

United States District Court

SOUTHERN DISTRICT OF CALIFORNIA

Constitution Association, Inc., by its founders, George F.X. Rombach and Douglas V. Gibbs as well as its v.p. Dennis R. Jackson, and B. Green, R. Handy, A. Hurley, R. Hvidston, R. Kowell, H. Lewis, C. Mongiello, R. Reiss, L. Reyes, J. Scarafone, R. Short, S. St John, L. Stucky, J. Yates and T. Evans

Plaintiff

V.

Kamala Devi Harris

Defendant

Civil Action No. 20CV2379 TWR BLM

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) - or 60 days if you are the United States or a United States agency, or an office or employee of the United States described in Fed. R. Civ. P. 12(a)(2) or (3) - You must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

DENNIS R. JACKSON
27636 Ynez Road, Suite L-7 #111
Temecula, CA 92591
(949) 500-1850

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 12/7/20



John Morrill
CLERK OF COURT

S/

S. Dunbar

Signature of Clerk or Deputy Clerk

CIVIL COVER SHEET

FILED

Dec 07 2020

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service readings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

CONSTITUTION ASSOCIATION, INC., GEORGE F. X. ROMBACH,
DOUGLAS V. GIBBS, and DENNIS R. JACKSON et. al.

(b) County of Residence of First Listed Plaintiff **RIVERSIDE**
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

GEORGE F. X. ROMBACH, PhD, JD, CPA,
27636 Ynez Road, Suite L-7 #111.
Temecula, CA 92591 (949) 500-1850 qfxx@yahoo.com

DEFENDANTS

KAMALA DEVI HARRIS

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

unknown

'20CV2379 TWR BLM

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|---|---------------------------------------|---------------------------------------|---|---------------------------------------|---------------------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input checked="" type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input checked="" type="checkbox"/> 4 | <input checked="" type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input checked="" type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

28 USC § 1346(a)(2); 28 USC § 1331; 28 USC § 2201(a); 28 USC § 1343(a)(3) & 28 USC § 1343(a)(4)

Brief description of cause:

DECLARATORY and INJUNCTIVE RELIEF

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION DEMAND \$ UNDER RULE 23, F.R.Cv.P.

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☒ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE Hon. Roger T. Benitez

DOCKET NUMBER

DATE

12/03/2020

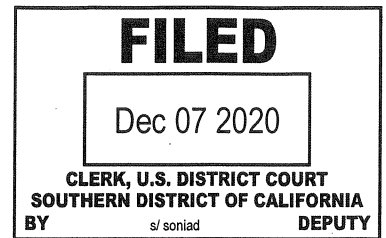
SIGNATURE OF ATTORNEY OF RECORD

George F. X. Rombach.

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

1 GEORGE F. X. ROMBACH, PhD, JD, CPA,
2 DOUGLAS V. GIBBS, and
3 DENNIS R. JACKSON
4 27636 Ynez Road, Suite L-7 #111
5 Temecula, CA 92591
6 (949) 500-1850
7 gfxr@yahoo.com
8 *Plaintiffs, In Propria Persona*



9 UNITED STATES DISTRICT COURT
10 SOUTHERN DISTRICT OF CALIFORNIA

11
12 CONSTITUTION ASSOCIATION, INC., by
13 its founders, GEORGE F. X. ROMBACH
14 and DOUGLAS V. GIBBS as well as its
15 v.p. DENNIS R. JACKSON, and B. GREEN,
16 R. HANDY, A. HURLEY, R. HVIDSTON,
17 R. KOWELL, H. LEWIS, C. MONGIELLO,
18 R. REISS, L. REYES, J. SCARAFONE,
19 R. SHORT, S. ST JOHN, L. STUCKY,
20 J. YATES and T. EVANS

21 Plaintiffs,

22 vs.

23 KAMALA DEVI HARRIS,

24 Defendant.

Case No. '20CV2379 TWR BLM

VERIFIED COMPLAINT FOR
DECLARATORY AND INJUNCTIVE
RELIEF

Judge:

Department:

Complaint Filed: December __, 2020

25 ///

26 ///

27 ///

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8 Naturalization Act of 1790 (1 Stat.103,104)

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13 **The Law of Nations**, Emmerich de Vattel,

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19 Benjamin Franklin, letter to Charles Dumas (1775)

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1 Plaintiffs allege as follows:

2 JURISDICTION AND VENUE

- 3 1. This action is founded upon the Constitution of the United States of America. As such,
4 this Court has jurisdiction over Harris under 28 U.S.C. § 1346(a)(2).
- 5 2. This is a civil action claiming violations of Article. II. as well as the Article. V. and
6 the Ninth and Tenth Amendments of the Constitution of the United States of America.
7 As such, this Court has jurisdiction under 28 U.S.C. § 1331.
- 8 3. This action seeks declaratory relief. As such, this Court has jurisdiction under 28
9 U.S.C. § 2201(a) and 28 U.S.C. § 2202.
- 10 4. This action seeks injunctive relief. As such, this Court has jurisdiction under 28 U.S.C.
11 § 1343(a)(3) and 28 U.S.C. § 1343(a)(4).
- 12 5. This is a civil action in which a candidate for an Office of the United States seeks to act
13 in an official capacity or under color of legal authority, which activity is occurring
14 partially in this judicial district. The defendant presently serves as a United States
15 Senator for the State of California, whose jurisdiction is entirely within the Ninth
16 Circuit and includes within it this judicial district and this division. All the plaintiffs
17 are reside or located within the Ninth Circuit and in this judicial district and in this
18 division; and one of the plaintiffs was incorporated in the Tenth Circuit. No real
19 property is involved in this action. Venue is therefore proper under 28 U.S.C. §
20 1391(e).

23 PARTIES

- 24 6. Plaintiffs, and each of them, are located in the sovereign nation of the United States of
25 America (hereinafter referred to as the "United States") and subject to the total
26 jurisdiction thereof.

1 7. Plaintiffs who are individuals and have served in the military forces of the United
2 States, public office, or public servants are bound by an Oath to support the
3 Constitution and this action is brought pursuant thereto.

4
5 8. Constitution Association, Inc., by its founders, (hereinafter referred to the
6 “Association” and within the collective terms “Plaintiff” or “Plaintiffs”) is a Plaintiff
7 formed as a nonprofit corporation pursuant to the laws of the State of Wyoming by
8 persons among “We the People” on the 23rd day of July, 2015 and exempt from federal
9 income tax as of that date under Internal Revenue Code Section 501(c)(3), and has
10 offices within the County of Riverside, California. The Association was formed for the
11 purposes of educating persons on the Constitution and to serve as a watch dog over the
12 adherence to its terms. The unconstitutional candidacy of Defendant has caused the
13 Association to engage in making unexpected expenditure of money and volunteer time
14 that we were unable to expend legitimate educational activities. A copy of a Certificate
15 of Good Standing of the Association is filed concurrent hereto as Exhibit “A” and
16 incorporated herewith.

17
18 9. George F.X. Rombach (hereinafter referred to as “Rombach” and within the collective
19 terms “Plaintiff” or “Plaintiffs”) is a Plaintiff in this action and a natural born citizen of
20 the United States born on the 17th day of December, 1944 in Detroit, Michigan.

21 Rombach was a co-founder and incorporator of the Association as well as the person
22 who qualified it as a tax exempt organization. He currently serves as a director and the
23 chief financial officer of the Association. Further, he is a veteran of service in the
24 military forces of the United States, and an instructor of the Constitution. He has had
25 to expend money and time dealing with the unconstitutional candidacy of Defendant
26 rather than the legitimate educational activities of the Association. During his lifetime,
27
28

1 Rombach has been domiciled in the States of Michigan, New York, Missouri,
2 Connecticut, New Jersey, California, Kentucky, Indiana, Arizona and Wyoming, and is
3 currently registered to vote in the County of Riverside, California.
4

5 10. Douglas V. Gibbs (hereinafter referred to as "Gibbs" and within the collective terms
6 "Plaintiff" or "Plaintiffs") is a Plaintiff in this action and a natural born citizen of the
7 United States born on the 23rd day of April, 1966 in Redondo Beach, California. Gibbs
8 was a co-founder of the Association, and currently serves as a director and the
9 president thereof. He is a veteran of service in the military forces of the United States.
10 Further he is an instructor of the Constitution and a radio commentator thereon. He has
11 had to expend time dealing with the unconstitutional candidacy of Defendant rather
12 than the legitimate educational activities of the Association. During his lifetime, Gibbs
13 has been domiciled in the States of California and Oregon, and is currently registered
14 to vote in the County of Riverside, California.
15

16 11. Dennis R. Jackson (hereinafter referred to as "Jackson" and within the collective terms
17 "Plaintiff" or "Plaintiffs") is a Plaintiff in this action and a natural born citizen of the
18 United States born on the 19th day of July, 1950 in Los Angeles, California. Jackson
19 currently serves as a director and the vice-president of the Association. He has had to
20 expend time dealing with the unconstitutional candidacy of Defendant rather than the
21 legitimate educational activities of the Association. During his lifetime, Jackson has
22 been domiciled in the States of California, Hawaii, Utah and Texas, and is currently
23 registered to vote in the County of Riverside, California.
24

25 12. B. Green, R. Handy, A. Hurley, R. Hvidston, R. Kowell, H. Lewis, C. Mongiello,
26 R. Reiss, L. Reyes, J. Scarafone, S. St John, L. Stucky, J. Yates and T. Evans
27 (hereinafter referred to within the collective terms "Plaintiff" or "Plaintiffs") are
28

1 Plaintiffs in this action, citizens of the United States, and are presently domiciled
2 within and are currently registered to vote within the Districts of California.

3 13. R. Short (hereinafter referred to within the collective terms “Plaintiff” or “Plaintiffs”)
4 is a Plaintiff in this action, citizen of the United States, and is presently domiciled
5 within and are currently registered to vote within the Washington D. C.
6

7 14. Amendment. X. of The Constitution provides that:

8 “The powers not delegated to the United States by the Constitution, nor prohibited
9 by it to the States, are reserved to the States respectively, or **to the people.**”
10 (*emphasis added*)

11 15. Kamala Devi Harris [Plaintiffs are informed and do verily believe, and based thereon
12 allege that her middle name was originally “Iyer” and changed to “Devi”] (hereinafter
13 referred to as “Harris”) is the Defendant in this action in her personal capacity and not
14 in any official capacity, and was born on the 20th day of October, 1964 in Oakland,
15 California. Harris is presently the nominee of the Democratic Party for the office of
16 Vice-President of the United States pursuant to Article. II. Section. 1. of The
17 Constitution. She accepted that nomination on the 19th day of August, 2020. A copy
18 of a Certificate of Live Birth of Harris is filed concurrent hereto as Exhibit “B” and
19 incorporated herewith.
20

21 16. Donald J. Harris (hereinafter referred to the “Father of Harris”) was a citizen of
22 Jamaica at the time of the birth of Harris. Plaintiffs are informed and do verily believe,
23 and based thereon allege that, at the time of the birth of Harris, the Father of Harris was
24 in the United States as a temporary visitor on a student visa and was not otherwise a
25 lawful permanent resident, and was not, and never has been, a citizen of the United
26 States.
27

28 //./

1 17. Plaintiffs are informed and do verily believe, and based thereon allege that Shyamala
2 (nmn) Gopalan (hereinafter referred to as the "Mother of Harris") was a citizen of India
3 at the time of the birth of Harris. The Certificate of Live Birth of Harris, attached
4 hereto as Exhibit "B", show the names in reverse, but all other sources show the names
5 as alleged, accordingly Plaintiffs believe, and based thereon allege that there is an error
6 made in the preparation of said Certificate. Further, Plaintiffs are informed and due
7 verily believe, and based thereon allege at the time of the birth of Harris, the Mother of
8 Harris was in the United States as a temporary visitor on a student visa and was not
9 otherwise a lawful permanent resident, and was not a citizen of the United States,
10 however, many years after the birth of Harris, the Mother of Harris did apply and was
11 granted United States citizenship.
12

13
14 18. Neither the Mother of Harris nor the Father of Harris (hereinafter collectively referred
15 to as the "Parents of Harris") were citizens of the United States when Harris was born.
16

17 **STANDING**

18 19. Plaintiffs, and each of them, maintain standing based on actual injury. Such injury
19 accrues from the failure of Harris to be legally qualified to hold the office for which
20 she is a candidate. Such injury consists of the inability of Plaintiffs, the Association
21 and its principal officers, to effectively or rationally fulfill one of their core principles,
22 electing candidates who will support and defend the Constitution, a critical piece of
23 that advocacy consisting of knowing if candidates are even constitutionally eligible.
24

25 20. It is a necessity for political advocacy in support of the Constitution to know what the
26 eligibility requirements for the office of President and Vice-President of the United
27 States mean and that candidates meet those requirements, and it is a right of every
28

American citizen to clearly know what the constitutional eligibility requirements are for the highest political offices in the land.

