

The PRESIDING OFFICER. Is there further debate?

Hearing none, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 488) was passed as follows:

S. 488

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Justice for Victims of Lynching Act of 2019”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The crime of lynching succeeded slavery as the ultimate expression of racism in the United States following Reconstruction.

(2) Lynching was a widely acknowledged practice in the United States until the middle of the 20th century.

(3) Lynching was a crime that occurred throughout the United States, with documented incidents in all but 4 States.

(4) At least 4,742 people, predominantly African Americans, were reported lynched in the United States between 1882 and 1968.

(5) Ninety-nine percent of all perpetrators of lynching escaped from punishment by State or local officials.

(6) Lynching prompted African Americans to form the National Association for the Advancement of Colored People (referred to in this section as the “NAACP”) and prompted members of B’nai B’rith to found the Anti-Defamation League.

(7) Mr. Walter White, as a member of the NAACP and later as the executive secretary of the NAACP from 1931 to 1955, meticulously investigated lynchings in the United States and worked tirelessly to end segregation and racialized terror.

(8) Nearly 200 anti-lynching bills were introduced in Congress during the first half of the 20th century.

(9) Between 1890 and 1952, 7 Presidents petitioned Congress to end lynching.

(10) Between 1920 and 1940, the House of Representatives passed 3 strong anti-lynching measures.

(11) Protection against lynching was the minimum and most basic of Federal responsibilities, and the Senate considered but failed to enact anti-lynching legislation despite repeated requests by civil rights groups, Presidents, and the House of Representatives to do so.

(12) The publication of “Without Sanctuary: Lynching Photography in America” helped bring greater awareness and proper recognition of the victims of lynching.

(13) Only by coming to terms with history can the United States effectively champion human rights abroad.

(14) An apology offered in the spirit of true repentance moves the United States toward reconciliation and may become central to a new understanding, on which improved racial relations can be forged.

(15) Having concluded that a reckoning with our own history is the only way the country can effectively champion human rights abroad, 90 Members of the United States Senate agreed to Senate Resolution 39, 109th Congress, on June 13, 2005, to apologize to the victims of lynching and the descendants of those victims for the failure of the Senate to enact anti-lynching legislation.

(16) The National Memorial for Peace and Justice, which opened to the public in Montgomery, Alabama, on April 26, 2018, is the Nation’s first memorial dedicated to the legacy of enslaved Black people, people terrorized by lynching, African Americans humili-

ated by racial segregation and Jim Crow, and people of color burdened with contemporary presumptions of guilt and police violence.

(17) Notwithstanding the Senate’s apology and the heightened awareness and education about the Nation’s legacy with lynching, it is wholly necessary and appropriate for the Congress to enact legislation, after 100 years of unsuccessful legislative efforts, finally to make lynching a Federal crime.

(18) Further, it is the sense of Congress that criminal action by a group increases the likelihood that the criminal object of that group will be successfully attained and decreases the probability that the individuals involved will depart from their path of criminality. Therefore, it is appropriate to specify criminal penalties for the crime of lynching, or any attempt or conspiracy to commit lynching.

(19) The United States Senate agreed to unanimously Senate Resolution 118, 115th Congress, on April 5, 2017, “[c]ondemning hate crime and any other form of racism, religious or ethnic bias, discrimination, incitement to violence, or animus targeting a minority in the United States” and taking notice specifically of Federal Bureau of Investigation statistics demonstrating that “among single-bias hate crime incidents in the United States, 59.2 percent of victims were targeted due to racial, ethnic, or ancestral bias, and among those victims, 52.2 percent were victims of crimes motivated by the offenders’ anti-Black or anti-African American bias”.

(20) On September 14, 2017, President Donald J. Trump signed into law Senate Joint Resolution 49 (Public Law 115–58; 131 Stat. 1149), wherein Congress “condemn[ed] the racist violence and domestic terrorist attack that took place between August 11 and August 12, 2017, in Charlottesville, Virginia” and “urg[ed] the President and his administration to speak out against hate groups that espouse racism, extremism, xenophobia, anti-Semitism, and White supremacy; and use all resources available to the President and the President’s Cabinet to address the growing prevalence of those hate groups in the United States”.

(21) Senate Joint Resolution 49 (Public Law 115–58; 131 Stat. 1149) specifically took notice of “hundreds of torch-bearing White nationalists, White supremacists, Klansmen, and neo-Nazis [who] chanted racist, anti-Semitic, and anti-immigrant slogans and violently engaged with counter-demonstrators on and around the grounds of the University of Virginia in Charlottesville” and that these groups “reportedly are organizing similar events in other cities in the United States and communities everywhere are concerned about the growing and open display of hate and violence being perpetrated by those groups”.

