

American Patriot Foundation, Inc. / 1101 Thirtieth Street, N.W., Suite 500 / Washington, D.C. 20007 / 202/725-7659

*“Loyalty: Bear true faith and allegiance to the U.S. Constitution, the Army, your unit and other soldiers.”*

**The Constitution Matters**

**The Truth Matters**



The U.S. Constitution: 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.*

On April 7, 2010, Lieutenant Colonel Terrence Lakin, a flight

surgeon with eighteen years of service in the U.S. Army, informed his chain of command that he would disobey military orders, including his deployment orders to Afghanistan. LTC Lakin had several prior deployments, including Honduras, and year-long deployments to Bosnia and Afghanistan, but felt compelled to uphold the oath he swore as an officer, to support and defend the U.S. Constitution. LTC Lakin was troubled by reports that Obama had never proven he was a "natural born" citizen by disclosing his original birth certificate. His own deployment orders required him to produce "copies of his birth certificate."

During the 2008 Presidential campaign, the press corps questioned candidate McCain's "natural born" status; he produced an original birth certificate and the Senate voted in a non-binding resolution to affirm McCain's "natural born" status"; the Senate was silent about Obama's Constitutional eligibility.



LTC Lakin tried, through his chains of command and his Congressional delegation, to determine whether Barack Obama was constitutionally eligible to serve as Commander-in-Chief, but his inquiries were met with stonewalling and evasions. He wrote to the Army in April 2009:

"Reviewing FM 6-22 Army Leadership (especially most of chapter 2, para 4-73 thru 4-77) grounds me in my belief that I have a duty to submit this concern. I have agreed to live by the Army Values of LDRSHIP, and these values directly apply:

Loyalty- Bear true faith and allegiance to the U.S. Constitution, the Army, your unit, and other Soldiers; Selfless Service- Put the welfare of the Nation, the Army, and subordinates before your own. Integrity- Do what's right—legally and morally. I also have agreed to expect the same from my Leaders."



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## The Case against LTC Lakin

On April 22, LTC Lakin was slapped with felony-equivalent charges, of missing movement and disobeying orders. He faces imminent court-martial and risks years of hard labor and confinement at Fort Leavenworth military prison. The Army is seeking to deny LTC Lakin the right to evidence to defend



himself, denying him witnesses and documents from Hawaii which could determine whether the President is lawfully serving as Commander-in-Chief. Since the

Nuremberg trials after World War II, the Principles espoused at Nuremberg disallowed military officers from using the defense of "following orders."\* From 1946 onward, military officers had a positive duty to establish the lawfulness of their orders and are informed of their "duty to disobey." \*Principle IV

The fact that a person acted pursuant to order of his Government or of a superior does not relieve him from responsibility under international law, provided a moral choice was in fact possible to him.

The Obama "online" Certification of Live Birth (COLB) was falsely portrayed as an original birth certificate. The State of Hawaii has never claimed the COLB as a state document. The original Obama birth record remains undisclosed, along with academic and school records, passport file, and all other information which might shed light on Obama's citizenship status. Even to this day, no hospital in Hawaii will claim to be the birthplace of President Obama, although at one time, two hospital names were mentioned in the newspapers- first Queens, then Kapi'olani.

Several Kenyans, including prominent leaders in Kenya, assert that Obama was born in Kenya. Among them: Sarah Obama (paternal step-grandmother to Barack Obama); Kenya's Ambassador to the U.S., Peter Ogego; and recently on March 25th, in a speech on the floor of the Kenyan Parliament, Minister of Lands James Orengo.

Not a single eyewitness has surfaced to attest that Obama was born in Hawaii in August 1961, as claimed.

**"The Constitution matters, so does the Truth."**

**Please call and/or write your elected leadership and encourage them to raise**

**publicly the plight of LTC Lakin. No soldier should face jail time for fulfilling his duty to support and defend the U.S. Constitution. Every American citizen at some time in their lives has had to present proof of their birth and citizenship; Obama refuses to do so.**



President Obama (June 23, 2010): *The conduct represented in the recently published article does not meet the standard that should be set by a commanding general. It undermines the civilian control of the military that is at the core of our democratic system.*

The wordings of the current oath of enlistment and oath for commissioned officers are as follows:

*"I, \_\_\_\_\_, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; and that I will obey the orders of the President of the United States and the orders of the officers appointed over me, according to regulations and the Uniform Code of Military Justice. So help me God."*  
 (Title 10, US Code; Act of 5 May 1960 replacing the wording first adopted in 1789, with amendment effective 5 October 1962).

*"I, \_\_\_\_\_, having been appointed an officer in the Army of the United States, as indicated above in the grade of \_\_\_\_\_ do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign or domestic, that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservations or purpose of evasion; and that I will well and faithfully discharge the duties of the office upon which I am about to enter; So help me God."*  
 (DA Form 71, 1 August 1959, for officers).