21. While the Framers of the Constitution clearly understood the meaning of the words “**natural born Citizen**” and the eligibility requirements to serve in those offices as set in Article. II., they wrote them, and for more than the first hundred years the U.S. Supreme Court applied the same meaning of those words. However, the meaning of the words “**natural born Citizen**” has never been adjudicated by the U.S. Supreme Court. As a result, there are persons that have sought to redefine the eligibility requirements for their own purposes. It has gone on not only in this presidential election but in the three previous elections. Such confusion on this issue directly impacts the ability of Plaintiffs, and each of them, to fulfill their purpose.

22. Plaintiffs, and each of them, are informed and do verily believe, and based thereon allege that Harris did not follow the requirements of the Constitution, when she accepted the nomination to run for Vice-President, as to whether or not she was legally qualified to hold the office for which she became a candidate.

23. Under the law, Plaintiffs, and each of them, have the responsibility to ensure that all candidates be legally qualified to hold the office for which they are a candidate; the vagueness of the constitutional eligibility requirement that a presidential candidate, and candidate for Vice President by virtue of the Twelfth Amendment, be a “**natural born Citizen**”, which is why this action has been brought.

24. The meaning of that the candidate be a “**natural born Citizen**”, has eligibility requirement for President and Vice- President of the United States, been the subject of national debate.

///

1 25. In *Citizens United v. Federal Election Commission* 558 U.S. 310 (2010) a landmark
2 decision of the Supreme Court, the court stated the following:

3 "The First Amendment does not permit laws that force speakers to retain a
4 campaign finance attorney, conduct demographic marketing research, or seek
5 declaratory rulings before discussing the most salient political issues of our day.
6 Prolix laws chill speech for the same reason that vague laws chill speech: People
7 'of common intelligence must necessarily guess at [the law's] meaning and differ
8 as to its application.'"

9 26. The voices of Plaintiffs, and each of them, criticizing Harris on this issue have been
10 met with charges of racism and conspiracy, rather than any attempt to address the
11 actual issue, accompanied by significant threats of violence.

12 27. Plaintiffs, and each and every one of them, have had their voting rights disenfranchised or
13 diluted when Harris sought the office Vice- President of the United States, for which she is
14 not eligible, which violates their rights under Amendment. IX.

15 28. Additionally, Plaintiffs, and each of them, have sustained injury from wasted resources
16 in carrying on their basic goals, as well as injury consisting of the costs expensed in
17 bringing this complaint to settle an issue central to political advocacy which has been
18 created by the activities of Harris and others.

19 INTRODUCTION

20 29. "Governments are instituted among men, deriving their just powers from the consent of
21 the governed." (*Thomas Jefferson: Declaration of Independence, 1776*).

22 30. Under our Constitutional Republic form of government, which adheres to the rule of
23 law, not even the President, Vice-President, or other candidates therefore are above the
24 law.

25 31. Plaintiffs are informed and do verily believe, and based thereon allege that no court of
26 the United States has ever decided the merits of any legal action against a Presidential
27
28

1 or Vice-Presidential candidate challenging their eligibility to be President or Vice-
2 President based on the “**natural born Citizen**” requirement of Article. II. Section. 1. of
3 the United States Constitution.

4
5 32. The sovereign power in our constitutional republic lies with the people and the
6 Constitution established to limit the power of the Federal government. *See Chisholm v.*
7 *Georgia*, 2 U.S.(2 Dall.) 419 (1793) The Plaintiffs, and each of them, are subject to
8 the executive power vested in the President and Vice President of the United States
9 who serving pursuant to Article. II. Section. 1. of The Constitution of the United States
10 of America (hereinafter referred to the “Constitution”) and they, as well as all other
11 citizens of the United States, would be harmed by any person purporting to serve in the
12 positions of President or Vice President who are NOT qualified to serve in such
13 positions pursuant to the Constitution and are harmed by Harris’s actively seeking
14 election to the office of Vice President if she is not eligible therefore. Further, Harris
15 has violated Plaintiffs’ Fifth Amendment due process rights to life, liberty, safety,
16 security, tranquility and property by refusing to conclusively prove that she is a
17 “**natural born citizen**” or otherwise qualified to serve as Vice President of the United
18 States. The Declaration of Independence recognizes these rights as
19 “unalienable” and as having been endowed upon an
20 individual by his or her “Creator”. The Constitution recognizes
21 those rights NOT as being abstract or theoretical rights but rather
22 as concrete and real and needing protection as part of the essence
23 of a person’s being.

24
25
26 33. The writing of the Constitution was completed in convention by the unanimous consent
27 of the States present and signed by delegates to the Constitutional Convention
28

1 on the 17th day of September, 1787; ratified by the ninth State, which was required for
2 the establishment of the government, on the 21st day of June, 1788; and, by
3 agreement, government started thereunder on the 4th day of March, 1789. It
4 provides in the second paragraph of Article. VI. thereof as follows:
5

6 “This Constitution, and the Laws of the United States which shall be made in
7 Pursuance thereof; and all Treaties made, or which shall be made, under the
8 Authority of the United States, **shall be the supreme Law of the Land**; and the
Judges in every State shall be bound thereby, any Thing in the Constitution or Laws
of any State to the Contrary notwithstanding.” (*emphasis added*)

9 Any person who actively seeks, or serves in, any office provided for in the Constitution
10 who is not qualified therefore violates the “supreme Law of the Land”, and harms and
11 damages every citizen of the United States and every entity formed pursuant to the
12 laws of the several States thereof.
13

14 34. Associate Justice of the Supreme Court of the United States Louis D. Brandeis stated
15 that “The most important political office is that of the **PRIVATE CITIZEN**”.
16 (*emphasis added*) That is reflective that the government of the United States was
17 formed by, and for, “We the People” based on the rights granted by our Creator. The
18 ultimate duty and responsibility for said government falls to the people.
19

20 35. In his first book *25 Myths of the United States Constitution* Gibbs, an author and
21 educator of the Constitution, addressed the topic of whether or not “Being Born in the
22 United States Satisfies the Definition of Natural Born Citizen” in Myth #19 (103-106)
23 stating:
24

25 “When the “birthers” questioned Barack Obama's eligibility to be President of the
26 United States during the 2008 Presidential Election, the debate circled around
whether or not he was born in Hawaii as he claimed. Once a birth certificate was
27 produced, ‘valid or not,’ the big voices determined that the debate was over,
because Obama's birth in Hawaii was proof enough that he is a natural born citizen.
28 The problem is, however, his place of birth alone is not the determining factor
regarding his eligibility.”

1 When the actions against him were dropped, Barack Obama had already been sworn in
2 and immunity had attached. In 2016, when United States Senators Ted Cruz and
3 Marco Rubio as well as Governor Bobby Jindal sought the Republican nomination for
4 President of the United States, the Plaintiffs were prepared to file an action for them
5 not being eligible for that office in that none of them were was a **natural born Citizen**.
6 However, Plaintiffs believed that the cause of action had not ripened in that none of
7 them had been offered the nomination. Then in 2020 when Harris was nominated to
8 run for Vice President of the United States her eligibility to serve was NOT vetted by
9 the federal or any state governments, nor either major political party, the duty to do so
10 is ultimately that of “We the People”, and not just in the ballot box. In that in each and
11 every one of the last four presidential elections politicians have sought to redefine the
12 eligibility requirement of **natural born Citizen** for their own personal gain and
13 attempt to amend the Constitution by non-constitutional means, it is time to resolve the
14 issue. The Plaintiffs ask, “If not you – Then who”. Accordingly, this action has been
15 brought.

16 REQUIREMENTS TO BE ELIGIBLE TO SERVE

17 36. Article. II. Section. 1. of The Constitution requires that:

18 “No person except a **natural born Citizen**, or a Citizen of the United States, at the
19 time of the Adoption of this Constitution, shall be eligible to the Office of
20 President; neither shall any Person be eligible to that Office who shall not have
21 attained to the Age of thirty-five Years, and been fourteen Years a Resident within
22 the United States.” (*emphasis added*)

23 37. Article. I. Section. 2. of The Constitution requires that:

24 “No person shall be a Representative who shall not have attained to the Age of
25 twenty five Years, and been **seven Years a Citizen of the United States**, and who

1 shall not, when elected, be an Inhabitant of that State in which he shall be chosen.”
2 *(emphasis added)*

3 38. Article. I. Section. 3. of The Constitution requires that:

4 “No person shall be a Senator who shall not have attained to the Age of thirty
5 Years, and been **nine Years a Citizen of the United States**, and who shall not,
6 when elected, be an Inhabitant of that State for which he shall be chosen.”
7 *(emphasis added)*

8 39. The Constitution requires that Representatives, Senators and the President all be
9 Citizens of the United States, and by the differences in citizenship requirements, the
10 Framers clearly required different levels of allegiance for each office.

11 40. In that the Constitution requires for both Representatives and Senators a term of
12 citizenship substantially shorter than their respective age requirements, the Constitution
13 expressly contemplates that Representatives and Senators are NOT required to be
14 citizens at birth. Article. II. does NOT make such a provision as to the President,
15 which clearly establishes the requirement to be born in the United States.

16 41. Alexander Hamilton suggested that simply being “born a Citizen” was sufficient for
17 the Presidential eligibility clause and the Framers did not adopt this less restrictive term
18 for a person who could be the President and Commander in Chief once the founding
19 generation had passed and set the highest requirement of natural born citizen.
20

21 NATURAL BORN CITIZEN

22 42. The meaning of the term “**natural born Citizen**”, which is a part of the eligibility
23 requirement for President and Vice- President of the United States set forth the of
24 Article. II. of the Constitution, is at the very core of this action.
25

26 43. When determining the meaning of the term “**natural born Citizen**” one must look to
27 the meaning that the Framers gave to those words when they used them in drafting
28

the Constitution and when they signed it, as well as the meaning the People had
when the Constitution was ratified.

