**17th Amendment**

*Passed by Congress May 13, 1912, and ratified April 8, 1913, the 17th amendment modified Article I, section 3, of the Constitution by allowing voters to cast direct votes for U.S. Senators. Prior to its passage, Senators were chosen by state legislatures.*

The Constitution, as it was adopted in 1788, made the Senate an assembly where the states would have equal representation. Each state legislature would elect two senators to 6-year terms. Late in the 19th century, some state legislatures deadlocked over the election of a senator when different parties controlled different houses, and Senate vacancies could last months or years. In other cases, special interests or political machines gained control over the state legislature. Progressive reformers dismissed individuals elected by such legislatures as puppets and the Senate as a "millionaire’s club" serving powerful private interests.

One Progressive response to these concerns was the "Oregon system," which utilized a state primary election to identify the voters’ choice for Senator while pledging all candidates for the state legislature to honor the primary’s result. Over half of the states adopted the "Oregon system," but the 1912 Senate investigation of bribery and corruption in the election of Illinois Senator William Lorimer indicated that only a constitutional amendment mandating the direct election of Senators by a state’s citizenry would allay public demands for reform.

When the House passed proposed amendments for the direct election of Senators in 1910 and 1911, they included a "race rider" meant to bar Federal intervention in cases of racial discrimination among voters. This would be done by vesting complete control of Senate elections in state governments. A substitute amendment by Senator Joseph L. Bristow of Kansas provided for the direct election of Senators without the "race rider." It was adopted by the Senate on a close vote before the proposed constitutional amendment itself passed the Senate. Over a year later, the House accepted the change, and on April 8, 1913, the resolution became the 17th amendment.

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| **Transcript of 17th Amendment to the U.S. Constitution: Direct Election of U.S. Senators (1913)** |

**Sixty-second Congress of the United States of America; At the Second Session,**

Begun and held at the City of Washington on Monday, the fourth day of December, one thousand nine hundred and eleven.

**JOINT RESOLUTION  
Proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States.**

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein),*That in lieu of the first paragraph of section three of Article I of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the States:

"The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

"When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: *Provided*, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

"This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution. "