



Written by [Raven Clabough](#) on March 30, 2012

Arizona Birther Bill Faces Obstacles

The Arizona legislature is currently considering the Candidate Certification Bill, a so-called "birther" measure which directly calls into question Barack Obama's eligibility to serve as President. If successful, the legislation would determine if the President's name may be placed on the Grand Canyon State's ballot in November.

HB 2480 would require any candidate on the ballot to sign an affidavit confirming their eligibility determination, and imposes a penalty of perjury if the candidate is later found to be ineligible. Introduced by State Representative Carl Seel (left), the bill passed the Senate Government Reform Committee, but is now sitting in a senate committee. It would still need to pass the full House and Senate before being sent to Gov. Jan Brewer.



"Our ballot, no matter what office someone is running for, should have the highest level of validity," asserted Seel. "That couldn't be more American, and it couldn't be more nonpartisan."

The bill has the support of a number of members of the state legislature, as well as Maricopa County Sheriff Joe Arpaio, who assembled a group of investigators six months ago to gather evidence on the authenticity of President Obama's birth certificate after the certificate was released last year and posted on the White House website in a PDF.

"It's very controversial, but something has to be done," Arpaio [told *The Arizona Republic*](#). "It's very important to at least have some law that you have to show that you were born in the United States."

In fact, it was the concerns raised by Arpaio that compelled Rep. Seel to draft the eligibility bill. Arpaio's lead investigator, Mike Zullo, has concluded thus far that the Obama birth certificate appears to be a forgery as well as a fraud, and that the documentation is "constructed and presented for a purpose. That purpose was to deceive."

Arpaio's investigation is continuing to examine the validity of Obama's birth certificate as well as his Selective Service Registration card, which Arpaio believes is also fraudulent. "This investigation is not going away," he maintained. "It is an ongoing investigation."

According to Seel, "[HB 2480] gives the average citizen the capacity ... to challenge any candidate appearing on the Arizona ballot, whether they are properly qualified to be on the said ballot ... and the capacity to preserve, defend and protect their Constitution."

The bill also requires that national party chairmen sign on behalf of their candidates, and if that candidate is later found to be ineligible, both the candidate and the party chair would be charged with perjury.



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But while the bill has the support of members of both the state Senate and House, it is being held up by Senate President Steve Pierce, who claims that he will not clear the way for the measure to come to the Senate floor until Senator Nancy Barto — chair of the Healthcare and Medical Liability Reform Committee where the bill is currently being stalled — allows its passage.

Seel contends that the bill is being stalled because Senator Barto has solicited from Seel a “laundry list” of names of all the Arizona Senators who have committed to vote for the bill. Critics assert that Barto’s demands are unorthodox, as most legislatures will function on an “honor system” of sorts where lawmakers give their verbal commitment to support a bill. Some suspect that the list of names may be used in an attempt sway each of the lawmakers on the list before the vote reaches the floor. If the bill were to be voted down, it would virtually prohibit any chance for revival.

Last year, Governor Brewer vetoed a similar bill because she was concerned that it gave too much power to Arizona's Secretary of State to judge the qualifications of all candidates who file to run for office, not simply the President. Rep. Seel says the new bill addresses the Governor's previous concerns.

The Huffington Post explains:

Brewer vetoed the legislation, which would have made Arizona the first state to pass a proof-of-citizenship requirement for candidates. The governor specifically opposed an amendment that would have [required candidates](#) who could not provide a birth certificate to instead provide "baptismal or circumcision certificates, hospital birth records and other documents" in order to get on the state's ballot.

Brewer said the legislation went "a bridge too far."

"I never imagined being presented with a bill that could require candidates for president of the greatest and most powerful nation on earth to submit their 'early baptismal or circumcision certificates,'" she said. "This measure creates significant new problems while failing to do anything constructive for Arizona."

According to World Net Daily (WND), a number of other states are considering similar legislation. In fact, 11 states have already drafted bills that would force presidential candidates to prove their citizenship before being permitted on the ballot. WND reports, “There exists virtually no mechanism in the U.S. for investigating whether or not a presidential candidate meets the Constitution’s Article 2, Section 1, ‘natural born citizen’ requirement.”

In Georgia, for example, [HB 401](#) introduced by Rep. Mark Hartfield, would have required candidates for President to submit long-form birth certificates showing their birth parents’ residence addresses as well as other information. The provision required “every candidate for federal” office who is certified by the state executive committee of a political party or who files a notice of candidacy “shall meet the constitutional and statutory qualifications for holding the office being sought.”

Several individuals challenged President Obama’s candidacy in Georgia this year, holding a two-hour hearing before an administrative law judge. Judge Michael Malihi threw away the evidence and ruled in favor of President Obama. That ruling is currently pending before the state Supreme Court, which has not yet heard arguments in the case.

Still, Georgia’s birther bill failed to receive a critical vote to move it to Georgia’s Senate.

New Hampshire has been the only state to sign on to a bill that clarifies eligibility requirements. Its HB 1245, signed by Democratic Governor John Lynch, requires a statement under penalty of perjury that a



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candidate meets qualification requirements of the U.S. Constitution.

Political analyst David Johnson contends that the birther movement is gaining a bit of traction among voters: "A third of independent voters right now have a question about Barack Obama's citizenship. They don't believe he was born in the US. This has grown dramatically, even more than among Republican voters. And the independents are going to decide the 2012 elections."

Despite the numerous efforts against the President's eligibility, Obama seems to take the birther movement as a joke. At his St. Patrick's Day reception, visiting Irish Prime Minister Enda Kenny presented the President with an official certificate of Irish heritage, noting, "These are very rare. As rare as the man himself." The President quipped, "This will have a special place of honor alongside my birth certificate," drawing a big laugh from the crowd.



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