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ONE HUNDRED FOURTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

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April 25, 2016

The Honorable Karen Haas
Clerk of the U.S. House of Representatives
U.S. Capitol, Room H154
Washington, D.C. 20515

Dear Madam Clerk,

Pursuant to section 3(c) of House Resolution 5 (114th Congress), I hereby designate the attached Memorial from the State of Louisiana, received by the House of Representatives in the year 2008, as purporting to be an application of the State legislature calling for a convention for proposing amendments to the Constitution of the United States pursuant to Article V, and request that you make it publicly available.

Sincerely,



Bob Goodlatte
Chairman

JUD

ENROLLED

Regular Session, 2008

HOUSE CONCURRENT RESOLUTION NO. 38

BY REPRESENTATIVE SAM JONES

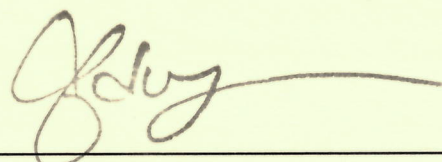
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to call a convention for the purpose of proposing an amendment to the United States Constitution to include the Posse Comitatus Act as a constitutional prohibition.

=====**ORIGINATED**=====

===== IN THE =====

House of Representatives



Clerk of the House of Representatives

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A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to call a convention for the purpose of proposing an amendment to the United States Constitution to include the Posse Comitatus Act as a constitutional prohibition.

WHEREAS, the United States Constitution provides that, on the application of the legislatures of two-thirds of the several states, the congress shall call a convention for the purpose of proposing an amendment or amendments to the United States Constitution, which amendment or amendments when so proposed by such a convention must be ratified by the legislatures of, or conventions in, three-fourths of the states to become valid; and

WHEREAS, the Posse Comitatus Act, 18 U.S.C. 1385, was originally passed in 1878 to remove the Army from civilian law enforcement and to return it to its role of defending the borders of the United States; and

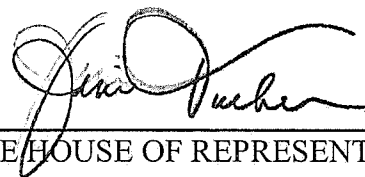
WHEREAS, the Posse Comitatus Act provides that whoever, except in cases and under circumstances expressly authorized by the constitution or act of congress, willfully uses any part of the Army or the Air Force as a posse comitatus or otherwise to execute the laws shall be fined or imprisoned.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby memorialize the United States Congress to call a convention pursuant to Article V of the United States Constitution for the sole purpose of proposing an amendment to add the Posse Comitatus Act to the United States Constitution.

BE IT FURTHER RESOLVED that the Congress of the United States is hereby requested to provide as the mode of ratification that said amendment shall be valid to all intents and purposes and become a part of the Constitution of the United States when ratified by the legislatures of three-fourths of the several states.

BE IT FURTHER RESOLVED that the Legislature of the Louisiana does hereby memorialize the presiding officers of the legislative bodies of the several states to apply to the Congress of the United States to call a convention for the sole purpose of proposing this amendment to the Constitution of the United States.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation and to the presiding officers of each house of the legislative bodies of the several states of the Union.



SPEAKER OF THE HOUSE OF REPRESENTATIVES



PRESIDENT OF THE SENATE