44. The Framers did not provide for a definition of the term “natural born Citizen” within the Constitution itself. As such one must look elsewhere for the meaning of the term.

45. James Madison, who has been hailed as the "Father of the Constitution" for his pivotal role in drafting and promoting the Constitution, is also known for his detailed Notes of the Constitutional Convention. However, there was very little discussion of “**natural born Citizen**” in Madison's Notes. The only dates where it is even brought up is September 4 and 7 of 1787 (https://avalon.law.yale.edu/18th_century/debates_904.asp and https://avalon.law.yale.edu/18th_century/debates_907.asp). Plaintiffs are informed and do verily believe, and based thereon allege that this was because it was totally agreed upon, and understood, so no debate ensued.

46. Although the Framers were seeking to break from English common law and favored the concepts of natural law, having been British subjects the term “natural born subject” that English concept came from Calvin’s Case, [*Calvin v. Smith*, 77 Eng. Rep. 377 (K.B. 1608), also known as the *Case of the Postnati*]. The English court held that “natural born subjects” were those who owed allegiance to the king at birth under the “law of nature”. The court concluded that under natural law, certain people owed duties to the king, and were entitled to his protection, even in the absence of a law passed by Parliament. The roots of United States conceptions of birthright citizenship, “**natural born Citizen**”, can, at least in part, be attributed to England's past.

47. Robert G. Natelson, a constitutional scholar, in his publication *The Original Constitution; What it Said and Meant* held that:

///

1 “We know exactly what the founders meant by the Phrase “natural born citizen”
2 because they adapted it from the English term “natural born subject”; which in
3 Britain defined who could serve in Parliament or The Privy Council.”

4 48. The Framers had a further purpose of the “natural born Citizen” clause which was to
5 totally **EXCLUDE** foreign influence from the Office of President and Commander in
6 Chief. It “cuts off all chances for ambitious foreigners, who might otherwise be
7 intriguing for the office; and interposes a barrier against those corrupt interferences of
8 foreign governments ...” (*Joseph Story, Commentaries on the Constitution 3:Sec 1472-*
9 *73 (1833).*).

10
11 49. As a matter of fact, the possibility of any legal acceptance of divided allegiance was
12 explicitly rejected in a report issued by the House of Representatives in 1874: “The
13 United States have not recognized a ‘double allegiance.’ By our law a citizen is bound
14 to be ‘true and faithful’ alone to our government.” The practical effect of that
15 proclamation is that in order to be a “natural born citizen” of the United States, one
16 would have to be free from a competing claim for allegiance from another nation.

17
18 50. Plaintiffs are informed and do verily believe, and based thereon allege that the Framers
19 did not desire to have foreigners with divided loyalties to be President, and set the
20 highest requirement of “**natural born Citizen**” on the President to guarantee that
21 would not happen. They wanted a chief executive officer who inherited his citizenship
22 from American parents and was fully committed by blood and soil to the new nation
23 without any taint or possibility of foreign influence or loyalty, thus guaranteeing
24 national security. They had just been at war in their own country with the most
25 powerful nation in the world at the time and were very concerned about loyalty and
26 security.
27

28 ///

1 51. Benjamin Franklin was familiar and well versed with the writings of Vattel. He had
2 his own personal copy of his treatise prior to the start of the Revolution. And on
3 December 9, 1775, Franklin sent a letter to Charles Dumas thanking him for sending
4 Franklin three copies of the newest edition of Vattel. Franklin commented to Dumas
5 that his personal copy was in heavy demand by the other delegates to the Continental
6 Congress during 1775. Dumas also made comments in his writings to Franklin about
7 Vattel's enlightened writings and vision for a new form of government for a nation
8 where the people were sovereign and the unique opportunity for its application to the
9 affairs in the American Colonies. Thus, it is quite evident that our Founders read and
10 used Vattel extensively. A copy of a transcript of the letter from Franklin to Charles
11 Dumas thanking him for sending the books is filed concurrent hereto as Exhibit "C"
12 and incorporated herewith. See also a copy of *Publications of The Colonial Society of*
13 *Massachusetts*, Volume XX, Pages 5, 6 and 9 is filed concurrent hereto as Exhibit "D"
14 and incorporated herewith as to Franklin's letter to Dumas as well as the distribution of
15 Vattel's treatise during colonial times.
16

17
18 52. A founding father, first Secretary of State and third U.S. President, Thomas Jefferson
19 was tasked with primary responsibility for drafting the Declaration of Independence
20 and used his personal copy of the new 1775 edition of Vattel's The Law of Nations or
21 Principles of Natural Law to write that Founding Document. If you read it along side
22 of Vattel's Law of Nations, Volume 1, you can see where he got his inspiration for
23 many of the words and concepts. Jefferson was also very influential in the creation of
24 the Constitution. Quotations such as the unalienable rights of "life, liberty, and the
25 pursuit of happiness," "Laws of Nature" and concepts for a new "more perfect" form
26 of government with a written Constitution and independent Judiciary and the
27
28

1 sovereignty of the People come from Vattel's Law of Nations or Principles of Natural
2 Law and other writings were he wrote that government should always be striving to
3 perfect itself to better serve the people.

4
5 53. The Constitution does not in words say who shall be a **"natural born Citizen"**.

6 Because the term is not expressly defined in the Constitution, people have recently
7 sought to define, or redefine, the meaning of **"natural born Citizen"** to whatever they
8 like. This is NOT appropriate because the Framers intended the words to have a
9 particular meaning and context. Plaintiffs are informed and do verily believe, and
10 based thereon allege that the Framers did not define the term in the body of the
11 Constitution because it was at that time generally understood the definition was
12 **'children born in the country of parents who are citizens of that country at that**
13 **time'**. Before the Constitution was written, the most contemporaneous historical
14 reference we have to the meaning of **"natural born Citizen"** is from a three volume
15 political treatise on Natural Law and the establishment of republican government that
16 was well-known and beloved by the Framers of the Constitution, which was written by
17 Emmerich de Vattel. From letters and other documents, we know that Vattel's work
18 was studied in the universities and by those of learning. There should be no doubt as to
19 the meaning of the term **natural born citizen** but since the term is an objective
20 qualification and requirement of serving in the office of President, it is important to
21 understand what the term means.

22
23
24 54. **The Law of Nations** was written by Emmerich de Vattel, a Swiss-German philosopher
25 of law. In that book, the following definition of a 'natural born citizen' appears, in
26 Book I, Chapter 19, § 212, of the English translation of 1797 (p. 110):

27 ///

1 “§ 212. *Citizens and natives.*

2 The citizens are the members of the civil society: bound to this society by certain
3 duties, and subject to its authority, they equally participate in its advantages. **The**
4 **natives, or natural-born citizens, are those born in the country, of parents who**
5 **are citizens.** As the society cannot exist and perpetuate itself otherwise than by the
6 children of the citizens, those children naturally follow the condition of their
7 fathers, and succeed to all their rights.” (*emphasis added*)

8 55. In his Third Edition of *The Original Constitution; What it Said and Meant* Robert G.
9 Natelson indicated in Footnote No. 377 that, in response to comments that he had made
10 reference to Vattel, that if Vattel’s was applied some candidates for the presidency
11 would be disqualified. Plaintiffs are informed and do verily believe, and based thereon
12 respectfully allege that is exactly what the Framers intended by raising the parent
13 requirement of just the father to both parents.

14 56. In his authoritative text on the Constitution *A Promise of American Liberty* Gibbs
15 states at pages 349-350:

16 “Natural Born Citizen: There are different kinds of citizenship. Native born
17 citizenship is normally given to those born on American soil to at least one
18 American Parent. According to the Citizenship Clause in the Fourteenth
19 Amendment, loyalty to the United States would also need to be a factor. A citizen
20 may also gain their citizenship through legal means, known as naturalization.
21 However, according to Article II, to be qualified to hold office as President of the
22 United States, one needs to be a Natural Born Citizen. According to Vattel’s Law
23 of Nations, the Immigration and Naturalization Act of 1790, and the opinion of
24 Chief Justice Morrison Waite in the 1875 *Minor v. Happersett* case, to be a Natural
25 Born Citizen one’s parents both need to have been citizens at the time of birth of
26 the child. In the case of Barack Obama, he could have been born on the front steps
27 of the White House and not been a Natural Born Citizen by his own admission.”

28 57. On that issue in the *25 Myths of the United States Constitution* Gibbs stated:

 “The rationale behind the definition of Natural Born Citizen was to alleviate fears
 that foreign aristocrats would come to America and use their wealth to impose a
 monarchy upon the United States, or that the president would have divided
 allegiances to the nations of his parent's citizenship should they not be under
 America's full jurisdiction at the time of the birth of the child. The Tories, loyalists
 to The Crown who did not approve of the American Revolution, tended to be the
 children of at least one parent from Britain. The definition of Natural Born Citizen
 requiring both parents to be citizens at the time of birth ensured that most loyalists
 would not be eligible to become Commander in Chief. The Framers of the

1 Constitution wished to maintain that candidates for President of the United States
2 maintained a "full allegiance to America."

3 58. In 7 *Worst Constitutional Liars* (183) Gibbs also stated:

4 "My response to that woman at the automobile repair shop who asked me about my
5 feelings regarding a constitutional professor being elected President of the United
6 States was a shock to her. I said that "Obama's anti-American and anti-
7 Constitution belief system is hardly what I would expect from a so called
8 constitutional law professor. Then again, if he truly understood the U.S.
9 Constitution, and its definitions, he would also have known that he was not eligible
10 for the office of the President of the United States in the first place; not because of
11 where his birth certificate says he was born, but because according to the definition
12 of Natural Born Citizen at the time of the writing of the Constitution, it was clear
13 that to be eligible to be a candidate for the
14 President of the United States one needed to have both parents as citizens of the
15 United States at the time of birth of the child."

16 59. Although the Framers knew what a **natural born Citizen** was, they also knew it was
17 not possible to satisfy that requirement when the Constitution was established since
18 they were not **natural born Citizens** in that everyone born prior to the Declaration of
19 Independence was born a subject of the King of England, and not a citizen. The
20 Framers, along with their fellow countrymen, were transformed, or naturalized, into
21 citizens by means of the Declaration of Independence as of the 4th day of July, 1776.
22 Prior to that date there were no citizens. Therefore, the Framers had a choice 1) to
23 wait twenty-four years until the first **natural born citizen** had reached the age
24 requirement or 2) to grandfather themselves, along with their fellow countrymen, into
25 the requirement. They chose the latter in order to have the office of President function.

26 60. Therefore, our first presidents were simply eligible because they were citizens at the
27 time of the adoption of the Constitution. However, after that first generation of eight
28 Presidents, all subsequent Presidents were required to be "**natural born Citizens**".

