, stated that: "I, Dr. Chiyome Fukino, director of the Hawaii State Department of Health, have seen the original vital records maintained on file by the Hawaii State Department of Health verifying Barack Hussein Obama was born in Hawaii and is a natural-born American citizen."

However, Dr. Fukino curiously referred to "vital records" – not a birth certificate. For someone intimately familiar with the types of documents involved and the nature of the controversy, the substitution of "vital records" in place of "birth certificate" is hair-raising and provokes more questions than it answers.

Computerized "vital records" databases such as the "Birth Index" can be altered at the push of a keyboard button, in contrast to an official birth certificate. Indeed, the standards authorizing records to be inserted or altered are far more relaxed for "vital records" than for a birth certificate.

So why did the official intimately familiar with the distinction between a birth certificate as an original document and "vital records" as a database, aware of the controversy about a birth certificate, claim to have reviewed "vital records?" Clearly Dr. Fukino made the statement to deceive the public and create a false impression.

Investigators found that the Hawaii Birth Index was not a reliable record, in that the Birth Index consists of a computer printout that is updated from time to time, with the insertion of names that were not present in previous printings.

The investigators also chronicled a series of inconsistent and misleading representations that various Hawaii government officials have made over the past five years regarding what, if any, original birth records are held by the Hawaii Department of Health. "As I said at the beginning of the investigation," Arpaio said, "the President can put all this to rest quite easily. All he has to do is demand the Hawaii Department of Health release to the American public and to a panel of certified court-authorized forensic examiners all original 1961 paper, microfilm, and computer birth records the Hawaii Department of Health has in its possession."

Furthermore, Hawaii Governor Neil Abercrombie came into office in 2011 promising to resolve the issue by personally searching the Hawaii Department of Health records to locate and review Barack Obama's long-form birth certificate. Then in an interview on January 18, 2011, with the Honolulu Star Advertiser, Abercrombie suggested that a long-form birth certificate for Barack Obama might not exist within the records maintained by the Hawaii Department of Health. Abercrombie told the newspaper that there was a "recording of the birth" – not a birth certificate. Abercrombie never followed through on his promise to verify and release the birth certificate.

Again, a notation in a computer database is not subject to the reliability for authenticity of a long-form birth certificate. A computer database providing a "recording of the birth" can be changed in moments with a few strokes of a computer keyboard.

Then on April 11, 2011, NBC reporter Michael Isikoff reported that Dr. Fukino confirmed that her office had Barack Obama's long-form birth certificate in its files. Unfortunately, Dr. Fukino later disputed the NBC reporting and back-tracked from it. More than likely, Isikoff fell for the scam of confusing a notation in the "Birth Index" with an actual birth certificate.

Clerk Tim Adams Claims No Birth Certificate Exists

Former Hawaii elections clerk Tim Adams has now signed an affidavit swearing he was told by his supervisors in Hawaii that no long-form, hospital-generated birth certificate existed for Barack Obama Jr. in Hawaii and that neither Queens Medical Center nor Kapi'olani Medical Center in Honolulu had any record of Obama having been born in their medical facilities.⁴

Tim Adams who worked as senior elections clerk for the city and county of Honolulu in 2008 is making the stunning claim Barack Obama was definitely not born in Hawaii. His employment there has been confirmed by the State of Hawaii.⁵

First Count: Document Fraud:

Pursuant to Federal law of the United States of America, deportation (now termed removal) is required under the following circumstances:

First, a person is subject to deportation (removal) pursuant to **8 U.S. Code § 1227 (a)(3)(C) Document fraud --**

(i) In general an alien who is the subject of a final order for violation of section 1324c of this title is deportable.

