

S. 336

At the request of Mr. TESTER, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 336, a bill to direct the Comptroller General of the United States to submit a report on the response of law enforcement agencies to reports of missing or murdered Indians.

S. 362

At the request of Mr. WYDEN, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Iowa (Ms. ERNST) were added as cosponsors of S. 362, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 380

At the request of Mr. JOHNSON, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 380, a bill to increase access to agency guidance documents.

S. 426

At the request of Mr. SCHATZ, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Virginia (Mr. WARNER) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 426, a bill to increase the rates of pay under the General Schedule and other statutory pay systems and for prevailing rate employees by 3.6 percent, and for other purposes.

S. 455

At the request of Mrs. SHAHEEN, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 455, a bill to amend the Patient Protection and Affordable Care Act to provide for Federal Exchange outreach and educational activities.

S. 465

At the request of Ms. DUCKWORTH, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 465, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to make reforms to the benefits for Public Service Officers, and for other purposes.

S. 479

At the request of Mr. TOOMEY, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 479, a bill to revise section 48 of title 18, United States Code, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. HARRIS (for herself, Mr. BOOKER, Mr. SCOTT of South Carolina, Mr. BLUMENTHAL, Mr. WHITEHOUSE, Mr. JONES, Mr. REED, Ms. WARREN, Mrs. MURRAY, Mr. VAN HOLLEN, Mr. BROWN, Mr. KING, Mr. MARKEY, Ms. KLOBUCHAR, Mrs. FEINSTEIN, Mr. COONS, Ms. BALDWIN, Mr. Kaine, Ms. DUCKWORTH, Mr. WARNER, Ms. CORTEZ MASTO, Mr. DURBIN, Mrs. SHAHEEN, Mr. WYDEN, Ms. HASSAN, Mr. MUR-

PHY, Mrs. GILLIBRAND, Mr. TILLIS, Mr. RUBIO, Ms. SMITH, Mr. CARDIN, Mrs. FISCHER, Mr. SANDERS, Ms. STABENOW, Mr. PERDUE, Mr. BENNET, Ms. COLLINS, Mr. LANKFORD, Mr. INHOFE, Mr. ISAKSON, Mrs. HYDE-SMITH, Ms. ERNST, Mr. GRASSLEY, Mrs. CAPITO, Mr. CASSIDY, Mr. PORTMAN, and Ms. MURKOWSKI):

S. 488. A bill to amend title 18, United States Code, to specify lynching as a deprivation of civil rights, and for other purposes; considered and passed.

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 de-

scendants 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 humiliated 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.”.

By Mr. GRASSLEY (for himself, Mr. RUBIO, Mr. JONES, Mr. SCOTT of Florida, Mr. MANCHIN, and Mr. GARDNER):

S. 495. A bill to amend title 18, United States Code, to reauthorize and expand the National Threat Assessment Center of the Department of Homeland Security; to the Committee on the Judiciary.

#### EAGLES ACT

Mr. President, I come to the floor today to take a moment and remember the tragedy that occurred a year ago at the Marjory Stoneman Douglas High School in Parkland, Florida.

One year ago today, on Valentine's Day, 17 innocent lives were lost at the hands of a troubled, evil young man who entered a high school and opened fire.

The tragedy in Parkland cannot be forgotten.

We in the Senate cannot afford to forget such senseless acts of violence, and instead must continue to fight to prevent dangerous attacks in our country and our schools.

I remain dedicated to keeping weapons out of the hands of those who seek to harm others.

That is why I am proud to reintroduce the EAGLES Act of 2019.

Along with Senators RUBIO, SCOTT from Florida, JONES, MANCHIN, and GARDNER, I am reintroducing a piece of legislation today that proactively works to mitigate threats of violence on school campuses.

The EAGLES Act is named after the Marjory Stoneman Douglas High School Mascot, the Eagles.

It reauthorizes and expands the U.S. Secret Service's National Threat Assessment Center which is used to study targeted violence and develop best practices and training to identify and manage threats before they result in violence.