///

1 61. When interpreting the Constitution, we must decide whether we will look to the
2 document as an original and static one whose meaning has already been established at
3 a given time by the People and its Framers or one that is living and which can be
4 changed over any given time by a court of law. The Plaintiffs submit that the Framers
5 provided for the living nature of the Constitution by ability to Amend and change it
6 pursuant to Article. V. thereof, which the judiciary does not have authority to do.
7 Natural Law, which we received from our Creator, is not subject to amend-ment.
8 Accordingly, the Constitution, as amended, should be looked at as an original whose
9 meaning has already been established. See the address of Justice Antonin Scalia to the
10 2008 Annual National Lawyers Convention, at the Mayflower Hotel, in Washington,
11 D.C. (http://www.fed.soc.org/publications/pubid.1193/pub_detail.asp). He submitted
12 that the “**natural born Citizen**” clause of Article. II. has a fixed and knowable
13 meaning which was established at the time of its drafting and should therefore be
14 interpreted through the eyes of the original Framers that drafted and ratified the clause
15 so as to determine what they originally intended the clause to mean (original intent
16 theory). He also submitted that we should interpret the “**natural born Citizen**” clause
17 in a way that reasonable persons living at the time of its adoption would have declared
18 the ordinary meaning of the text to be. This is not living constitutionalism but rather
19 originalism or textualism as applied to interpreting the Constitution. Accordingly, we
20 will proceed to determine what a reasonable person living at the time would have
21 determined the meaning to be.
22

23 62. According to the testimony of Benjamin Franklin, during the Constitutional
24 Convention the Framers did not invent the notion ‘**natural born citizen**’; they were
25 merely applying the Law of Nature to questions of citizenship as set forth by Vattel in
26
27
28

1 his publication entitled, The Law of Nations. The Framers were consulting at least
2 three copies of Vattel's publication, which they had in their possession, when they
3 wrote the Constitution.

4
5 63. In fact, in a letter from the negotiator and signatory of the Treaty of Paris of 1783, a
6 Framers of the Constitution and the future first Chief Justice of the Supreme Court of
7 the United States, John Jay, to George Washington dated the 25th July 1787, during
8 the Constitutional Convention, expressed that there should be a "strong check to the
9 admission of foreigners into the administration of our national government" and the
10 term '**natural born citizen**' first appears. Jay expressly declares "that the command-
11 in-chief of the American army **shall NOT** be given to nor devolve on any but a
12 '**natural born citizen**'." (*emphasis added*) A copy of a transcript of the letter of John
13 Jay dated 25th July 1787 as maintained in the *Jay the Correspondence and Public*
14 *Papers of John Jay* vol 3 (1782-1793) is filed concurrent hereto as Exhibit "E" and
15 incorporated herewith.

16
17 64. Thus, it is quite evident that our Founders read and used Vattel extensively, and the
18 very concerns of our first Chief Justice could be realized on the nation which he was
19 part of founding, *i.e.* Harris being a citizen at birth of a foreign nation (Jamaica) and
20 NOT a '**natural born citizen**'.

21
22 65. John Jay frequently cited Vattel's treatise The Law of Nations in his personal
23 writings. In addition, the term "Law of Nations" is expressly referenced in the
24 Constitution itself in Article. I. Section 8 (defining piracy). Further, there are many
25 references to Vattel's treatise in the "The Federalist Papers", which were critical in the
26 ratification process of the Constitution and written in part by Jay.

27 ///
28

1 66. As he was establishing the new government under the Constitution, George
2 Washington checked Vattel's The Law of Nations out of the New York Society
3 Library, the only lending library in New York at the time. "The library's ledgers show
4 that Washington took out the books on 5 October 1789, some five months into his
5 presidency at a time when New York was still the capital. They were an essay on
6 international affairs called Law of Nations . . ." Plaintiffs are informed and do verily
7 believe, and based thereon allege that he did so to a constant guidance from the
8 authority that had been utilized by the Framers during the Constitutional Convention.
9 A copy of The Christian Science Monitor article *How George Washington racked up a*
10 *\$300,000 fine for overdue library books* by Marjorie Kehe (2010) is filed concurrent
11 hereto as Exhibit "F" and incorporated herewith.
12

13
14 67. It is important to note that Vattel entitles this passage "Of the citizens and natives." He
15 clearly separates "citizens" from "natives." The "natives" are those who are "natural
16 born" to citizen parents in the country. All others are either citizens or else aliens,
17 vagrants, inhabitants, exiles, etc.
18

19 68. Vattel also holds:

20 "The citizens are the members of the civil society: bound to this society by certain
21 duties, and subject to its authority, they equally participate in its advantages. The
22 natives, or **natural-born citizens**, are those **born in the country, of parents who**
23 **are citizens**. As the society cannot exist and perpetuate itself otherwise than by the
24 children of the citizens, those children naturally follow the condition of their
25 fathers, and succeed to all their rights. The society is supposed to desire this, in
26 consequence of what it owes to its own preservation; and it is presumed, as matter
27 of course, that each citizen, on entering into society, reserves to his children the
28 right of becoming members of it. The country of the fathers is therefore that of the
children; and these become true citizens merely by their tacit consent. We shall
soon see, whether, on their coming to the years of discretion, they may renounce
their right, and what they owe to the society in which they were born. 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*)

///

1 69. The first thing that we have to understand about what Vattel wrote is that he made a
2 distinction between a "citizen" and a "natural born citizen." A citizen is simply a
3 member of the civil society who is bound to the society by certain duties and subject to
4 its authority. "Citizens" also participate equally in all the advantages the society has to
5 offer. On the other hand a "natural born citizen" means much more than just "citizen."
6 Vattel required that for a child to be a "natural born citizen," the child must be born in
7 the country to both parents who are also citizens of the same country.
8

9 70. It was this definition fully grasped and understood by the Framers of the Constitution,
10 that allowed these great men to break away from the concept of being **Subjects** under
11 English Common Law to being free **Citizens** under Natural Law who could create
12 Natural Born Citizens to govern, thus justifying the establishment of a republican form
13 of government. They knew from reading Vattel that a **natural born citizen** was a
14 different and higher standard from just "citizen," because of the modifier, "natural
15 born." Anyone natural born was a child born in the country to two citizen parents. In
16 1791 Thomas Paine put it as follows:
17

18 "The presidency in America is the only office from which a foreigner is
19 **excluded**, and in England it is the only one to which he is admitted. A foreigner
20 cannot be a member of Parliament, but he may be what is called a king. If there is
21 any reason for excluding foreigners, it ought to be from those offices where
22 mischief can most be acted, and where, by uniting every bias of interest and
23 attachment, the trust is best secured." (*emphasis added*)

24 71. From Max Farrand's transcripts of **Madison's notes** (August 9 and August 13, 1787),
25 we see that there were some delegates who were concerned about foreigners. For
26 example, from that transcript is the following concerning the House of Representatives
27 eligibility requirements: "Mr. Gerry wished that in future the eligibility might be
28 confined to Natives." The word "native" occurs multiple times in the notes for these
two days (The phrase "natural born citizen" was not used here by the delegates.). The

word "native" was a synonym for the phrase **natural born citizen**. The delegates had already used the term **natural born citizen** when proposing the requirements for President, Vice-President and either House of Congress and later used the word "natives" when referring to eligibility requirements for the House of Representatives.

72. David Ramsay, M.D., an American physician, public official, and one of the first major historians of the American Revolutionary War, wrote "*A Dissertation on the Manner of Acquiring the Character and Privileges of a Citizen of the United States*". He had the advantage of being involved in the events of which he wrote and he exercised wisdom of mind and spirit which marks the pages of his works, his critical sense, his balanced judgment and compassion. These gifts, which were uniquely his own, clearly entitle him to an honorable position in the front rank of American historians. His dissertation published in 1789 states:

"The citizenship of no man could be previous to the Declaration of Independence, and as a natural right, belongs to none but those who have been born of citizens since the Fourth of July, 1776".

He further defined the term 'natural born citizens': as the children born in the country to citizen parents.

73. Ramsay's Dissertation is further evidence of the influence that Vattel had on the Framers in how they defined the new national citizenship. Being a meticulous historian, Ramsey would have obtained his definition from the general consensus that existed at the time. This work is evidence of how a very influential Founder defined a "**natural born Citizen**" and it provides one of the most important proofs which provides direct and convincing evidence on how the Framers defined a "**natural born Citizen**". Based thereon there can be no doubt that their definition was one as "**a child born in the country to citizen parents**".

- 1 74. The Laws of Nature and Nature's God as evidenced by the Preamble of the
2 Declaration of Independence strongly influenced our revolution, the break away
3 from England and the writing of our founding documents.
- 4 75. Enlightenment philosophers like Vattel had read and admired the ancient Greeks and
5 were aware of their free republic and natural law citizenship concepts based upon pre-
6 existing natural law and the unalienable rights of man. They were merely clarifying
7 this theory for a more modern, freedom and liberty-seeking audience.
- 8 76. Vattel, in identifying this historical tradition of full-blooded citizenship, was echoing
9 and channeling the ancient Greek philosophers' identification of natural law and their
10 unique invention of the concept of citizenship as opposed to mere subjecthood or
11 slavery, giving new life to ideas and practices that were well documented and codified
12 by Greek leaders.
- 13 77. The ancient Greeks were the first to establish the idea of 'natural law' as a legal code--
14 meaning that they recognized that human rights come to humans naturally, endowed by
15 Nature and our Creator. In their code, citizenship was born out of ancient tribal and
16 family rules, and so it was only natural that Natural Born Citizenship was the rule and
17 requirement for both high office and citizenship in ancient Greece in order to guarantee
18 and preserve loyalty and fealty through blood and soil. In a free society, inside an
19 empire that was constantly at war, both internally and externally, the Greeks knew it
20 was supremely important to know the loyalties of your leaders and neighbors.
- 21 78. We often forget that the world did not have **ANY** citizens in the vast period of history
22 between the Greeks and Romans, and the founding of the United States. Plaintiffs are
23 informed and do verily believe, and based thereon allege that the Framers wanted to
24 copy the Greeks, whom they read and admired, and were boldly seeking to reestablish
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1 and improve upon a form of government that had not been seen or practiced since
2 ancient times.