Pursuant to **8 U.S.C. § 1324C "Penalties for Document Fraud"**

(a) Activities prohibited

It is unlawful for any person or entity knowingly—

- (1) to forge, counterfeit, alter, or falsely make any document for the purpose of satisfying a requirement of this chapter or to obtain a benefit under this chapter,
- (2) to use, attempt to use, possess, obtain, accept, or receive or to provide any forged, counterfeit, altered, or falsely made document in order to satisfy any requirement of this chapter or to obtain a benefit under this chapter,

⁴ <http://www.wnd.com/2011/01/254401/#kxdAwAQxkHvTUTf7.99>

⁵ <http://www.wnd.com/2010/06/165041/>

(3) to use or attempt to use or to provide or attempt to provide any document lawfully issued to or with respect to a person other than the possessor (including a deceased individual) for the purpose of satisfying a requirement of this chapter or obtaining a benefit under this chapter,

(4) to accept or receive or to provide any document lawfully issued to or with respect to a person other than the possessor (including a deceased individual) for the purpose of complying with section 1324a (b) of this title or obtaining a benefit under this chapter, or

(5) to prepare, file, or assist another in preparing or filing, any application for benefits under this chapter, or any document required under this chapter, or any document submitted in connection with such application or document, with knowledge or in reckless disregard of the fact that such application or document was falsely made or, in whole or in part, does not relate to the person on whose behalf it was or is being submitted, or

* * *

As detailed above and in the attached exhibits and affidavits, Barack Hussein Obama entered the United States from Indonesia and sought and obtained benefits under the INA using document fraud. The Department must investigate and hold a full evidentiary hearing on these concerns and initiate removal proceedings.

Second Count: Falsely Claiming Citizenship:

Second, a person is subject to deportation (removal) pursuant to 8 U.S. Code § 1227 (a)(3)(D) "Falsely claiming citizenship"--

(i) In general any alien who falsely represents, or has falsely represented, himself to be a citizen of the United States for any purpose or benefit under this chapter (including section 1324a of this title) or any Federal or State law is deportable.

As detailed above, Barack Hussein Obama entered the United States from Indonesia by falsely claiming U.S. citizenship. The Department must investigate and hold a full evidentiary hearing on these concerns and initiate removal proceedings.

Third Count: Fraud or Willful Misrepresentation:

Third, a person is subject to deportation (removal) for obtaining immigration status or entry into the United States, or by obtaining a U.S. passport under false pretenses, by fraud or willful misrepresentation.

To find a person inadmissible for fraud or willful misrepresentation, see INA 212(a)(6)(C)(i). there must be at least some evidence that would permit a reasonable person to find that the person used fraud or that he or she willfully misrepresented a material fact in an attempt to obtain a visa, other documentation, admission into the United States, or any other immigration benefit. The "reasonable person" standard is drawn from INS v. Elias-Zacarias, 502

U.S. 478 (1992) (agency fact-finding must be accepted unless a reasonable fact-finder would necessarily conclude otherwise). See also Matter of Rivero-Diaz, 12 I&N Dec. 475 (BIA 1967); Matter of M-, 3 I&N Dec. 777 (BIA 1949).

False representation, or “misrepresentation,” is an assertion or manifestation that is not in accordance with the true facts. A person may make a false representation in oral interviews, or written applications, or by submitting evidence containing false information. See General Counsel Opinion 91-39. See 9 FAM 40.63, Note 4, “Interpretation of the Term “Misrepresentation.”

The term “willfully” should be interpreted as “knowingly” as distinguished from accidentally, inadvertently, or in a good faith belief that the factual claims are true. See Matter of Healy and Goodchild, 17 I&N Dec. 22 (BIA 1979). To find the element of willfulness, the officer must determine that the person had knowledge of the falsity of the misrepresentation, and therefore knowingly, intentionally, and deliberately presented false material facts. See Matter of G-G-, 7 I&N Dec. 161 (BIA 1956), superseded in part by Matter of Kai Hing Hui, 15 I&N Dec. 288 (BIA 1975). See Matter of Tijam, 22 I&N Dec. 408, 425 (BIA 1998) (Rosenberg, J., concurring and dissenting).

Silence or omission can lead to a finding of fraud or willful misrepresentation if it is clear from the evidence that the person consciously concealed information. If the evidence shows that the person was reasonably aware of the nature of the information sought and knowingly, intentionally, and deliberately concealed information from the officer, then the officer should find that the applicant consciously concealed and willfully misrepresented a material fact. A person’s conscious concealment of facts, therefore, constitutes willful misrepresentation. See Fedorenko v. United States, 449 U.S. 490 (1981).

