

107TH CONGRESS
1ST SESSION

H. J. RES. 18

Proposing an amendment to the Constitution of the United States to provide a new procedure for appointment of Electors for the election of the President and Vice President.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 2001

Mr. ENGEL introduced the following joint resolution; which was referred to the Committee on the Judiciary

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States to provide a new procedure for appointment of Electors for the election of the President and Vice President.

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled (two-*
3 *thirds of each House concurring therein), That the fol-*
4 *lowing article is proposed as an amendment to the Con-*
5 *stitution of the United States, which shall be valid to all*
6 *intents and purposes as part of the Constitution when*
7 *ratified by the legislatures of three-fourths of the several*

1 States within seven years after the date of final passage
2 of this joint resolution:

3 “ARTICLE —

4 “SECTION 1. In an election for President and Vice
5 President, each State shall appoint two Electors to vote
6 for the candidates for President and Vice President that
7 received the greatest number of popular votes in the State
8 and, for each congressional district established under sec-
9 tion 4 of this article, one Elector to vote for the candidates
10 for President and Vice President that received the greatest
11 number of popular votes in that district. The candidate
12 having the greatest number of electoral votes for President
13 shall be the President. The candidate having the greatest
14 number of electoral votes for Vice President shall be the
15 Vice President.

16 “SECTION 2. If two or more candidates receive an
17 equal number of electoral votes for President and such
18 number is greater than the number of such votes received
19 by any other candidate, then from the candidates who re-
20 ceive such equal number of votes the House of Representa-
21 tives shall choose immediately, by ballot, the President.
22 But in choosing the President, the votes shall be taken
23 by States, the representation from each State having one
24 vote; a quorum for this purpose shall consist of a member

1 or members from two-thirds of the States, and a majority
2 of all the States shall be necessary to a choice.

3 “SECTION 3. If two or more candidates receive an
4 equal number of electoral votes for Vice President and
5 such number is greater than the number of such votes re-
6 ceived by any other candidate, then from the candidates
7 who receive such equal number of votes the Senate shall
8 choose the Vice President; a quorum for the purpose shall
9 consist of two-thirds of the whole number of Senators, and
10 a majority of the whole number shall be necessary to a
11 choice.

12 “SECTION 4. Each State shall by law establish, for
13 the election of Representatives in the Congress and for
14 purposes of section 1 of this article, a number of districts
15 equal to the number of Representatives to which such
16 State is entitled. All such districts shall be established by
17 the States at such intervals as the Congress by law pro-
18 vides. Any district established for the election of Rep-
19 resentatives in the Congress as of the date of the ratifica-
20 tion of this article may be considered to be established
21 pursuant to this section.

22 “SECTION 5. For purposes of this article other than
23 sections 2 and 3, the District constituting the seat of Gov-
24 ernment of the United States shall be treated as if it were
25 a State, except that the District may not appoint a num-

1 ber of Electors greater than the number of Electors ap-
2 pointed by the least populous State.

3 “SECTION 6. The Congress shall have the power to
4 enforce this article by appropriate legislation.

5 “SECTION 7. This article shall apply with regard to
6 any election for President and Vice President that is held
7 more than one year after the date of the ratification of
8 this article.”.

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