

# Atlanta Constitution

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## \* Partisan courts let Bush/Cheney defy constitutional requirements

By Bill Berenson

For the first time in U.S. history, both of a party's candidates are from the same state. Unless the U.S. Supreme Court upholds the suit I filed to prevent this constitutional violation, Texas' 32 electors will illegally vote for the Bush-Cheney ticket on Monday.

The Constitution and the 12th Amendment discourage inhabitants of the same state from running together by prohibiting their electors from voting for both of them. The Founding Fathers didn't want one big state (especially Virginia, where Washington, Jefferson and Madison lived) to control the smaller ones.

No political party had dared to run a same-state ticket for more than 200 years until George W. Bush asked fellow Texan Dick Cheney to be his running mate.

Cheney had lived and worked in Texas since 1995. He claimed our generous homestead exemption, registered and drove his Lexus and Cadillac here, voted here, paid his taxes here, saw doctors here, received his mail here, did everything you and I do here. He wasn't born a Texan, but, like the bumper sticker says, he got here as fast as he could.

Then the Bush team thought of a brilliant scheme that would circumvent the Constitution: Cheney would become a Texas wolf in Wyoming clothing.

First, he flew 1,200 miles to register to vote on July 21, the last day possible to register as a Wyoming voter for 2000 — even though he had not bothered to drive down his Dallas street to vote for

Bush in the March primary. The Republican clerk handed this famous man a voting card on the spot — even though the Texan didn't qualify to vote under Wyoming's strict residency laws, which also prevented him from running for the Wyoming Legislature or even getting a fishing license. Second, he obtained a driver's license up there and gave up his Texas license.

But Cheney continued to live in his Highland Park home. He continued as CEO of Halliburton through mid-August. He never moved to Virginia (second house and huge lot in a wealthy suburb of Washington, D.C.) and certainly never moved to Wyoming (third house at a golf club in a ski resort).

I had to go to Philadelphia several days after the Nov. 7 election and took my 10-year-old daughter to see the inspiring Constitution Hall and Liberty Bell. When I returned to Fort Worth, I read that a suit challenging the legality of the Bush-Cheney ticket was being dismissed in Florida due to its lack

of venue.

Everyone I talked to, Republican and Democrat alike, wanted the next president to obey our laws. Everyone was tired of the deception of the Clinton administration. I filed suit.

To continue this ruse, Cheney's three-bedroom house, supposedly in less than two weeks, was listed (for \$3.1 million), shown, closed and deeded to a wealthy GOP contributor on Nov. 30. The next day, the district court dismissed the suit against these famous Republicans. The judge, appointed by President Reagan, believed this politician was actually a Wyoming resident. This was despite the facts that he had never worked or lived for one year in Wyoming as required by its strict residency laws, and his children would not qualify for in-state tuition. The decision was upheld by three judges, all appointed by Presidents Bush or Reagan, in the 5th Circuit in New Orleans.

An appeal to the U.S. Supreme Court was filed. But if its Republican majority continues its ugly partisanship and condones

Cheney's too little, too late disguise, how can any of us complain the next time the Constitution is trampled on?

I'm sure you haven't forgotten that Bush and Cheney vowed to restore integrity and honor to the White House, beginning at their convention in Philadelphia. These men promised that we would be governed by the rule of law, not by activist, politicized courts.



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