This legislation also allows the Secret Service to focus a significant portion of its efforts directly on school safety by equipping communities and schools with training and best practices on recognizing and preventing school violence.

In the wake of the Parkland shooting, there has been a flurry of activism, opinions, and action on the issue of gun safety, gun violence, and rights guaranteed to law abiding citizens under the Second Amendment of the U.S. Constitution.

It's our obligation as members of Congress to discuss issues, shortcomings, and room for advancement.

The EAGLES Act is part of the solution to prevent future violence in our communities.

This past year in the Senate, we took important steps to address gun violence and solutions to prevent future attacks.

Through investigations, hearings, oversight of federal agencies, and legislation, I worked with my colleagues to shed light on the issue and seek solutions.

For example, last Congress, two instrumental pieces of legislation to help protect Americans from future acts of violence were signed into law.

The first was the Students, Teachers, and Officers Preventing School Violence Act, which provides funding to schools to strengthen their infrastructure to make it more difficult for shooters to enter schools.

The other bill signed into law was the Fix NICS Act.

This law penalizes Federal agencies who fail to comply with the requirements in current law to report dangerous individuals and violent criminals to the National Instant Criminal Background Check System.

These laws enjoyed bipartisan support and will help keep our communities safe.

As former Chairman of the Judiciary Committee, I also held a number of hearings on gun violence, one which specifically addressed the government's role and failures in preventing the Parkland shooting.

It was because of the lack of government coordination, successful identification of threats, and mitigation of dangers that I introduced the EAGLES Act last Congress.

As we learned in the hearing following the Parkland shooting and through subsequent investigations, there was much more that should have been done to prevent the Parkland shooting from happening.

There's still more to do to address the issue of targeted violence.

I expect my colleagues on both sides of the aisle will continue to propose solutions.

It's a conversation worth having. We should find more ways to keep weapons out of the hands of dangerous individuals while still protecting important constitutional rights.

It's in that spirit that I am reintroducing the EAGLES Act.

By passing this Act, we can do more to assess threats, train communities and schools, and prevent violence.

We cannot undo the tragedies of the past, but together we can do a better job to prevent future tragedies.

I look forward to working with my colleagues on this important priority.

I yield the floor.

By Mr. CARDIN (for himself, Mr. CORNYN, and Mr. JONES):

S. 532. A bill to amend the Higher Education Act of 1965 to provide that an individual may remain eligible to participate in the teacher loan forgiveness program under title IV of such Act if the individual's period of consecutive years of employment as a full-time teacher is interrupted because the individual is the spouse of a member of the Armed Forces who is relocated during the school year pursuant to military orders for a permanent change of duty station, or the individual works in a school of the defense dependents' education system under the Defense Dependents' Education Act of 1978 due to such a relocation, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. CARDIN. Mr. President, I would like to bring the Senate's attention to the bipartisan Preserving Teacher Loan Forgiveness for Military Spouses Act of 2018, which I am introducing today with Senators CORNYN and JONES. This legislation eliminates a barrier for teachers in military families to earn federal student loan forgiveness for their years of public service.

The Department of Education's Teacher Loan Forgiveness program rightfully incentivizes teachers to commit to students in our lowest income school districts in exchange for up to \$17,500 in Federal student loan forgiveness. Teachers qualify for the Federal student loan forgiveness once they have taught full-time for at least five consecutive years at a low income school or educational service agency. Teachers who are forced to move in the middle of the school year to follow their spouse's relocation or reassignment to another installation in the United States or abroad lose their accrued eligibility for the program and must restart their five years of service under current law.

Last Congress, a Maryland constituent brought to my attention the barriers her daughter faced when seeking Federal student loan forgiveness despite her commitment to public service. Her daughter, a teacher married to a member of the military, was in the middle of her fifth consecutive year teaching at one of Maryland's lower income schools. As any military spouse knows, relocation or reassignment orders can come at any time, upending the lives of the service member and their family. Rather than being able to complete a fifth year of teaching in a Maryland school, this family had to relocate with three months left in the school year. Despite this family's double commitment to service for our military and our schoolchildren, this military spouse missed the opportunity to have a portion of her Federal student loans forgiven. No military spouse

should be punished for following his or her spouse's relocation or reassignment.

