



# American Resistance Party

How long will you wear the chains of your Masters?

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**FOR IMMEDIATE RELEASE  
ACTION ALERT**

**BARRY SOETORO (AKA BHO)  
Violating Executive Order 13489**

**12/19/16 – EDWARD C NOONAN, Former 2012 & 2016 Presidential Candidate alert:**

**From: Jonathan Mooers, PE  
Naples, FL**

"...Barack Obama's first act on his first day in office on January 21, 2009 was to sign pre-meditated Executive Order 13489 to seal his identification documents from public perusal."

**MY REPLY:**

**From: Edward C Noonan**

**You, like most of the other unread citizens (me included - before a year ago) (I've wised up since then), and ALL congress people, attorneys, judges, and white house personnel, have NEVER READ Executive Order 13489. Hence, they do not know that the illegal alien in the white house is lying through his teeth. NO WHERE IN 13489 does it say what you say it says. All it really says is, #1 INCUMBENTS AND FORMER PRESIDENTS may protect their presidential papers since they are a protected class and have "EXECUTIVE PRIVILEGE". Nowhere does 13489 imply that the ID of an illegal alien can be protected while usurping the office of POTUS. See for yourself:**

## **Executive Order 13489 -- Presidential Records**

*Executive Order -- Presidential Records*

*By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to establish policies and procedures governing the assertion of executive privilege by incumbent and former Presidents in connection with the release of Presidential records by the National Archives and Records Administration (NARA) pursuant to the Presidential Records Act of 1978, it is hereby ordered as follows:*

*Section 1. Definitions. For purposes of this order:*

- (a) **"Archivist"** refers to the Archivist of the United States or his designee.
- (b) **"NARA" refers to the National Archives and Records Administration.**
- (c) "Presidential Records Act" refers to the Presidential Records Act, 44 U.S.C. 2201-2207.
- (d) "NARA regulations" refers to the NARA regulations implementing the Presidential Records Act, 36 C.F.R. Part 1270.
- (e) **"Presidential records" refers to those documentary materials maintained by NARA pursuant to the Presidential Records Act**, including Vice Presidential records.
- (f) "Former President" refers to the former President during whose term or terms of office particular Presidential records were created.
- (g) **A "substantial question of executive privilege" exists if NARA's disclosure of Presidential records might impair national security (including the conduct of foreign relations), law enforcement, or the deliberative processes of the executive branch.**

(h) A "final court order" is a court order from which no appeal may be taken.

Sec. 2. Notice of Intent to Disclose Presidential Records.

(a) When the Archivist provides notice to the **incumbent and former Presidents** of his intent to disclose Presidential records pursuant to section 1270.46 of the NARA regulations, the Archivist, using any guidelines provided by the **incumbent and former Presidents**, shall identify any specific materials, the disclosure of which he believes may raise a substantial question of executive privilege. However, nothing in this order is intended to affect the right of the **incumbent or former Presidents** to invoke executive privilege with respect to materials not identified by the Archivist. Copies of the notice for the **incumbent President** shall be delivered to the President (through the Counsel to the President) and the Attorney General (through the Assistant Attorney General for the Office of Legal Counsel). The copy of the notice for the **former President** shall be delivered to the **former President** or his designated representative.

(b) Upon the passage of 30 days after receipt by the **incumbent and former Presidents** of a notice of intent to disclose Presidential records, the Archivist may disclose the records covered by the notice, unless during that time period the Archivist has received a claim of executive privilege by the **incumbent or former President** or the Archivist has been instructed by the **incumbent President** or his designee to extend the time period for a time certain and with reason for the extension of time provided in the notice. If a shorter period of time is required under the circumstances set forth in section 1270.44 of the NARA regulations, the Archivist shall so indicate in the notice.

Sec. 3. **Claim of Executive Privilege by Incumbent President.**

(a) Upon receipt of a notice of intent to disclose Presidential records, the Attorney General (directly or through the Assistant Attorney General for the Office of Legal Counsel) and the Counsel to the President shall review as they deem appropriate the records covered by the notice and consult with each other, the Archivist, and such other executive agencies as they deem appropriate concerning whether invocation of executive privilege is justified.

(b) The Attorney General and the Counsel to the President, in the exercise of their discretion and after appropriate review and consultation under subsection (a) of this section, may jointly determine that invocation of executive privilege is not justified. The Archivist shall be notified promptly of any such determination.

(c) If either the Attorney General or the Counsel to the President believes that the circumstances justify invocation of executive privilege, the issue shall be presented to the President by the Counsel to the President and the Attorney General.