3 79. In doing so, the Framers sought guidance and inspiration in ancient Greek natural law
4 as well as contemporary 18th Century Enlightenment treatises based on natural law,
5 primarily Vattel's Law of Nations. They debated and expressly rejected subjecthood,
6 nobility, monarchs and tyrants. They declared their independence as a free republic of
7 citizens ruled by law, not by tyrants. They created their own unique common law,
8 which was an amalgam of ancient and modern natural law,
9

10 80. The United States is only the second such example in the world to establish the
11 definition of the natural born concept which is found only in Vattel, who gave it the
12 name: Natural Born Citizen. Plaintiffs are informed and do verily believe, and based
13 thereon allege that this inspired our Framers to include it in Article. II. as our
14 presidential eligibility requirement.
15

16 81. Plaintiffs are informed and do verily believe, and based thereon allege that the time-
17 honored definition of **natural born citizen** has been cited and confirmed, but not ruled
18 upon, by a constitutional authority, the Supreme Court of the United States, which
19 held its first session on the 2nd day of February, 1790 marking the date when
20 the government was fully operational. The Court cited or applied the Vattel
21 definition of the term 'natural born citizen' in following cases:
22

23 a. **The Venus**, 12 U.S. (8 Cranch) 253, 289 (1814)

24 This case was decided at the beginning of the republic by men who were intimately
25 associated with the American Revolution. The Venus case regarded the question
26 whether the cargo of a merchant vessel, named the Venus, belonging to an
27 American citizen, and being shipped from British territory to America during the
28

1 War of 1812, could be seized and taken as a prize by an American privateer. But
2 what the case said about citizenship, is what matters here. Justice Livingston, who
3 wrote the unanimous decision, quoted the entire §212 from the French edition,
4 using his own English, on p. 12 of the ruling:

5
6 “Vattel, who, though not very full to this point, is more explicit and more
7 satisfactory on it than any other whose work has fallen into my hands,
8 says:” then set forth § 212. *supra*

9 b. **Shanks v. Dupont**, 28 U.S. 3 Pet. 242 245 (1830)

10 The Supreme Court heard the case regarding the dispute over the inheritance
11 received by two daughters of an American colonist, from South Carolina. At the
12 beginning of the case, Justice Story, who gave the ruling, does not cite Vattel per
13 se, but cites the principle of citizenship enshrined in his definition of a ‘natural born
14 citizen’:

15 “Ann Scott was born in South Carolina before the American revolution, and
16 her father adhered to the American cause and remained and was at his death
17 a citizen of South Carolina. There is no dispute that his daughter Ann, at the
18 time of the Revolution and afterwards, remained in South Carolina until
19 December, 1782. Whether she was of age during this time does not appear.
20 If she was, then her birth and residence might be deemed to constitute her
21 by election a citizen of South Carolina. If she was not of age, then she might
22 well be deemed under the circumstances of this case to hold the citizenship
23 of her father, **for children born in a country, continuing while under age
24 in the family of the father, partake of his national character as a citizen
25 of that country.** Her citizenship, then, being prima facie established, and
26 indeed this is admitted in the pleadings, has it ever been lost, or was it lost
27 before the death of her father, so that the estate in question was, upon the
28 descent cast, incapable of vesting in her? Upon the facts stated, it appears to
us that it was not lost and that she was capable of taking it at the time of the
descent cast.” (*emphasis added*)

25 c. **Dred Scott v. Sandford**, 60 U.S. (19 How.) 393 (1857)

26
27 Supreme Court Justice, Peter Vivian Daniel, considered **natural born citizen** as
28 every person born of citizen parents within the United States. In 1857, in a

1 concurring opinion in *Dred Scott v. Sandford* he quoted an English-language
2 translation of Emerich de Vattel's 1758 treatise *The Law of Nations* (*Le Droit des*
3 *gens*), stating that:

4
5 "The natives, or **natural-born citizens**, are those born in the country of
6 **parents who are citizens**". *emphasis added*)

7 d. **Minor v. Happersett**, 88 U.S. 162, 167-168 (1875)

8
9 Mrs. Minor, an original suffragette, who in virtue of the 14th Amendment
10 attempted to register to vote in the State of Missouri, and was refused because she
11 was not a man. Chief Justice Morrison Waite wrote the majority opinion, in which
12 he stated:

13 "The Constitution does not in words say who shall be natural-born citizens.
14 Resort must be had elsewhere to ascertain that. **At common law, with the**
15 **nomenclature of which the framers of the Constitution were familiar, it**
16 **was never doubted that all children born in a country of parents who**
17 **were its citizens became themselves, upon their birth, citizens also.**
18 **These were natives or natural-born citizens**, as distinguished from aliens
19 or foreigners. Some authorities go further and include as citizens children
20 born within the jurisdiction without reference to the citizenship of their
21 parents." *(emphasis added)*

22 e. **United States v. Wong Kim Ark**, 169 U.S. 649, 702 (1898)

23 Wong Kim Ark, the son of two resident Chinese aliens, claimed U.S. Citizenship
24 and was vindicated by the court on the basis of the 14th Amendment. In this case
25 Justice Gray gave the opinion of the court. On p. 168-9 of the record, He cites
26 approvingly the decision in *Minor vs. Happersett* (*supra*):

27 "At common law, with the nomenclature of which the framers of the
28 Constitution were familiar, it was never doubted that **all children, born in**
a country of parents who were its citizens, became themselves, upon
their birth, citizens also. These were natives, or natural-born citizens,
as distinguished from aliens or foreigners." *(emphasis added)*

1 82. The Supreme Court of the United States has never applied the term ‘natural born
2 citizen’ to any other category than “those born in the country of parents who are
3 citizens thereof at that time”.

4
5 83. Vattel was also cited in State court proceedings in a manner that reveals the influence
6 on the formation:

7 **Rutgers v. Waddington** (New York Mayor's Court, 1784):

8 This case was the first reported case in which the constitutionality of a state act was
9 attacked on the ground that it violated a treaty of the United States. Alexander
10 Hamilton, as the lawyer for the defense, quoted prolifically from Vattel’s, The Law
11 of Nations. Hamilton argued that the law of nations was part of the common law
12 and that the decisions of the New York Legislature must be consistent with the law
13 of nations. Hamilton used Vattel as the standard for defining the law of nations.
14 Hamilton argued that state law was superseded by national law and the law of
15 nations. He also argued that the intent of the state legislature had to be that their
16 laws be applied in a fashion that was consistent with national law and the law of
17 nations. Judge James Duane in his ruling described the importance of the new
18 republic abiding by The Law of Nations, and explained that **the standard for the**
19 **court would be Vattel**. Hence, there is no doubt that Vattel shaped the founding
20 of the United States.
21
22

23 84. Legislative activity by the early Congresses provides insight into the question of
24 Vattel’s requirement of two parents to be citizens. There are Congressional acts that
25 were passed after the Constitution was adopted that give us insight into what the
26 Framers of the Constitution meant by “**natural born Citizen**”. The First Congress,
27 which included members who had been delegates to the Constitutional Convention and
28

1 drafted the “**natural born Citizen**” clause, passed the Naturalization Act of 1790 (1
2 Stat.103,104) which provided that “And the children of citizens of the United States
3 that may be born beyond the sea, or out of the limits of the United States, shall be
4 considered as **natural born citizens.**” (*emphasis added*) It is interesting to note that
5 George Washington was president of the Constitutional Convention and President of
6 the United States when this bill became law and if he had disagreed with the two
7 citizen-parent requirement, he could have vetoed this bill. Based thereon this
8 legislation strongly suggests that the Framers of the Constitution understood this phrase
9 to refer to citizenship acquired from both of the child’s parents at birth. This statute
10 shows what role the parents played in the minds of the early founders and Framers.
11
12 85. Accordingly, Plaintiffs are informed and do verily believe, and based thereon allege
13 that by the term “**natural born Citizen**” the Framers meant “a person born in the
14 United States, of parents who are both citizens of the United States at the time of birth”
15 thus providing that such a person would have the greatest assurance of loyalty to the
16 country through both blood and soil, and would be without any foreign allegiances.
17 Further, the Supreme Court of the United States has applied that definition for more
18 than the first hundred years after ratification.
19
20 86. Plaintiffs are informed and do verily believe, and based thereon allege that for more
21 than a hundred years there have been people who have attempted to change the
22 Constitution by changing the meaning of words used by the Framers or by inferring
23 additional words to change the meaning. This is not a valid amendment of the
24 Constitution.
25
26 87. Absent constitutional amendment, there is no authority to alter the text of the
27 Constitution, the provisions of which are “fixed and exclusive”. United States Term
28

1 Limits v. Thornton, 514 U.S. 779, 790 (1995) (discussing “the Framers intent that the
2 [congressional] qualifications in the Constitution be fixed and exclusive”). If Harris
3 does not like the “**natural born Citizen**” clause in Article. II., she cannot unilaterally
4 change the Constitution by simply failing to address its requirements to serve as the
5 Vice President.
6

7 88. The term **natural born citizen** can only be changed now by a new amendment to the
8 Constitution by today’s “We the People”. Article. V. of the Constitution provides for
9 Amendments thereto follows:

10 “The Congress, whenever two thirds of both Houses shall deem it necessary, shall
11 propose Amendments to this Constitution, or, on the Application of the
12 Legislatures of two thirds of the several States, shall call a Convention for
13 proposing Amendments, which, in either Case, shall be valid to all Intents and
14 Purposes, as Part of this Constitution, when ratified by the Legislatures of three
15 fourths of the several States, or by Conventions in three fourths thereof, as the one
16 or the other Mode of Ratification may be proposed by the Congress; Provided that
no Amendment which may be made prior to the Year One thousand eight hundred
and eight shall in any Manner affect the first and fourth Clauses in the Ninth
Section of the first Article; and that no State, without its Consent, shall be deprived
of its equal Suffrage in the Senate.”

17
18 89. According the proposal of Amendments is exclusively reserved to either the Congress
19 or the Legislatures of the several States, and Ratification of Amendments is
20 exclusively limited to the several States.

21 90. The Constitution has never been amended to set forth a definition of, or to redefine, the
22 term **natural born citizen**, or to change any other category of citizen than “those born
23 in the country of parents who are citizens thereof”.
24

25 91. On the 15th day of June, 1804 Amendment. XII. of the Constitution was ratified which
26 provides in pertinent part:

27 “But no person constitutionally ineligible to the office of President shall be eligible
28 to that of Vice-President of the United States. “

1 92. Harris has not met her burden of proving that she is an Article. II. "**natural born**
2 **Citizen**" of the United States of America.

3 93. Plaintiffs are informed and do verily believe, and based thereon allege that there is no
4 other evidence than that which has set forth herein of the meaning of "**natural born**
5 **Citizen**" to the Framers when the Constitution was written in 1787 and Ratified 1788
6 which is the '**children born in the country of parents who are citizens of that**
7 **country at that time**'.
8

9
10 **OTHER CITIZENS AT BIRTH**

11 94. On the 9th day of July, 1868 Amendment XIV of the Constitution was ratified which
12 provides in Section 1. thereof:
13

14 "All persons born or naturalized in the United States, **AND** subject to the
15 **jurisdiction thereof**, are citizens of the United States and of the State wherein they
16 reside. No State shall make or enforce any law which shall abridge the privileges
17 or immunities of citizens of the United States; nor shall any State deprive any
18 person of life, liberty, or property, without due process of law; nor deny to any
19 person within its jurisdiction the equal protection of the laws." (*emphasis added*)

20 No reference is made as to the amendment of any provision and by including
21 naturalized citizens, Amendment. XIV. clearly differentiates itself from the "**natural**
22 **born Citizen**" requirement of Article. II. The persons upon whom citizenship is
23 conferred by Amendment. XIV. by virtue of their birth in the United States are
24 commonly known as **citizens at birth**. While a **natural born citizen** is clearly among
25 the broad group of **citizens at birth**, it is without a doubt that not all **citizens at birth**
26 are **natural born citizens**. Based on the Constitution there are four types of citizens
27 by virtue of their birth in the United States: (1) "Citizen" Born to at least one
28 United States citizen parent, (2) "Citizen" Born to both parents **legally**

1 domiciled in the United States and "Subject to the Jurisdiction thereof"
2 when the child was born in the United States, (3) "Citizen of the
3 United States at time of Adoption of this Constitution" also known as "the
4 Grandfather Clause", or as "Original Citizen", as well as (4) "**natural**
5 **born citizen**". In addition to citizens Naturalized by law, Amendment. XIV.
6 collectively refers to these groups of **citizens at birth** without modifying any one
7 of them.
8

