

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 55  
OFFERED BY M . \_\_\_\_\_**

Page 1, strike line 4 and all that follows through line 16, and insert the following:

**1 SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) In the 20th century lynching occurred most-  
4 ly in southern States by White southerners against  
5 Black southerners.

6 (2) In 1892, the Tuskegee Institute began to  
7 record statistics of lynchings and reported that  
8 4,742 reported lynchings had taken place by 1968,  
9 of which 3,445 of the victims were Black.

10 (3) Most of the lynchings that occurred in the  
11 South were mass moblike lynchings.

12 (4) Mass moblike lynchings were barbaric by  
13 nature characterized by members of the mob, mostly  
14 White southerners, shooting, burning, and muti-  
15 lating the victim's body, alive.

16 (5) In "Anatomy of a Lynching: The Killing of  
17 Claude Neal", community papers readily advertised  
18 mob lynchings, as evidenced by a Florida local paper

1 headline: “Florida to Burn Negro at Stake: Sex  
2 Criminal Seized from Brewton Jail, Will be Muti-  
3 lated, Set Afire in Extra-Legal Vengeance for  
4 Deed.”

5 (6) Civil rights groups documented and pre-  
6 sented Congress evidence of vigilante moblike  
7 lynchings.

8 (7) Evidence by NAACP investigator Howard  
9 Kester documented the extreme brutality of these  
10 lynchings. An excerpt from “Anatomy of a Lynch-  
11 ing” further illustrates this point: “After taking the  
12 nigger to the woods about four miles from Green-  
13 wood, they cut off his penis. He was made to eat it.  
14 Then they cut off his testicles and made him eat  
15 them and say he liked it.”

16 (8) Many civil rights groups, notably the Anti-  
17 Lynching Crusaders, also known as the ALC, oper-  
18 ating under the umbrella of the NAACP, made nu-  
19 merous requests to Congress to make lynching a  
20 Federal crime.

21 (9) Congressman George Henry White, an Afri-  
22 can American, introduced the first Federal anti-  
23 lynching bill and subsequently nearly 200 anti-lynch-  
24 ing bills were introduced in the Congress during the  
25 first half of the 20th century.

1           (10) Between 1890 and 1952, seven Presidents  
2           petitioned Congress to end lynching.

3           (11) Between 1920 and 1940, the House of  
4           Representatives passed three strong anti-lynching  
5           measures, of which Congress came closest to enact-  
6           ing anti-lynching legislation sponsored by Congress-  
7           man Leonidas C. Dyer in 1922.

8           (12) On all three occasions, opponents of anti-  
9           lynching legislation, argued States' rights and used  
10          the filibuster, or the threat of it, to block the Senate  
11          from voting on the measures.

12          (13) The enactment of the Civil Rights Act of  
13          1968 was the closest Congress ever came in the  
14          post-Reconstruction era to enacting anti-lynching  
15          legislation.

16          (14) In 2005, the Senate passed a resolution,  
17          sponsored by Senators Mary Landrieu and George  
18          Allen, apologizing for the Senate's failure to enact  
19          anti-lynching legislation as a Federal crime, with  
20          Senator Landrieu saying, "There may be no other  
21          injustice in American history for which the Senate  
22          so uniquely bears responsibility."

23          (15) To heal past and present racial injustice,  
24          Congress must make lynching a Federal crime so  
25          our Nation can begin reconciliation.

1 **SEC. 3. SPECIFYING LYNCHING AS A HATE CRIME ACT.**

2 Section 249(a) of title 18, United States Code, is  
3 amended—

4 (1) by redesignating paragraph (4) as para-  
5 graph (5); and

6 (2) by inserting after paragraph (3) the fol-  
7 lowing:

8 “(4) OFFENSES INVOLVING LYNCHING.—Who-  
9 ever, whether or not acting under color of law, will-  
10 fully, acting as part of any collection of people, as-  
11 sembled for the purpose and with the intention of  
12 committing an act of violence upon any person,  
13 causes death to any person, shall be imprisoned for  
14 any term of years or for life, fined under this title,  
15 or both.”.

