

116TH CONGRESS  
2D SESSION

# H. R. 7297

To amend title 18, United States Code, to prohibit the use of an Armed Force under the jurisdiction of the Secretary of a military department as a posse comitatus or otherwise to execute the laws, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

JUNE 22, 2020

Mr. SCHIFF introduced the following bill; which was referred to the Committee on the Judiciary

---

## A BILL

To amend title 18, United States Code, to prohibit the use of an Armed Force under the jurisdiction of the Secretary of a military department as a posse comitatus or otherwise to execute the laws, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Strengthening the  
5 Posse Comitatus Act of 2020”.

6 **SEC. 2. POSSE COMITATUS.**

7 Section 1385 of title 18, United States Code, is  
8 amended—

1           (1) by striking “Whoever” and inserting “(a)  
2           Whoever”;

3           (2) by striking “the Army or the Air Force”  
4           and inserting “an Armed Force under the jurisdic-  
5           tion of the Secretary of a military department (as  
6           those terms are defined in section 101 of title 10)”;  
7           and

8           (3) by adding at the end the following:

9           “(b) Notwithstanding any other provision of law, any  
10          evidence obtained by or with the assistance of a member  
11          of the Armed Forces in violation of subsection (a) shall  
12          not be received in evidence in any trial, hearing, or other  
13          proceeding in or before any court, grand jury, department,  
14          officer, agency, regulatory body, legislative committee, or  
15          other authority of the United States, a State, or a political  
16          subdivision thereof.”.

○