9 95. Further, in Minor v. Happersett, (*supra*), decided by the U.S. Supreme Court in 1875
10 after Amendment. XIV. had been ratified in 1868, made an express distinction between
11 "natives or **natural-born citizens**" provided for in Article. II. and "**children born**
12 **within the jurisdiction without reference to the citizenship of their parents**" as
13 provided for in Amendment. XIV. In 1898 the Supreme Court in United States v.
14 Wong Kim Ark, (*supra*) cited Minor vs. Happersett (*supra*) with approval. As such
15 the U.S. Supreme Court determined that Amendment. XIV. did NOT amend Article. II.
16 as to the requirement that a person elected as President be a "**natural-born Citizen, or**
17 **a Citizen of the United States, at the time of the Adoption of this Constitution**".
18 Had Amendment. XIV. changed the **natural-born Citizen** requirements of Article. II.
19 in any way, the holdings of the U.S. Supreme Court in these cases would have reflected
20 that amendment, which they did not.
21

22
23 96. In fact, one of the purposes of Amendment. XIV. was to restore the Original
24 Understanding by correcting the erroneous holding of the Supreme Court contained in
25 Dred Scott v. Sandford (*supra*) that freed slaves were barred from citizenship by
26 extending citizenship rights to the slaves freed pursuant to Amendment. XIII. That
27 first generation of freed slaves were definitely considered citizens, but they were
28

1 definitely not natural born citizens because they were not born of either parent who was
2 a citizen. Amendment. XIV. has absolutely nothing to do with the “**natural born**
3 **Citizen**” requirement of Article. II. It has to do with restoring the Original
4 Understanding of the Constitution as to the new citizens which were the slaves freed
5 pursuant to Amendment. XIII. In effect, it naturalized freed slaves as citizens.
6

7 97. During the debates that embroiled the Senate in the years following the Civil War,
8 Senator Howard insisted that the qualifying phrase “subject to the jurisdiction thereof”
9 be inserted into Section 1 of the 14th Amendment being considered by his colleagues.
10 In the speech with which he proposed the alteration, Howard declared:

11 “This amendment which I have offered is simply declaratory of what I regard as the
12 law of the land already, that every person born within the limits of the United
13 States, **and subject to their jurisdiction**, is by virtue of natural law and national
14 law a citizen of the United States. This will not, of course, include persons born in
15 the United States who are foreigners, aliens, [or] who belong to the families of
16 ambassadors or foreign ministers . . .” (*emphasis added*)

17 98. There then followed Supreme Court cases that discussed citizenship under the
18 Fourteenth Amendment.

19 a. **The Slaughter-House Cases**, 83 U.S. 36, 73 (1872)

20 In The Slaughter-House Cases explaining the meaning of the Fourteenth
21 Amendment clause, the Supreme Court said regarding the citizenship clause:

22 “[t]he phrase, ‘subject to the jurisdiction thereof,’ was intended to exclude
23 from its operation children of ministers, consuls, and **citizens or subjects of**
24 **foreign States born within the United States.**” (*emphasis added*)

25 Even the dissenting opinion affirmed that the citizenship clause was designed to
26 assure that all persons born within the United States were both citizens of the
27 United States and the state in which they resided, provided they were not at the
28 time of birth subjects of any foreign power.

///

b. Elk v. Wilkins, 112 U.S. 94 (1884)

In *Elk v. Wilkins*, the Supreme Court specifically addressed what is meant by “subject to the jurisdiction thereof,” and held:

"The persons declared to be citizens are 'all persons born or naturalized in the United States, and subject to the jurisdiction thereof.' The evident meaning of these last words is not merely subject in some respect or degree to the jurisdiction of the United States, but completely subject to their political jurisdiction and owing them direct and immediate allegiance. And the words relate to the time of birth in the one case, as they do to the time of naturalization in the other. **Persons not thus subject to the jurisdiction of the United States at the time of birth cannot become so afterwards except by being naturalized ...**" (*emphasis added*)

And also held that “the children of subjects of any foreign government” born within the United States are not citizens under the Fourteenth Amendment because they are not subject to the jurisdiction of the United States.

99. The principle that parents of the child must be citizens at the time of the child’s birth in order to make the child a “**natural born Citizen**” was carried forward in American history following the Founding of the nation. The standard provided by Vattel has not changed in our jurisprudence and is still valid today as it was during the Founding. Also, there is not a single word in Amendment. XIV. to imply that it had any effect whatsoever on Article II and has not changed the meaning of a “**natural born Citizen**”.

LACK OF ELIGIBILITY

100. Harris was not alive at the time of the adoption of the Constitution and cannot avail herself of the “grandfather clause” therein available to only the Original Citizens and therefore she has to meet the more restrictive “**natural born Citizen**” clause.

///

1 101. Accordingly, in order to serve as Vice-President of the United States Harris MUST
2 be a **natural born Citizen** in order to do so.

3 102. In that the Parents of Harris were **NOT** citizens of the United States at the time of
4 the birth of Harris, she is **NOT** a **natural born Citizen**.

5 103. In fact Harris could not be a citizen of the United States by birth despite being born
6 in Oakland, California, since neither of her parents was at least a permanent resident at
7 the time of her birth.

8 104. Further the Constitution of Jamaica, Chapter 2, Section 3C "Citizenship by
9 Descent" provides:

10 "Every person born outside Jamaica shall become a citizen of Jamaica

11 a. on the sixth day of August, 1962, in the case of a person born before that
12 date; or

13 b. on the date of his birth, in the case of a person born on or after the sixth
14 day of August, 1962,

15 if, at that date, his father **OR** mother is a **citizen of Jamaica by birth**, descent or
16 registration by virtue of marriage to a citizen of Jamaica." (*emphasis added*)

17 105. Harris was born to non-U.S. Citizen foreign national parents and was thus born
18 with foreign allegiance to Jamaica via her Jamaican citizen father and thus she has
19 foreign influence upon herself by way of her citizenship of Jamaica at birth. Thus, she
20 was born with foreign allegiances, loyalties and citizenship at and by birth. This is
21 exactly what the founders and framers did **NOT** want for the person who would be
22 President and Commander in Chief of our military forces.

23 106. In that the Parents of Harris were **NOT** subject to the jurisdiction of the United
24 States at the time of the birth of Harris, she is **NOT** a **citizen at birth** pursuant to the
25 provisions of Amendment. XIV. Unless she has applied for, and been granted,
26 naturalization, she is NOT a citizen of the United States. However, Plaintiffs do not
27
28

1 have the knowledge required to make any allegation regarding the naturalization of
2 Harris.

3 107. There is no reasonable or legal doubt that at the time of her birth, the Father of Harris was
4 not an American citizen – and thus, should she assume the office of the President, the President
5 would be the child of parents with legal allegiance to a foreign sovereignties and herself a
6 citizen of Jamaica at and by birth. She would not conform to the accepted legal,
7 constitutional, and historical definition of “**natural born Citizen**,” and thus Harris could not
8 legally serve as Vice President.
9

10 108. On the 19th day of August, 2020 when Harris accepted that nomination of the
11 Democratic Party for the office of Vice-President of the United States pursuant to
12 Article. II. Section. 1. and Amendment. XII. of The Constitution, she began inflicting
13 damage on the Plaintiffs by actively seeking an office for which she was NOT eligible.
14

15 109. Plaintiffs are informed and do verily believe, and based thereon allege that in
16 addition to the current Presidential Election, there have been eligibility issues relating
17 to the “**natural born Citizen**” requirement in at least each of the last three Presidential
18 Elections. As such, the resolution of the matter is past due.
19

20 CONCLUSION

21 110. Under our Constitutional Republic, based on the Rule of Law, a candidate
22 for Vice-President must qualify under Article. II. and Amendment. XII. of
23 the Constitution.
24

25 111. Under Article. II. of the Constitution we are to choose our President and
26 Commander-in-Chief, and the Vice-President, from the group with sole allegiance at
27 birth to the United States and only the United States, not someone who has foreign
28 and/or dual citizenship, divided loyalties and allegiances, and a foreign claim on their

1 allegiance at and by birth. The reason for this is as important today as it was when the
2 Framers added those additional words to the eligibility clause in Article. II. Given the
3 vast power of the military today, having a President and Commander in Chief of the
4 military, and the Vice-President with sole allegiance at birth to only the United States
5 is very important.
6

7
8 **PRAYER FOR RELIEF**

9 WHEREFORE, Plaintiffs pray for relief and judgement as follows:
10

- 11 1. Confirming that a person serving as Vice-President of the United States **MUST** be a
12 “**natural born Citizen**” as required by Article. II. Section. 1. of the Constitution;
- 13 2. Confirming that a “**natural born Citizen**” as set forth in Article. II. Section. 1. of the
14 Constitution “Is a person born in the United States of parents who are both citizens of the
15 United States at the time of birth”;
- 16 3. Confirming that a “**natural born Citizen**” required by Article. II. Section. 1. of the
17 Constitution is only partially inclusive within that of a **citizen at birth** pursuant to the
18 provisions of Amendment. XIV.;
- 19 4. Declaring that plaintiffs have the power under the Amendment. X. of the Constitution to
20 challenge the eligibility of Harris to hold the Offices of Vice-President or of President and
21 Commander in Chief of the United States;
22
- 23 5. Determining that Harris is NOT a “**natural born Citizen**” pursuant to the provisions of
24 Article. II. of the Constitution, and never will be a “**natural born Citizen**” pursuant to the
25 Constitution as it was been ratified at this time;
26

27 ///

28 ///

- 1 6. Determining that Harris is NOT a **citizen at birth** pursuant to the provisions of
2 Amendment. XIV. to the Constitution, and never will be a **citizen at birth** pursuant to the
3 Constitution as it was been ratified at this time;
4
5 7. Determining that Harris is NOT eligible to serve as Vice-President of the United States,
6 and never will be pursuant to the Constitution as it was been ratified at this time;
7
8 8. Declaring that Harris be permanently ineligible to hold the Offices of Vice-President or of
9 President and Commander in Chief of the United States;
10
11 9. Requiring Harris, if she proceeds to seek the Offices of Vice-President of the United
12 States, to conclusively prove that she is a "**natural born Citizen**" pursuant to the
13 provisions of Article. II. of the Constitution, as that term was meant by Framers thereof,
14 and eligible to serve as Vice President or President and Commander in Chief of the United
15 States;
16
17 10. Injunctive relief against Harris serving as Vice-President of the United States, or in the
18 future against her serving as Vice-President or as President and Commander in Chief of the
19 United States;
20
21 11. Plaintiffs do hereby reserve the right to amend this Complaint and related pleadings from
22 time to time; and
23
24 12. For such other and further relief as the Court deems just and proper.
25
26
27
28

Dated: December 2, 2020

/S/ *George F. X. Rombach*

GEORGE F. X. ROMBACH, PhD, JD, CPA,
Plaintiff, In Propria Persona and
and Co-Founder of Constitution Association, Inc.

///

1 Dated: December 2, 2020
2
3

/s/ *Douglas V. Gibbs*

4 _____
DOUGLAS V. GIBBS,
5 Plaintiff, In Propria Persona and
and Co-Founder of Constitution Association, Inc.
6
7

8 Dated: December 2, 2020
9

/s/ *Dennis R. Jackson*

10 _____
DENNIS R. JACKSON,
11 Plaintiff, In Propria Persona
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VERIFICATION

I, George F.X. Rombach, declare and say:

I am a Plaintiff in the above-entitled action, I have read the foregoing COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF to challenge the eligibility of Kamala Devi Harris to serve as Vice President of the United States of America. The matters stated in it are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

I declare under penalty of perjury, under the laws of the United States of America, that the above is true and correct and that this declaration was executed this 2nd day of December, 2020, at Temecula, California.