The legislation that Senators CORNYN, JONES and I have introduced is a common sense proposal to allow military spouses to earn the benefits that they have dutifully worked towards and continue to incentivize individuals to teach our hardest to educate children. Our legislation provides a waiver from the Department of Education's Teacher Loan Forgiveness program's five consecutive years of service requirement for qualified military spouses if their spouse is relocated during the school year pursuant to military orders from the Armed Forces. This waiver will allow individuals to remain eligible for the Teacher Loan Forgiveness program should they resume teaching full-time at a qualifying low-income school district within one year of their relocation. In addition, this legislation requires the Department of Education to provide a report to Congress every two years on the number of military spouses who remained eligible for Teacher Loan Forgiveness due to this legislation. In addition, it would allow military spouses that follow their service member overseas to accrue periods of service towards the Teacher Loan Forgiveness program if they teach in one of the Department of Defense Education Activities operated schools.

I urge my colleagues to join in this effort to help families who are wholly committed to public service by supporting the Preserving Teacher Loan Forgiveness for Military Spouses Act. No family committed to service of our country should lose out on earned benefits due to a technicality.

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 71—HONORING THE MEMORY OF THE VICTIMS OF THE SENSELESS ATTACK AT MARJORY STONEMAN DOUGLAS HIGH SCHOOL 1 YEAR AGO

Mr. RUBIO (for himself and Mr. SCOTT of Florida) submitted the following resolution; which was considered and agreed to:

S. RES. 71

Whereas, on February 14, 2018, a mass shooting that took the lives of 17 teachers and students took place at Marjory Stoneman Douglas High School in Parkland, Florida;

Whereas the people of the United States continue to pray for those who were affected by this tragedy;

Whereas President Donald Trump stated: "No child, no teacher, should ever be in danger in an American school. No parent should ever have to fear for their sons and daughters when they kiss them goodbye in the morning.";

Whereas the Parkland community has shown strength, compassion, and unity in the past year; and

Whereas February 14, 2019, marks 1 year since the horrific attack: Now, therefore, be it

*Resolved*, That the Senate—

(1) commemorates the victims killed in the attack and offers heartfelt condolences and deepest sympathies to the families, loved ones, and friends of the victims;

(2) honors the survivors and pledges continued support for their recovery;

(3) recognizes the strength and resilience of the Marjory Stoneman Douglas High School community; and

(4) expresses gratitude to the emergency medical and health care professionals of the Parkland community for their efforts in responding to the attack and caring for the victims and survivors.

#### SENATE RESOLUTION 72—HONORING THE 100TH ANNIVERSARY OF FORT BENNING IN COLUMBUS, GEORGIA

Mr. PERDUE (for himself, Mr. JONES, and Mr. ISAKSON) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 72

Whereas 2018 was the 100th anniversary of Fort Benning, a military installation operating in Columbus, Georgia;

Whereas Fort Benning is named after Brigadier General Henry Lewis Benning, a resident of Columbus, Georgia;

Whereas Fort Benning resides on land originally belonging to the Creek Tribe of the Muskogee Nation;

Whereas, on April 4, 1917, the day after President Woodrow Wilson asked Congress for a declaration of war against Germany, the citizens of Columbus began advocating for an Army camp to be constructed near Columbus, Georgia;

Whereas the War Department decided to move the Infantry School of Arms at Fort Sill, Oklahoma, to a more spacious site to train soldiers on infantry skills and tactics;

Whereas, on August 27, 1918, with the help of the Columbus Chamber of Commerce, an 84-acre farm on Macon Road in Columbus, Georgia, was selected as the site for the infantry camp;

Whereas, on September 18, 1918, the Adjutant General ordered troops from Fort Sill to report to the newly selected site by October 1, 1918;

