

109TH CONGRESS  
1ST SESSION

# H. J. RES. 17

Proposing an amendment to the Constitution of the United States to provide for the direct election of the President and Vice President by the popular vote of the citizens of the United States.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 9, 2005

Mr. ENGEL (for himself, Mr. HASTINGS of Florida, Mr. McNULTY, and Mr. FRANK of Massachusetts) 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 for the direct election of the President and Vice President by the popular vote of the citizens of the United States.

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 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 jointly by the popular vote of the citizens of  
6 the United States. A citizen of the United States shall be  
7 allowed to vote in a State without regard to whether the  
8 citizen is a resident of that State, so long as the citizen  
9 is registered to vote in that State.

10 “SECTION 2. The results of the election for President  
11 and Vice President in each State shall be certified and  
12 transmitted sealed to the seat of Government of the  
13 United States, directed to the President of the Senate.  
14 The President of the Senate shall, in the presence of the  
15 Senate and the House of Representatives, open to all the  
16 results from each State, and the total votes shall then be  
17 counted. The candidates having the greatest number of  
18 votes for President and Vice President shall be elected,  
19 so long as such persons have at least forty percent of the  
20 votes cast. If none of the candidates receive at least forty  
21 percent of the votes cast, then a second election shall occur  
22 between the two sets of candidates receiving the highest  
23 number of votes cast.

24 “SECTION 3. Congress shall enact legislation to set  
25 the date of the election of President and Vice President,

1 which shall be a national holiday, and to establish manda-  
2 tory national standards for registering to vote in a State  
3 for the election of President and Vice President.

4 “SECTION 4. This article shall apply with respect to  
5 any election for President and Vice President held after  
6 the expiration of the 1-year period which begins on the  
7 date of the ratification of this article.

8 “SECTION 5. For purposes of this article, the term  
9 ‘State’ includes the several States, the District of Colum-  
10 bia, and any other Commonwealth, territory, or possession  
11 of the United States.”.

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