/s/ *George F.X. Rombach*

George F.X. Rombach

TABLE OF EXHIBITS

Exhibit "A" State of Wyoming, Secretary of State - Certificate of Good Standing of the
Constitution Association, Inc. (2020)

Exhibit "B" Certificate of Live Birth of Kamala Devi Harris (1964)

Exhibit "C" Transcript of the letter from Benjamin Franklin to Charles Dumas (1775)

Exhibit "D" Copy of *Publications of The Colonial Society of Massachusetts*,
Volume XX, Pages 5, 6 and 9. (1920)

Exhibit "E" Copy of a transcript of the letter of John Jay dated 25th July 1787
as maintained in the *Jay the Correspondence and Public Papers of John Jay*
vol 3 (1782-1793)

Exhibit "F." Article on *How George Washington racked up a \$300,000 fine for overdue
library books* by Marjorie Kehe (2010)

STATE OF WYOMING
Office of the Secretary of State

I, EDWARD A. BUCHANAN, SECRETARY OF STATE of the STATE OF WYOMING, do hereby certify that according to the records of this office,

Constitution Association, Inc.

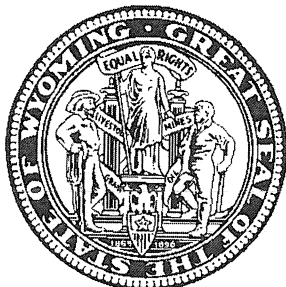
is a

Nonprofit Corporation

formed or qualified under the laws of Wyoming did on **November 9, 2020**, comply with all applicable requirements of this office. Its period of duration is Perpetual. This entity has been assigned entity identification number **2020-000957111**.

This entity is in existence and in good standing in this office and has filed all annual reports and paid all annual license taxes to date, or is not yet required to file such annual reports; and has not filed Articles of Dissolution.

I have affixed hereto the Great Seal of the State of Wyoming and duly generated, executed, authenticated, issued, delivered and communicated this official certificate at Cheyenne, Wyoming on this 9th day of November, 2020 at 4:01 PM. This certificate is assigned ID Number 040181121.





Secretary of State

EXHIBIT 'A' 1 of 1

Notice: A certificate issued electronically from the Wyoming Secretary of State's web site is immediately valid and effective. The validity of a certificate may be established by viewing the Certificate Confirmation screen of the Secretary of State's website <https://wyobiz.wyo.gov> and following the instructions displayed under Validate Certificate.

STATE OF CALIFORNIA

CERTIFICATION OF VITAL RECORD

OFFICE OF CLERK-RECORDER

COUNTY OF ALAMEDA

OAKLAND, CALIFORNIA

STATE FILE NUMBER 64-295984		CERTIFICATE OF LIVE BIRTH		LOCAL REGISTRATION DISTRICT AND CERTIFICATE NUMBER 601515318	
THIS CHILD	1a. NAME OF CHILD—FIRST NAME KAMALA		1b. MIDDLE NAME IYER		1c. LAST NAME HARRIS
	2. SEX Female	3a. THIS BIRTH SINGLE, TWIN, OR TRIPLET Single		4a. DATE OF BIRTH—MONTH, DAY, YEAR October 20 1964	
PLACE OF BIRTH	5a. PLACE OF BIRTH—NAME OF HOSPITAL Kaiser Foundation Hospital		5b. STREET ADDRESS (GIVE STREET OR RURAL ADDRESS OR LOCATION; DO NOT USE P.O. BOX NUMBERS) 280 West MacArthur Blvd.		
	5c. CITY OR TOWN Oakland		5d. COUNTY Alameda		
MOTHER OF CHILD	6a. MAIDEN NAME OF MOTHER—FIRST NAME Gopalan		6b. MIDDLE NAME -		6c. LAST NAME Shyamala
	7. AGE OF MOTHER (AT TIME OF THIS BIRTH) 26 YEARS		8. BIRTHPLACE (STATE OR FOREIGN COUNTRY) India		9. COLOR OR RACE OF MOTHER Caucasian
USUAL RESIDENCE OF MOTHER (WHERE DOES MOTHER LIVE?)	10a. USUAL RESIDENCE OF MOTHER—STREET ADDRESS (GIVE STREET OR RURAL ADDRESS OR LOCATION; DO NOT USE P.O. BOX NUMBERS) 2531 Regent Street		10b. MAILING ADDRESS OF MOTHER—STREET ADDRESS (GIVE STREET OR RURAL ADDRESS OR LOCATION; DO NOT USE P.O. BOX NUMBERS) As given below		
	11a. CITY OR TOWN Berkeley		11b. COUNTY Alameda		11c. STATE California
FATHER OF CHILD	12a. NAME OF FATHER—FIRST NAME Donald		12b. MIDDLE NAME Jasper		12c. LAST NAME Harris
	13. AGE OF FATHER (AT TIME OF THIS BIRTH) 26 YEARS		14. BIRTHPLACE (STATE OR FOREIGN COUNTRY) Jamaica		15. COLOR OR RACE OF FATHER Jamaican
INFORMANT'S CERTIFICATION	I HAVE REVIEWED THE ABOVE STATED INFORMATION AND HEREBY CERTIFY THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.		17a. SIGNATURE OF INFORMANT [Signature]		17b. DATE SIGNED BY INFORMANT October 23 1964
ATTENDANT'S CERTIFICATION	I HEREBY CERTIFY THAT I ATTENDED THIS BIRTH AND THAT THE CHILD WAS BORN ALIVE AT THE HOUR, DATE AND PLACE STATED ABOVE.		18a. SIGNATURE OF ATTENDANT [Signature]		18b. ADDRESS Oakland, California
REGISTRAR'S CERTIFICATION	19. DATE ON WHICH NAME ADDED BY SUPPLEMENTAL NAME REPORT		20. LOCAL REGISTRAR—SIGNATURE [Signature]		21. DATE RECEIVED BY LOCAL REGISTRAR NOV 5 1964

INFORMATIONAL - NOT A VALID DOCUMENT TO ESTABLISH IDENTITY

EXHIBIT "B" 1062

CERTIFIED COPY OF VITAL RECORD
STATE OF CALIFORNIA, COUNTY OF ALAMEDA

This is a true and exact reproduction of the document officially registered and placed on file in the office of the Alameda County Clerk-Recorder.

DATE ISSUED

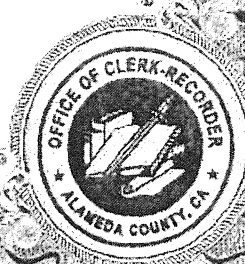
AUG 14 2020

This copy is not valid unless prepared on an engraved border displaying the date, seal and signature of the Clerk-Recorder.

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE



000153107
Melissa Wilk
Melissa Wilk
COUNTY CLERK-RECORDER



STATE OF CALIFORNIA

CERTIFICATION OF VITAL RECORD

OFFICE OF CLERK-RECORDER

COUNTY OF ALAMEDA

OAKLAND, CALIFORNIA

2 AFFIDAVIT TO CORRECT A RECORD

STATE FILE NO. 64-295984 ☒ BIRTH ☐ DEATH ☐ MARRIAGE REGISTRATION DISTRICT NO. 6015 REGISTRANT'S NUMBER 15318

REGISTRANT INFORMATION SEE INSTRUCTIONS ON REVERSE	1. FIRST NAME <u>KAMALA</u>	12. MIDDLE NAME <u>IYER</u>	13. LAST NAME <u>HARRIS</u>
	2. PLACE OF OCCURRENCE—CITY OR COUNTY <u>Oakland</u>	3. DATE OF EVENT <u>October 20, 1964</u>	4. DATE ORIGINAL FILED <u>November 5, 1964</u>
	5. NAME OF FATHER <u>Donald Jasper Harris</u>	6. MAIDEN NAME OF MOTHER <u>Gopalan Shyamala</u>	
	7. FACTS EXACTLY AS STATED ON THE ORIGINAL RECORD <u>1B. Iyer</u>	8. FACTS AS THEY SHOULD HAVE BEEN STATED ON THE ORIGINAL AT THE TIME OF OCCURRENCE <u>DEVI</u>	
	WHY IS CHANGE NECESSARY? <u>To correct middle name of child.</u>		

20. I, THE AFFIANT, HAVING PERSONAL KNOWLEDGE OF THE ABOVE FACTS AND RELATED AS mother TO THE REGISTRANT NAMED IN ITEM 1 OF THIS DOCUMENT, DO SOLEMNLY SWEAR THAT THE FACTS LISTED UNDER ITEM 8A, ABOVE, WERE INCORRECTLY STATED AT THE TIME OF THE EVENT, AND TO MAKE THE ORIGINAL RECORD TRUE STATEMENT OF THE FACTS AS THEY EXISTED AT THE TIME OF OCCURRENCE, THE AMENDMENTS LISTED UNDER ITEM 8B, ABOVE, ARE NECESSARY.

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 2nd DAY OF February, 1965 AT Alameda COUNTY OF California

SIGNATURE OF AFFIANT [Signature] AGE OF AFFIANT 26

ADDRESS OF AFFIANT—STREET ADDRESS 2531 Regent St., apt 5

ADDRESS OF AFFIANT—CITY AND STATE Berkeley - 4, California

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 2nd DAY OF February, 1965 AT Alameda COUNTY OF California

SIGNATURE OF AFFIANT [Signature] AGE OF AFFIANT 26

ADDRESS OF AFFIANT—STREET ADDRESS 2531 Regent St., Berkeley 4, Cal.

ADDRESS OF AFFIANT—CITY AND STATE Berkeley 4, Cal.

STATE REGISTRAR [Signature] DATE ACCEPTED AND FILED FEB 18 1965

INFORMATIONAL - NOT A VALID
DOCUMENT TO ESTABLISH IDENTITY

EXHIBIT "B" 2052

CERTIFIED COPY OF VITAL RECORD
STATE OF CALIFORNIA, COUNTY OF ALAMEDA

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DATE ISSUED

AUG 14 2020



000153108

Melissa Wilk
Melissa Wilk
COUNTY CLERK-RECORDER

This copy is not valid unless prepared on an engraved border displaying the date, seal and signature of the Clerk-Recorder

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

Benjamin Franklin to: Charles William Frederic Dumas

Dear Sir,

Philadelphia, 9 December, 1775.

I received your several favors, of May 18th, June 30th, and July 8th, by Messrs. Vaillant and Pochard;(1) whom if I could serve upon your recommendation, it would give me great pleasure. Their total want of English is at present an obstruction to their getting any employment among us; but I hope they will soon obtain some knowledge of it. This is a good country for artificers or farmers; but gentlemen of mere science in les belles lettres cannot so easily subsist here, there being little demand for their assistance among an industrious people, who, as yet, have not much leisure for studies of that kind.

