

107TH CONGRESS  
1ST SESSION

# H. J. RES. 17

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.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 2001

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

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## 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*  
3       *(two-thirds of each House concurring therein),* That the  
4       following 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 a number of Electors  
6 to vote for each candidate for President or Vice President  
7 that bears the same ratio to the total number of Electors  
8 of that State as the number of votes received by that can-  
9 didate bears to the total number of votes cast in that  
10 State. Each State shall make computations for purposes  
11 of carrying out this section in accordance with such laws  
12 as it may adopt, including laws providing for the allocation  
13 of Electors among more than two candidates receiving 5  
14 percent or more of the total number of votes cast in the  
15 State under such criteria as the State may by law estab-  
16 lish, except that fractional numbers less than one one-  
17 thousandth shall be disregarded. The candidate having the  
18 greatest number of electoral votes for President shall be  
19 the President. The candidate having the greatest number  
20 of electoral votes for Vice President shall be the Vice  
21 President.

22 “SECTION 2. If two or more candidates receive an  
23 equal number of electoral votes for President and such  
24 number is greater than the number of such votes received  
25 by any other candidate, then from the candidates who re-

1 ceive such equal number of votes the House of Representa-  
2 tives shall choose immediately, by ballot, the President.  
3 But in choosing the President, the votes shall be taken  
4 by States, the representation from each State having one  
5 vote; a quorum for this purpose shall consist of a member  
6 or members from two-thirds of the States, and a majority  
7 of all the States shall be necessary to a choice.

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

17       “SECTION 4. For purposes of this article other than  
18 sections 2 and 3, the District constituting the seat of Gov-  
19 ernment of the United States shall be treated as if it were  
20 a State, except that the District may not appoint a num-  
21 ber of Electors greater than the number of Electors ap-  
22 pointed by the least populous State.

23       “SECTION 5. The Congress shall have the power to  
24 enforce this article by appropriate legislation.

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

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