Whereas, on October 19, 1918, Columbus native Anna Caroline Benning, daughter of the brigadier general, raised the United States flag over the United States Infantry School of Arms and the site was formally christened Camp Benning;

Whereas, after the end of World War I, the Committee on Military Affairs of the Senate ordered construction on Camp Benning to be halted on January 9, 1919;

Whereas Senator Hoke Smith of Georgia strongly advocated for congressional hearings to receive testimony on resuming construction of the post, allowing for Columbus-area supporters, as well as infantry commanders who fought in World War I, to testify about the need for the post;

Whereas, on March 8, 1919, the Committee on Military Affairs of the Senate voted to resume building Camp Benning;

Whereas the post quickly outgrew the Macon Road location and, on June 17, 1919, Camp Benning was moved to its present site, which included the 1,800-acre plantation of local businessman Arthur Bussey;

Whereas, on January 9, 1922, the War Department issued General Order No. 1, making Camp Benning a permanent military installation and appropriating more than \$1,000,000 of additional building funds for the Infantry School of Arms, which later became the Infantry School;

Whereas, on May 12, 1920, 10 Army aircraft were assigned to Camp Benning as the air detachment of the post, marking the first use of aviation at Camp Benning;

Whereas, on February 8, 1922, Camp Benning was redesignated as Fort Benning;

Whereas, on June 17, 1932, the tank school of the United States Army officially moved from Fort Meade, Maryland, to Fort Benning;

Whereas Fort Benning played a critical role in World War II, training thousands of soldiers for the European, African, and Pacific theaters of war;

Whereas, on June 25, 1940, the commandant of the Infantry School was directed by the Adjutant General to provide a platoon of volunteers for parachute test duty, leading to the formation of the Parachute Test Platoon;

Whereas, on September 16, 1940, the War Department approved the formation of the first Parachute Battalion at Fort Benning;

Whereas, on October 1, 1940, the 501st Parachute Battalion was activated;

Whereas, in July 1941, the modern Officer Candidate School for Infantry was established at Fort Benning to provide a rigorous training venue for new officers;

Whereas, in December 1943, the 555th Parachute Infantry Company, later redesignated as Company A, 555th Parachute Infantry Battalion, the first African-American parachute unit, which was known as "Triple Nickles", was activated at Fort Benning;

Whereas, after World War II, Fort Benning continued to play a vital role in training soldiers for every conflict involving the United States;

Whereas the Ranger Training Center was established on October 12, 1950, which trained personnel for the Korean War;

Whereas, during the Korean War, Fort Benning opened the Officer Candidate School on February 18, 1951, which has trained—

(1) thousands of infantry officers to serve as leaders in the Army; and

(2) since 1973, officers of all branches to serve as leaders in the Armed Forces;

Whereas the 11th Air Assault Division was activated at Fort Benning on February 7, 1963, to test and develop the air mobile concept;

Whereas the 11th Air Assault Division was inactivated on July 1, 1965, and replaced by the 1st Cavalry Division (Airmobile) and deployed to Vietnam on September 11, 1965, specializing in flying troops in and out of combat zones via helicopter;

Whereas Fort Benning served as a major staging ground for troops sent to the Middle East during Operation Desert Shield and Operation Desert Storm, and later during Operation Enduring Freedom and Operation Iraqi Freedom;

Whereas, in 2009, tanks from the Armor School at Fort Knox arrived at Fort Benning, combining infantry and armor at 1 post and forming the Maneuver Center of Excellence;

Whereas, on August 16, 2017, the 1st Security Force Assistance Brigade was activated at Fort Benning and subsequently deployed to Afghanistan to assist forces of the Government of Afghanistan;

Whereas the Maneuver Center of Excellence consists of—

(1) the Capabilities Development and Integration Directorate;

(2) the United States Army Infantry School;

(3) the United States Army Armor School;

(4) the 194th Armored Brigade, 316th Cavalry Brigade, and 198th and 199th Infantry Brigades;

(5) the Directorate of Training and Doctrine; and

(6) additional tenant units;