

107TH CONGRESS
1ST SESSION

H. J. RES. 25

Proposing an amendment to the Constitution of the United States to abolish the electoral college and establish a new procedure for electing the President and Vice President.

IN THE HOUSE OF REPRESENTATIVES

MARCH 1, 2001

Mr. LEACH 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 abolish the electoral college and establish a new procedure for electing 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 its submission
2 for ratification:

3 “ARTICLE —

4 “SECTION 1. The President and Vice President shall
5 be elected in accordance with this article by the people
6 of the several States and of the District constituting the
7 seat of Government of the United States. The electors in
8 the District shall have such qualifications as Congress may
9 by law prescribe, and the electors in each State shall have
10 the qualifications requisite for electors of the most numer-
11 ous branch of the State legislature.

12 “SECTION 2. On the day designated by Congress for
13 holding an election for President and Vice President, each
14 elector shall cast a single vote jointly applicable to a pair
15 of candidates for President and Vice President. The can-
16 didate for President and the candidate for Vice President
17 shall be clearly indicated within each pair. The names of
18 candidates for President and Vice President shall not be
19 joined as a pair unless both candidates shall have con-
20 sented thereto and no name of a candidate may be joined
21 with that of more than one other person.

22 “SECTION 3. The times, places, and manner of hold-
23 ing an election for President and Vice President shall be
24 regulated in the District by Congress, and in each State

1 by the legislature thereof, except that Congress may at
2 any time make or alter such regulations.

3 “SECTION 4. Each State shall have the number of
4 electoral votes that is equal to the number of Senators
5 and Representatives in Congress to which such State is
6 entitled. The District shall have the number of electoral
7 votes that is equal to the number of Senators and Rep-
8 resentatives in Congress to which the District would be
9 entitled if it were a State. The legislature of each State
10 shall determine whether to apportion the electoral votes
11 of such State in accordance with the provisions of section
12 5 or section 6.

13 “SECTION 5. The legislature of any State may deter-
14 mine to, and the District shall, apportion all of the elec-
15 toral votes of such State or the District to the pair of can-
16 didates for President and Vice President that received the
17 greatest number of votes in such State or District.

18 “SECTION 6. The legislature of any State may deter-
19 mine to apportion two of the electoral votes of such State
20 to the pair of candidates for President and Vice President
21 that received the greatest number of votes in such State,
22 and to apportion one electoral vote, for each district from
23 which a Representative from such State is elected, to the
24 pair of candidates for President and Vice President that
25 received the greatest number of votes in such district.

1 “SECTION 7. The chief executive of each State and
2 the District shall, within thirty days after an election for
3 President and Vice President, transmit a signed and
4 sealed certificate to the President of the Senate stating
5 the number of electoral votes of such State or District that
6 are apportioned to each pair of candidates for President
7 and Vice President, and the total number of votes received
8 in such State or District by each pair of candidates for
9 President and Vice President. The President of the Senate
10 shall, in the presence of the Senate and House of Rep-
11 resentatives, open all the certificates and announce the
12 contents.

13 “SECTION 8. The pair of candidates for President
14 and Vice President who received the greatest number of
15 votes, with such number determined by calculating the
16 sum of the total number of votes received by each pair
17 of candidates for President and Vice President in each
18 State and the District and required to be stated in the
19 certificates to the President of the Senate, shall be appor-
20 tioned a number of additional electoral votes equal to the
21 product of two times the sum of the number of States
22 and the District.

23 “SECTION 9. The pair of candidates for President
24 and Vice President receiving the greatest number of elec-
25 toral votes shall become President and Vice President, if

1 such number be a majority of the sum of the number of
2 additional electoral votes and the number of apportioned
3 electoral votes required to be stated in the certificates to
4 the President of the Senate.

5 “SECTION 10. If no pair of candidates for President
6 and Vice President receives such majority, then the House
7 of Representatives shall choose immediately, by ballot, the
8 President from the candidates for President, not exceeding
9 three, receiving the highest number of electoral votes when
10 paired with a candidate for Vice President, and the Senate
11 shall choose the Vice President from the candidates for
12 Vice President receiving the two highest number of elec-
13 toral votes when paired with a candidate for President.
14 In choosing the President, one round of votes shall be
15 taken first by State, the representation from each State
16 having one vote. A quorum for such purpose shall consist
17 of a member or members from two-thirds of the States,
18 and a majority of all States shall be necessary to a choice.
19 If no candidate for President receives such majority, then
20 the House of Representatives shall choose immediately, by
21 ballot, the President from the same such candidates, with
22 each Representative having one vote. A quorum for such
23 purpose shall consist of two-thirds of the whole number
24 of Representatives, and a majority of the whole number
25 of Representatives shall be necessary to a choice. In choos-

1 ing the Vice President, each Senator shall have one vote,
2 a quorum shall consist of two-thirds of the whole number
3 of Senators, and a majority of the whole number of Sen-
4 ators shall be necessary to a choice.

5 “SECTION 11. This article shall apply with respect
6 to any election of a President and Vice President to a term
7 of office commencing later than two years after the date
8 of the ratification of this article.”.

