

A Bill Requiring Documentation of Presidential Eligibility for Candidates Available to Electoral Voters

Whereas the US Constitution makes states responsible to choose Presidential electors and the Congressional Research Service has concluded that “there is no specific federal agency or office that “vets” candidates for federal office as to qualifications or eligibility prior to election. The mechanics of elections of federal officials within the several states are administered under state law.”,

Whereas the only security clearance given to the Commander-in-Chief is the vote of the people, who do not individually have authority to demand documentation necessary for such a security clearance;

Whereas the US Constitution says, “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; neither shall any person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States”; and

Whereas the US Constitution gives the US judiciary both jurisdiction and responsibility to decide in law and fact all controversies and cases arising from the Constitution, including US Supreme Court original jurisdiction for cases in which a State is a party,

Therefore be it resolved that:

Before being placed on a ballot, a candidate (incumbent or not) for President or Vice-President must state his/her name and place of birth and parents’ names, provide proof of being a US resident for 14 years, and sign a consent form for the Secretary of State to receive certified copies of all his/her birth records and all his/her and his/her parents’ citizenship records – including all written and embedded transaction logs for all records.

The Secretary of State must secure all said records, redact information to comply with state and FOIA privacy provisions, and post scans of the documents to the Secretary of State’s website. Redacted originals must be made available for public viewing.

The Secretary of State must also complete and post to the SOS website a list saying whether the records confirm that the candidate was born in the United States to 2 US citizen parents, will be at least 35 by the start of the Presidential term, and has been a US resident for 14 years, and show no discrepancies in transaction logs that call into question the veracity or legal validity of the records.

If any of these conditions is not met, if any above procedure is not completed, or if any person contests the eligibility of the candidate within 30 days after both the documents and the list are posted to the website, the Secretary of State shall deny placement on the ballot unless and until the judiciary, with all appeals exhausted, rules the candidate eligible. The State AG shall submit to the court any amicus briefs from the public in any lawsuits concerning the implementation or constitutionality of this law.

If a lawsuit is filed with the state judiciary, the case shall be heard and decided on an expedited basis.

Any person shall have standing to sue a government official for disobeying this law.

This law shall be in effect as soon as it is signed by the governor. If a provision of this bill is or becomes illegal, invalid or unenforceable in any jurisdiction, that shall not affect:

1. the validity or enforceability in that jurisdiction of any other provision of this bill; or
2. the validity or enforceability in other jurisdictions of that or any other provision of this bill.