(22) Lynching was a pernicious and pervasive tool that was used to interfere with multiple aspects of life—including the exercise of Federally protected rights, as enumerated in section 245 of title 18, United States Code, housing rights, as enumerated in section 901 of the Civil Rights Act of 1968 (42 U.S.C. 3631), and the free exercise of religion, as enumerated in section 247 of title 18, United States Code. Interference with these rights was often effectuated by multiple offenders and groups, rather than isolated individuals. Therefore, prohibiting conspiracies to violate each of these rights recognizes the history of lynching in the United States and serves to prohibit its use in the future.

SEC. 3. LYNCHING.

(a) OFFENSE.—Chapter 13 of title 18, United States Code, is amended by adding at the end the following:

“§ 250. Lynching

“Whoever conspires with another person to violate section 245, 247, or 249 of this title or section 901 of the Civil Rights Act of 1968 (42 U.S.C. 3631) shall be punished in the same manner as a completed violation of such section, except that if the maximum term of imprisonment for such completed violation is less than 10 years, the person may be imprisoned for not more than 10 years.”.

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections for chapter 13 of title 18, United States Code, is amended by inserting after the item relating to section 249 the following:

“250. Lynching.”.

The PRESIDING OFFICER. Congratulations.

Ms. HARRIS. Thank you, Mr. President. Thank you to all of our colleagues.

Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The Senator from Texas.

GOVERNMENT FUNDING

Mr. CORNYN. Mr. President, late last night, we received the text of the appropriations agreement to fund the remaining portions of the government through the end of this fiscal year, which is through the end of September.

We were successful in doing something that we had not done in a long time previously, which was to fund 75 percent of the Federal Government, leaving 25 percent remaining. Unfortunately, the remaining 25 percent was held hostage to this unreasonable and unnecessary debate over whether we should fund border security. I say the debate was unnecessary because I thought that we all shared a conviction that it was important to secure our border.

It is important to note that most of the bill that we will vote on later today has been out in the public domain for more than 6 months. It is the product of bipartisan deliberation by the Appropriations Committee and has been available to any Senator who might want to be acquainted with the details.

The part that is relatively new is the detail relative to border security. I am pleased that, notwithstanding Speaker PELOSI’s statement that physical barriers are somehow immoral, this does authorize and fund up to 55 miles of additional fencing along the U.S.-Mexico border.

I believe that border security consists of three components: physical barriers in hard-to-control locations; technology, which is important as a force multiplier; and then, of course, the boots on the ground—the Border Patrol agents, who are absolutely essential. I am pleased to say that this piece of legislation incorporates all

three of those components of what makes up smart and sensible border security.

I am also happy to see that the initial demands made by our colleagues across the aisle that we limit the number of detention beds are not in this bill and that law enforcement can continue to detain people with criminal records who happen to be illegally in this country so that we can discourage and deter further illegal immigration.

One of the worst aspects of our broken immigration system is this notion of catch-and-release. During the George W. Bush administration, I remember talking to Secretary Chertoff about this huge upsurge in Brazilians coming across our border. I asked Secretary Chertoff why we were seeing all these Brazilians coming. He said it was catch-and-release. They knew that if there were no penalty associated with coming across or if they wouldn't be detained, there was no deterrence.

I am glad to see that this appropriations bill, which will prevent another government shutdown, contains no cap on detention beds to detain criminal aliens and others who are exploiting vulnerabilities in our immigration system.

I would say, though, one of the things that is notably absent in this bill is an extension of the Violence Against Women Act, which provides resources to assist women who are victims of domestic violence and sexual assault. Republicans made absolutely clear from the get-go that we wanted to extend the current law. I am incredulous that our Democratic colleagues objected to extending the current law, the Violence Against Women Act.

It is really hard for me to believe that Speaker PELOSI and House Democrats object to a modest extension of this critical legislation, which helped countless victims receive the support they need, but because of the political jockeying, the Violence Against Women Act will expire at midnight tomorrow. There were two options available to us. One was to provide an extension through the end of the fiscal year—through the end of September—which would have allowed us to work on a long-term reauthorization under regular order. The second option, which our Democratic colleagues chose, is to do nothing and let this important legislation expire while trying to plot out a long-term plan. The choice seemed pretty obvious to me, but apparently not to Speaker PELOSI and not to the Democratic leader here in the Senate.

