

107TH CONGRESS
1ST SESSION

H. J. RES. 5

Proposing an amendment to the Constitution of the United States to abolish the electoral college and to provide for the direct popular election of the President and Vice President of the United States.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 30, 2001

Mr. DELAHUNT 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 to provide for the direct popular election of the President and Vice President 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
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 its submission
2 for ratification:

3 “ARTICLE —

4 “SECTION 1. The President and Vice President shall
5 be elected by the people of the several States and the Dis-
6 trict constituting the seat of government of the United
7 States.

8 “SECTION 2. The electors in each State shall have
9 the qualifications requisite for electors of Senators and
10 Representatives in Congress from that State, except that
11 the legislature of any State may prescribe less restrictive
12 qualifications with respect to residence and Congress may
13 establish uniform residence and age qualifications.

14 “SECTION 3. The name of each candidate for Presi-
15 dent shall be paired with the name of a candidate for Vice
16 President, and each elector shall cast a single vote for a
17 pair of candidates. Names of candidates may not be joined
18 unless they shall have consented thereto and no candidate
19 may consent to the candidate’s name being joined with
20 that of more than one other person.

21 “SECTION 4. The Congress may by law provide for
22 the case of a tie between the two candidates receiving the
23 greatest number of votes for President and Vice President
24 in any election.

1 “SECTION 5. Each State shall prepare a list of each
2 candidate for President and each candidate for Vice Presi-
3 dent who received votes in the State and the number of
4 votes each candidate received, and shall sign, certify, and
5 transmit the list to the seat of the Government of the
6 United States, directed to the President of the Senate.
7 The President of the Senate shall, in the presence of the
8 Senate and House of Representatives, open all of the cer-
9 tified lists transmitted by the States, and the votes shall
10 then be counted. The persons having the greatest number
11 of votes for President and Vice President shall be elected.

12 “SECTION 6. Congress shall have the power to en-
13 force this article by appropriate legislation.

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

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