



Elections panel allows Cruz, Rubio to appear on primary ballot

Ballot Law Commission rejects challenges to two Republicans' 'natural-born' citizenship

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CONCORD, N.H. -

Presidential candidates Ted Cruz and Marco Rubio will appear on the New Hampshire Republican primary ballot after challenges to their status as natural born citizens were dismissed Tuesday by a state elections panel.

Cruz, a U.S. senator from Texas, was challenged because he was born in Canada despite the fact that his mother is a citizen of the United States. The complaints against him by Christopher Booth of Concord and Cameron Elliott of Pennsylvania said that Cruz is a citizen only by virtue of an act of Congress that allows those born of U.S. citizens born outside of the United States to be considered "natural born" citizens.

They pointed out that the constitution, however, says that natural born citizens are only those born in U.S. jurisdictions, while those granted natural born citizenship by an act of Congress are actually naturalized citizens.

Cruz has said the question has long been settled and has pointed out that two former solicitors general – one a Democrat and one a Republican – have concluded that he is a natural born citizen as defined by the constitution.

Rubio's natural born citizenship was challenged on the basis that parents were not American citizens when he was born, although the Florida senator was born in the United States.

The state Ballot Law Commission refused to rule on the questions because, chairman Brad Cook said, the issues were not under the panel's purview.

"Our precedents say we don't go there," Cook said. "Personally, would I like the U.S. Supreme Court to decide these issues so we know what is, so it doesn't keep coming up? Absolutely. Are we the vehicle to start that discussion? No, we're not."

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