



Written by [Steve Farrell](#) on April 22, 2010

## Arizona 'Birther' Bill Moves Forward: Eligibility Issue Refuses to Go Away

The Arizona House of Representatives moved forward a provision on Monday (April 19) that would require presidential candidates to produce documents proving their eligibility to serve if they expect their name to appear on the Arizona ballot in 2012.



The United States Constitution, Article II, Section I, requires that: "No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President."

As an additional protection to a possible back door violation of this article, the 12th Amendment to the Constitution requires that: "No person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States."

The Arizona legislature's target is President Barack Obama, who, according to some accounts, has two law firms on his payroll (costing \$1.7 million thus far), along with Hawaiian Governor Linda Lingle on his errand, both employed in the dubious duty of keeping the President's official birth certificate under lock and key. Also under lock and key: the President's academic records (which may, so goes the speculation, provide proof that young Barack Obama attended American universities registered as a foreign national).

[The Arizona provision](#), attempting to unmask the mystery and uphold the Constitution, moved forward by a 32-21 vote. A similar provision is expected to be introduced in the Arizona Senate. If made law it would require the following:

1. Written notice from a national political party committee for a presidential candidate that is entitled to representation on the ballot be sent to the Arizona Secretary of State, that contains the party's nomination of candidates for president and vice-president.
2. Within 10 days of the submittal of the names of the candidates, the national political party committee shall submit an affidavit of the presidential candidate which states the candidate's citizenship and age.
3. As to the presidential affidavit, it must include documents that prove the candidate is a natural born citizen, prove his age, and prove that he or she meets the residency requirements for President of the United States as prescribed in the United States Constitution.

Arizona Democrats are calling the measure the work of "fringe groups" that are "wasting valuable tax dollars" and making Arizona the "laughing stock" of the nation.

But the fact that several state legislatures (besides Arizona: [South Carolina](#), [New Hampshire](#), and [Indiana](#)) have introduced similar measures, and that there is a federal version before [the U.S. House](#), to accompany a plethora of private lawsuits, and even an [Army Lt. Col's refusal](#) to follow the President's orders in the news today, makes this no laughing matter but a potential constitutional crisis come 2012 if even one state goes the distance.



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Frankly, it's hard to imagine why a President of the United States would refuse to produce something as common and necessary to legitimacy in public affairs as a birth certificate. And it's hard to fathom why anyone would believe that this refusal to produce and to hire top law firms to keep that document and others out of the eyes of the courts and the American people would do anything but throw fuel on the fires of suspicion.

It didn't help the President's cause that Supreme Court Justice Clarence Thomas took a jab at the President's citizenship issue last week before a U.S. House appropriations panel. In response to repeated prying by Subcommittee Chairmen Rep. Jose Serrano, D-N.Y. as to whether or not a Puerto Rican can run for President of the United States (Rep. Serrano was born in Puerto Rico), Justice Thomas replied, "[We're evading that one.](#)" A subtle but pointed reference to the Supreme Court's refusal to hear the half-dozen eligibility appeals that have been sent their way. Justice Thomas being one of three justices who believed that at least one of those cases had enough merit to be heard by the High Court, and so voted. One more vote in favor and we would have had a presidential crisis of monumental proportions.

Besides the looming possibility of state eligibility laws on the books for 2012 demanding the President show his birth certificate, more legal cases are still in motion and one of them may yet make it before the High Court.

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So the question is, why not make this below the surface nightmare go away before it is scandalously shouted upon the housetops? Why not step forward now, birth certificate in hand: a full, legal, long-form original, and bring to an end the growing suspicions, fears, and conspiracy theories that failure to do so has wrought?

All of us are required to do it: to obtain a driver's license, to enroll a child in elementary school, to join the military, to obtain a security clearance, to get a job, to apply for a loan, even to join a baseball team, and to do a thousand other things in this great country of ours because there are just so many things that require a little bit of honesty about identity, age, and citizenship.

Until the President decides to do what we all do — and in so vital a matter — it is likely that queries into his birth, his academic history, and his past associations will not go away. In fact, since the majority of the American people have lost confidence in the President, it is likely they will only multiply.

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