The U.S. Supreme Court has developed a test to determine whether a misrepresentation is material: A concealment or a misrepresentation is material if it has a natural tendency to influence or was capable of influencing the decisions of the decision-making body. See Kungys v. United States, 485 U.S. 759, 770 (1988) (proceeding to revoke a person’s naturalization). The misrepresentation is material if it led to the person gaining some benefit to which he or she may not have been entitled under the true facts.

As detailed above and in the attached exhibits and affidavits, Barack Hussein Obama entered the United States from Indonesia and sought and obtained benefits under the INA on the basis of fraud and willful misrepresentation. The Department must investigate and hold a full evidentiary hearing on these concerns and initiate removal proceedings.

Summary and Conclusion

The evidence, which warrants deportation, shows that Barack Hussein Obama --

- 1) Regardless of where he was actually born, used a falsified and fraudulent birth certificate to enter the United States of America from Indonesia committing

document fraud as well as fraud and willful misrepresentation, and also falsely claiming U.S. citizenship to enter the United States of America.

- 2) Was not born in the United States of America, indicated by the inference that Obama would not have used a clearly falsified birth certificate, whose falsehood is easily established, if he could have relied upon a genuine birth certificate and by the testimony of Barack Obama's grandmother who claims to have been present at his birth in Mombasa, Kenya and other witnesses to his Kenyan birth.
- 3) Was born to a mother Ann Dunham who was only 18 years old upon Barack Hussein Obama's birth on August 4, 1961. Therefore, she could not legally impart U.S. citizenship to a son born outside of the United States of America. Although a U.S. citizen born in Wichita Kansas November 29, 1942, Ann Dunham was not old enough to convey U.S. citizenship under the law governing in 1961.

Section 301 of the INA at the time required a U.S. citizen married to an alien to be physically present continuously in the United States for 10 years, including five after reaching the age of fourteen, to transmit citizenship to foreign-born children.

However, Ann Dunham turned 14 years old on November 29, 1956.

Therefore in contrast to the requirement of then governing law, she had lived in the United States of America only 4 ½ years from her 14th birthday up until Barack Hussein Obama's birth on August 4, 1961. Moreover, it appears that some of those 4 ½ years she spent outside the United States.

Therefore, Barack Hussein Obama did not acquire U.S. citizenship from his mother as a citizen.

- 4) Was born to a Father who was a citizen of Kenya, and who was apparently deported from the United States of America.

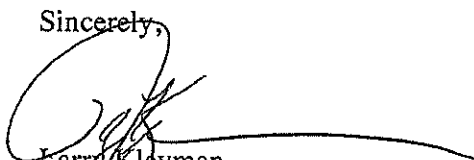
Note that Barack Obama, Senior, might have petitioned to remain in the United States of America if anyone at the time thought Barack Hussein Obama were a U.S. citizen.

- 5) Was legally adopted in Indonesia by Lolo Soetero, upon the marriage of Lolo Soetero to Obama's mother Ann Dunham.
- 6) Was enrolled in government schools in Indonesia under the name of Barry Soetero, which required legal documentation of his identity and legal name "Barry Soetero" to satisfy the Indonesia government school system.
- 7) Had his legal name changed in Indonesia to Barry Soetero.

- 8) Barry Soetero's name was never legally changed back, although he has gone by the name Barack Hussein Obama, although knowing the law as a lawyer.
- 9) Acquired Indonesian citizenship, including by being adopted by an Indonesian father and changing his name to "Barry Soetero."
- 10) Never applied for adjustment of status to become a U.S. citizen
- 11) Applied for a social security number fraudulently by using a forger or proxy in Connecticut in order to avoid submitting his identity documents to government scrutiny, and obtain a social security number in Connecticut.
- 12) Applied for a U.S. citizenship under the INA using forged documents, fraud and misrepresentation and falsely claiming to be a U.S. citizen
- 13) Traveled as an adult to Pakistan, Kenya, and perhaps Indonesia on an Indonesia passport as a citizen of Indonesia.

In sum, deportation proceedings should be immediately commenced, an investigation undertaken, a full evidentiary hearing held, and Barack Hussein Obama should be removed from the United States.

Sincerely,



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