I am much obliged by the kind present you have made us of your edition of Vattel. It came to us in good season, when the circumstances of a rising state make it necessary frequently to consult the law of nations. Accordingly that copy, which I kept, (after depositing one in our own public library here, and sending the other to the College of Massachusetts Bay, as you directed,) has been continually in the hands of the members of our Congress, now sitting, who are much pleased with your notes and preface, and have entertained a high and just esteem for their author. Your manuscript "Idée sur le Gouvernement et la Royauté" is also well relished, and may, in time, have its effect. I thank you, likewise, for the other smaller pieces, which accompanied Vattel. "Le court Exposé de ce qui s'est passé entre la Cour Britannique et les Colonies," bc. being a very concise and clear statement of facts, will be reprinted here for the use of our new friends in Canada. The translations of the proceedings of our Congress are very acceptable. I send you herewith what of them has been farther published here, together with a few newspapers, containing accounts of some of the successes Providence

EXHIBIT "C" 142

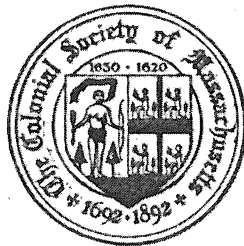
has favored us with. We are threatened from England with a very powerful force, to come next year against us.(2) We are making all the provision in our power here to oppose that force, and we hope we shall be able to defend ourselves. But, as the events of war are always uncertain, possibly, after another campaign, we may find it necessary to ask the aid of some foreign power.

Source: <http://etext.lib.virginia.edu/etcbin/toccer-new2?id=DeIVol02.xml&images=images/modeng&data=/texts/english/modeng/parsed&tag=public&part=459&division=div1>

EXHIBIT "C" 2d/2

PUBLICATIONS
OF
The Colonial Society of Massachusetts
VOLUME XX
—
TRANSACTIONS
1917-1919

Printed at the Charge of the Benjamin Apthorp Gould Memorial Fund



BOSTON
PUBLISHED BY THE SOCIETY
1920

EXHIBIT 'D' 1914

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Portugal and Spain, desired to appropriate some of the newly found virgin lands beyond the Atlantic, they refused to recognize the assignment of all of that new world by the Pope to Portugal and Spain merely upon the basis of title by discovery. On the contrary, they boldly proclaimed that the possession of the several parts of the new continent should be regulated by discovery and occupation. They asserted that mere discovery did not give a lasting title; but that it must be followed by actual occupation. And all four of those nations proceeded to put their theory into practice, and each and all of them actually occupied and possessed themselves, in spite of the papal grants to Portugal and Spain, of land on the eastern seaboard of North America. In that way the British Crown asserted and carried into effect its right to New England, including Massachusetts. It was upon the same principle, too, that the Swedish Crown, which was even later in entering into the field of trans-oceanic colonization than England, France, and Holland, took possession of land in the valley of the Delaware, which has become the present States of Pennsylvania and Delaware.

When the present Massachusetts was settled in 1620, the Thirty Years' War in Central Europe, whose close was to mark in a general way the change from feudalism to the present status of nationalism in Europe and also the birth of the Law between Nations, had barely gone on for two years. And it was only five years after the landing at Plymouth of the Pilgrim Fathers, that the universally recognized father of the Law between Nations, Hugo Grotius, gave forth at Paris to the world his treatise, *De Jure Belli ac Pacis*. The presentation of that treatise to Europe was like bringing water to a thirsty man. Amidst the horrors and terrible curse that war entails — and for many a long century Europe had known far more of war than peace — Grotius's immortal book urged in a systematized form upon the contestants, principles of humanity in the conduct of war as well as rules for their every day relations in times of peace. The book was the embodied cry of humanity for some respite from the horrors and sufferings inflicted by mankind upon one another in times of war. And during the course of the seventeenth century it passed through countless editions.

Grotius's work bore fruit soon after its first appearance, and happily before his death. Gustavus Adolphus the Great, of Sweden,

EXHIBIT "D" 2 of 4

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during his two years' campaign (1630-1632) in Germany against the Imperial House of Hapsburg, carried a copy of the *De Jure Belli ac Pacis* with him. And his sparing of Munich and its inhabitants in 1631, after the provocative sacking and destroying of Magdeburg and the ruthless killing of its inhabitants the year before by Count Tilly and the army of the Catholic League, may be attributed in part to the teachings of the Dutch juriconsult.

As we have seen, Grotius's treatise passed through many editions, and it is interesting to know that in colonial days several copies of the work were brought over to the colonies. Through the kindness of our fellow-member, Mr. Lane, I have found that Harvard College was the fortunate possessor in colonial times of several copies of Grotius. The first one it received was one of the books given to the College Library at its very beginning by Governor Richard Bellingham of Massachusetts. In the printed catalogue of the Harvard College Library published in 1723 there is a title, probably a later gift, "*Grotii De jure Belli ac Pacis*." That copy was printed at Amsterdam in 1651. Luckily it survived the fire that swept the Library in 1764. On its fly leaves it bears the names of several students who read it during their college course: Thomas Brinley and Ebenezer Winchester, of the Class of 1744; Nyott Doubt, of the Class of 1747; and George Minot (probably the George Minot who belonged to the Class of 1752). The edition of Grotius, edited with notes by Kaspar Ziegler and published at Strassburg in 1706, was a gift presented probably soon after the fire of 1764. The Library also received between 1764 and 1774 from Thomas Hollis, a copy of the French translation by Barbeyrac, published at Leyden in 1759. Another copy of Grotius, "*De Jure Belli ac Pacis*, . . . Hagæ Comitum, 1680," belonged to the Rev. Thomas Prince, the historian in whose honor the Prince Society was named in 1858. Prince's collection of books was given to the Old South Church in Boston in the eighteenth century, and the major part of the collection, including that copy of Grotius, is now deposited in the Boston Public Library. The Library Company of Philadelphia also numbered Grotius in colonial times among its collections. One of the earliest books which it received was the English translation of Grotius, together with the notes of Barbeyrac, published at London in 1738. Another copy of Grotius which the Library Company possessed before the Revolution,

EXHIBIT "D" 3 of 4

There is much to interest us in that text as a forecast of our subsequent historic development for over a hundred and forty years since Dumas wrote it at the Hague into the copy that now belongs to Harvard. In it he gives a prophetic hint of the decadence that has overtaken parliamentary government the world over in its personnel as a result of manhood suffrage. What would his prediction have been over the possibility of all the women being added to the electorate! In that short manuscript, too, the rise to leadership in our country of Lincoln, Grant, and Cleveland is suggested.

That copy of Vattel, in conjunction with the one in Philadelphia, has an especial interest for the student of International Law. For those three books, which arrived here in the early stages of the struggle between the colonies and the mother land, not merely influenced the men who sat in the Continental Congresses in shaping our policy towards Great Britain, but also undoubtedly influenced the framers of the Federal Constitution in the writing of parts of that state document. By the Constitution of the United States the Law of Nations is expressly recognized as being a part of the Law of the land. And if we remember that Vattel's treatise was recognized in all the Foreign Offices of Europe at that time as the leading authority of the day upon questions of International Law, it may be said that in an actual sense Dumas, as the purveyor of knowledge to the statesmen of the United States of America concerning the Law of Nations, was in a sense the sponsor of the Law of Nations among us. And as that treatise was written by a citizen of Switzerland, a country which up to that time had done more than any other to develop the Law of Neutrality, and as Vattel himself had stated the conception of neutrality probably with more clearness than any publicist up to the time he wrote, it was eminently fitting that the young member of the family of Nations, the United States of America, should help to expand the Law of Neutrality. And, much more than any other Nation, our country has shaped the expansion of the Law of Neutrality. In sending us three copies of the treatise of Vattel, Dumas, as well as the publicist of Neuchâtel, helped to influence our course in the early years of the Republic under Washington and Jefferson, and even afterwards, in moulding the expansion of the Law between Nations.

EXHIBIT "D" 4/4 Google

JAY TO GEORGE WASHINGTON.

NEW YORK,

25th July, 1787

DEAR SIR:

Permit me to hint whether it would not be wise and reasonable to provide a strong check to the admission of foreigners into the administration of our national government, and to declare expressly that the command-in-chief of the American army shall not be given to nor devolve on any but a natural-born citizen.

I remain, dear sir,

Your faithful friend and servant,

JOHN JAY.

John Jay

25th July, 1787

NEW YORK,

John Adams

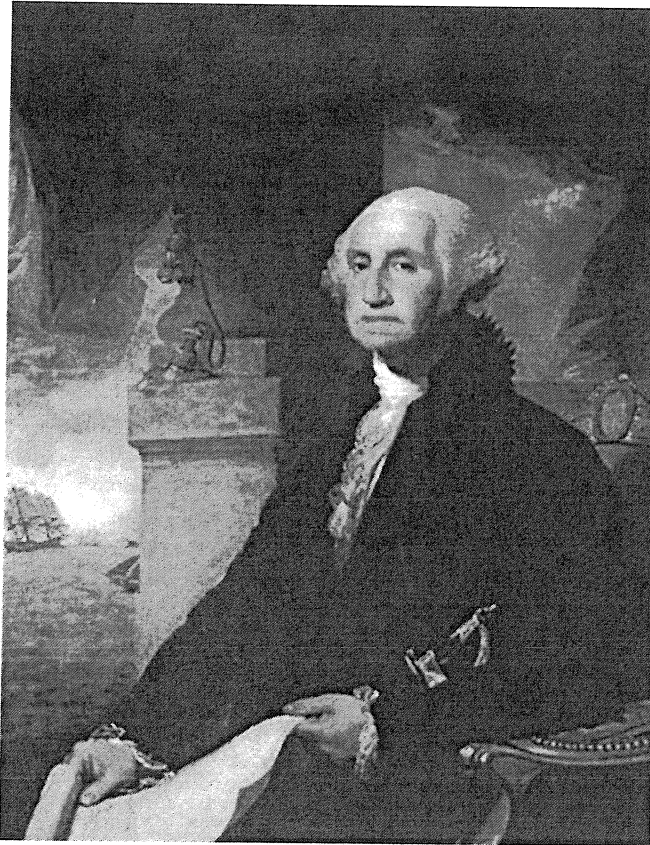
<https://oll.libertyfund.org/titles/jay-the-correspondence-and-public-papers-of-john-jay-vol-3-1782-1793>

website visited 6:29 pm, September 18, 2020

EXHIBIT "E" 1 of 1

How George Washington racked up a \$300,000 fine for overdue library books

In 1789 George Washington checked out a pair of books from a New York library. Their return is still awaited.



Gilbert Stuart's Portrait of George Washington/NY Public Library
Did George Washington forget to return his library books?

April 19, 2010

- By Marjorie Kehe
@MarjorieKehe

He may never have told a lie, but neither, apparently, did he always return his library books. In the light of more recent presidential scandals, this one might not seem like much, but George Washington is making headlines on both sides of the Atlantic today for the \$300,000 fine incurred by a pair of very overdue library books.

EXHIBIT "F" 1 of 2

In 1789, while Washington was busy being the first president of the United States, he checked two volumes out of the New York Society Library – the only lending library in New York at the time. According to The Guardian, "The library's ledgers show that Washington took out the books on 5 October 1789, some five months into his presidency at a time when New York was still the capital. They were an essay on international affairs called Law of Nations and the twelfth volume of a 14-volume collection of debates from the English House of Commons."

It now appears that the books were never returned.

In today's dollars, adjusted for inflation, the fine – accumulated at the rate of a few pennies a day – is estimated at about \$300,000.

The library told the Guardian that they have no interest in collecting the fine – they'd simply like the books back, if possible.

EXHIBIT "F"

2 of 2