



Written by [Joe Wolverton, II, J.D.](#) on March 4, 2011

## Georgia Bill Requires Presidential Candidates to Prove Qualifications

Article II of the United States Constitution requires that a person be a “natural born citizen” of the United States in order to be eligible to hold the office of President.

Two state legislators from Savannah, Georgia, are determined to enforce this provision, especially with regard to President Barack Obama and his anticipated re-election campaign for the presidency in 2012.

They have added their support to a measure aimed at settling the dispute over whether Obama meets the U.S. Constitution’s natural born citizen mandate before his name is printed on ballots in the Peach State.



The legislation, authored by Mark Hatfield, is backed by Savannah Republicans Ron Stephens and Ben Watson, as well as about 90 other state House members who have signed on as co-sponsors.

Representative Stephens defended his stance, asserting that it is imperative that each and every candidate for the office of the president pass the constitutional threshold for eligibility.

“This bill goes to the heart of the matter,” he said. “It’s what we ought to do and one of the most American things we can do.”

The issue of President Obamas birthplace gained attention during his 2008 campaign and has continued to trouble the President despite his having produced an apparent copy of a Hawaiian birth certificate.

The principal author of the bill, Mark Hatfield (R-Waycross) is one of a substantial number of Americans that was not convinced by the document provided by the Obama campaign.

During a recent interview with a local television station, Hatfield insisted that the birth certificate offered by President Obama, “isn’t really sufficient to make any kind of determination.”

According to published information, at least 90 of the 180 members of the Georgia House of Representatives are signatories of the measure.

Despite the broad support in the Georgia House, the bill does have its opponents. Speaker of the House David Ralston, a Republican representing Blue Ridge, is perhaps the most prominent.

According to the laws of the state of Georgia, Hatfields bill must be passed by a majority of the relevant committee before being sent to the House floor for a vote.

Curiously, last year current Georgia governor Nathan Deal raised similar questions of Obamas true place of birth when he was a congressman. He pointed to the concern of constituents as the primary impetus for his inquiry.

Apparently, though, the atmosphere in the governors mansion has cleared Deals mind on the matter. “This is a federal issue,” said spokeswoman Stephanie Mayfield. “The governor said throughout his campaign that he believes the president is a citizen of the United States.”



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The web presence of the [Savannah Morning News](#) provided one academics perspective on the issue.

Reviving the issue now is “almost silly,” said Robert Eisinger, a political science professor at the Savannah College of Art and Design.

“This question has been asked and answered,” Eisinger said. “It is not going to have any effect other than pandering to a political base. And it’s a very narrow political base at that. I don’t think it includes most conservative Republicans.

Elsewhere, Eisinger lamented that the bill certainly would not endear the President to the State of Georgia.

Specifically, Representative Hatfield’s bill requires presidential candidates listed on ballots throughout Georgia to provide certified copies of their “first original long-form birth certificate.”

Hatfields wording is not an accident. The arguably critical distinction between a long-form birth certificate and the type of document offered by President Obama as proof of his citizenship was eloquently described [The New Americans](#) Raven Clabough:

The certification of live birth found on the Internet, which purports to prove that Obama was born in Hawaii, has been dismissed as valid proof, as it is a short-form document, as opposed to the long-form document that lists the hospital and attending physician. Short-form documents are easily obtainable. In addition to Obamas missing birth certificate, other documentation that has been concealed includes kindergarten, elementary, and secondary school records; college records; *Harvard Law Review* articles; passport; medical records; Illinois State Bar Association records; baptism records; and adoption records.

In a move to achieve even greater clarity, the Hartfield bill mandates that the a qualifying birth certificate must list the date and time of birth and name the hospital or other place of birth. Other mandatory information would include: the attending physician, birth parents’ names, birthplaces and addresses and signatures of witnesses to the birth.

In the event that such a document is proven in good faith to be unavailable, the bill provides that the candidate may yet satisfy the bills requirements by providing an affidavit attesting that:

the candidate has never been a citizen of any country or nation other than the United States of America; that the candidate has never held dual or multiple citizenship; and that the candidate has never owed allegiance to any country or nation other than the United States of America....

It would appear that this particular provision of the bill is inspired by [published reports](#) that President Obama held an Indonesia passport under the name Barry Soetero, his childhood name.

In addition to the affidavit, the candidate must provide “certified exact copies of other original documentation.

Examples of such qualifying documentation include: the candidate’s birth, adoption, baptism, Social Security status, medical records, school and college records, military records, and passports.

Of note is the fact that there was only one Democrat found among the more than 90 co-sponsors of the bill. The state Democratic Party adamantly opposes the passage of any such measure.

Party spokesman Eric Gray said that the very existence of the Hatfield measure was, “further proof that Republicans in Georgia are not focusing on the economic issues affecting our state.”

According to the *Savannah Morning News*:

Gray said it wastes time when “record unemployment, a billion-dollar budget deficit, and drastic changes to the HOPE scholarship program and Georgia’s Pre-K Program should be on the mind of state legislators.”

He also said it’s created a rift within the GOP between those who are “a part of the fact-based community, and those with conspiracy-addled minds.”

Meanwhile, Gray noted, state officials continue to ask Obama to support federal funding to deepen Savannah Harbor.



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“The overwhelming Republican support of this legislation ... has further alienated our state,” he said.

The [Presidential Electability Assurance Act](#) (HB 401) is currently pending a committee vote following a second reading in the Georgia House Committee on Governmental Affairs.



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