(d) If the President decides to invoke executive privilege, the Counsel to the President shall notify the **former President**, the Archivist, and the Attorney General in writing of the claim of privilege and the specific Presidential records to which it relates. After receiving such notice, the Archivist shall not disclose the privileged records unless directed to do so by an **incumbent President** or by a final court order.

Sec. 4. **Claim of Executive Privilege by Former President.**

(a) Upon receipt of a claim of executive privilege by a **living former President**, the Archivist shall consult with the Attorney General (through the Assistant Attorney General for the Office of Legal Counsel), the Counsel to the President, and such other executive agencies as the Archivist deems appropriate concerning the Archivist's determination as to whether to honor the **former President's claim of privilege** or instead to disclose the Presidential records notwithstanding the claim of privilege. Any determination under section 3 of this order that executive privilege shall not be invoked by the **incumbent President** shall not prejudice the Archivist's determination with respect to the **former President's** claim of privilege.

(b) In making the determination referred to in subsection (a) of this section, the Archivist shall abide by any instructions given him by the **incumbent President** or his designee unless otherwise directed by a final court order. The Archivist shall notify the **incumbent and former Presidents** of his determination at least 30 days prior to disclosure of the Presidential records, unless a shorter time period is required in the circumstances set forth in section 1270.44 of the NARA regulations. Copies of the notice for the **incumbent President** shall be delivered to the President (through the Counsel to the President) and the Attorney General (through the Assistant Attorney General for the Office of Legal Counsel). The copy of the notice for the **former President shall be delivered to the former President or his designated representative.**

Sec. 5. General Provisions.

(a) Nothing in this order shall be construed to impair or otherwise affect:

- (i) authority granted by law to a department or agency, or the head thereof; or
- (ii) functions of the Director of the Office of Management and Budget relating to budget, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

Sec. 6. Revocation. Executive Order 13233 of November 1, 2001, is revoked.

**BARACK OBAMA**

**THE WHITE HOUSE,**  
January 21, 2009

Of course you will need to also familiarize yourself with the US Code that is referred to in the above EO 13489. See **Presidential Records Act, 44 U.S.C. 2201-2207**:

**§ 2201. Definitions**


As used in this chapter--

(1) The term "documentary material" means all books, correspondence, memoranda, documents, papers, pamphlets, works of art, models, pictures, photographs, plats, maps, films, and motion pictures, including, but not limited to, audio and visual records, or other electronic or mechanical recordings, whether in analog, digital, or any other form.

**(2) The term "Presidential records" means documentary materials, or any reasonably segregable portion thereof, created or received by the President, the President's immediate staff, or a unit or individual of the Executive Office of the President whose function is to advise or assist the President, in the course of conducting activities which relate to or have an effect upon the carrying out of the constitutional, statutory, or other official or ceremonial duties of the President.** Such term--

(A) includes any documentary materials relating to the political activities of the President or members of the President's staff, but only if such activities relate to or have a direct effect upon the **carrying out of constitutional, statutory, or other official or ceremonial duties of the President;** but

(B) does not include any documentary materials that are (i) official records of an agency (as defined in section 552(e) of title 5, United States Code; (ii) personal records; (iii) stocks of publications and stationery; or (iv) extra copies of documents produced only for convenience of reference, when such copies are clearly so identified.

 (3) The term "**personal records**" means **all documentary materials, or any reasonably segregable portion thereof, of a purely private or nonpublic character which do not relate to or have an effect upon the carrying out of the constitutional, statutory, or other official or ceremonial duties of the President.** Such term includes--

(A) diaries, journals, or other personal notes serving as the functional equivalent of a diary or journal which are not prepared or utilized for, or circulated or communicated in the course of, transacting Government business;

(B) materials relating to private political associations, and having no relation to or direct effect upon the carrying out of **constitutional**, statutory, or other official or ceremonial duties of the **President;** and

(C) materials relating exclusively to the President's own election to the office of the Presidency; and materials directly relating to the election of a particular individual or individuals to Federal, State, or local office, which have no relation to or direct effect upon the carrying out of **constitutional**, statutory, or other official or ceremonial duties of the **President.**

(4) The term "Archivist" means the Archivist of the United States.

(5) The term "**former President**", when used with respect to Presidential records, means the former President during whose term or terms of office such Presidential records were created.

**Maybe Mr. Soetoro (aka BHO) thinks (3) above means that his bogus birth certificate is a "purely private" or a "non-public" document. But to be so, it must NOT have an effect upon carrying out of CONSTITUTIONAL duties of a true President. The [American Resistance Party](#) declares Soetoro is in violation of both § 2201 & EO 13489! It does not apply to illegal aliens (Indonesian citizens) or those not NBC!**

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