Since my days as attorney general, I have long been a believer in advocating for victims' rights. I am beyond disappointed that we have ended up in this situation. It is shameful to play politics with the Violence Against Women Act. But because of their obstruction, this important resource for victims across the country will lapse tomorrow night at midnight.

THE GREEN NEW DEAL

Mr. President, we have seen a lot of discussion lately about the so-called Green New Deal. It has been stealing headlines and capturing people's imaginations. It has been the subject of a lot of social media interaction and certainly has had a lot of coverage on TV and in the papers.

It has ended up causing quite a headache for our colleagues across the aisle who have tried to explain exactly what they are trying to do and how they are trying to do it. Last week, the junior Senator from Massachusetts introduced with Congresswoman OCASIO-CORTEZ of New York a resolution that was framed as a way to create jobs and fight climate change. A number of Presidential aspirants here in the Senate—and there are a lot—quickly embraced this resolution.

If you lived in a vacuum and you saw only the text of the resolution, you might say: Well, this is a pretty good idea. It mentions things like creating high-wage jobs, ensuring economic prosperity, investing in infrastructure and industry, and securing clean air and water for all. That sounds pretty good. But the resolution does not spell out how we are supposed to achieve all of those things.

Fortunately, one of the authors released a summary, which, oddly enough, provided more details on what the Green New Deal strives to do. It tells us more than the actual resolution does. One of the lines of the resolution says to ensure “prosperity and economic security for all people of the United States.” But the summary clarifies that this is, in reality, a new entitlement program on steroids. This, at a time when our national debt just hit \$22 trillion, adds additional entitlement spending on top of it.

This provision would guarantee every person in the United States a job, healthcare, education, healthy food, and paid vacations. They might have thrown in free beer and pizza too. But they take it even a step further. According to the Green New Deal, the government will foot the bill for any person who is “unable or unwilling to work.” If you don't like your job, don't want to get out of bed in the morning, don't feel like going to the office today, no worries. The Green New Deal says you don't have to go to work. And the people who do go to work—the hard-working taxpayers of America—will foot the bill.

Another component of this Green New Deal is to move to 100 percent clean and renewable energy in just 10 years. I come from an energy State, the State of Texas. When people think about Texas, they think about oil and gas, but we actually believe in all of the above. We generate more electricity from wind than any other State in the country because we have more infrastructure deployed for that.

I actually think moving toward cleaner and renewable energy is a good thing. But they want to do it in 10

years, and they don't answer the question about how much it will cost. Some estimates put the pricetag at \$5.7 trillion. That is \$2 trillion more than our annual tax revenue. In other words, it would add \$3.7 trillion to the national debt.

Remember, that is just for the energy portion of the Green New Deal. There are other components, as well. There is Medicare for All, which, of course, would destroy the private insurance industry and employer-provided coverage and would be unaffordable. They offer free college, paying the way for people who are able but don't want to work.

This is an extraordinary wish list, combining the most costly ideas of the radical fringes on the left in one place. It is really remarkable they were able to condense all of these into one place, where we could understand the entire picture.

The resolution also commits to update “all existing buildings . . . to achieve maximal energy efficiency, water efficiency, safety, affordability, comfort, and durability.” I am all for local and State government and, where it is appropriate, Federal Government to talk about building codes and energy efficiency. That is a desirable thing. But to try to retrofit every government building, every airport, every football stadium, every home, every grocery store, and every shopping mall—every single building in the United States would have to be updated. How crazy is that? How much would that cost?

On second thought, I guess we don't have to worry about updating airports because the Green New Deal also calls for building “high-speed rail at a scale where air travel stops becoming necessary.” I saw an interview with our friend the Senator from Hawaii, who was asked about that component of the Green New Deal. She said: Well, that wouldn't work very well for Hawaii. High-speed rail wouldn't exactly get you from the west coast out to Hawaii.

I hate to burst their bubble, but this is not something that is feasible or easy to do. Look at California talking about high-speed rail. Earlier this week, Gov. Gavin Newsom announced the State was hitting the brakes on a high-speed rail project because it would take too long and cost too much. I bet Governor Newsom and I don't agree on a lot from a political standpoint, but I agree with him on that.

Last March, California estimated that the project would cost between \$77 and \$98 billion, and that is just to connect Northern and Southern California. I can't imagine how much it would cost to build a high-speed rail to connect California to Maine. If the word “green” refers to the amount of money this would cost, then at least that point is accurate.

There are no details on how we are going to pay for all of this, of course, because our Democratic colleagues know that the Green New Deal is entirely fantasy—it is unrealistic. These