

GOHMERT: We have had hours and hours of hearings on a bill that was supposedly intended to deal with racism and law enforcement and yet all it ended up being once we got it—and we had no input in it, Republicans weren't consulted, we didn't get to propose things, they didn't want our input. So, we have hours of amendments and like they were saying, "Gee, these were not serious." My amendment was deadly serious. I do believe lynching--that is murder in the course of kidnapping--it ought to be a death penalty case. But I understand, as I said at the hearing, the Democrats are in charge. Nadler's only objection that he stated to the amendment I had in making it a death penalty case if you lynch someone, he said it was "barbarous" to have the death penalty. So, take a look, see for yourself the kind of games the Democrats will play over something as serious as racism that leads to death. This isn't a game.

At page 129 of the amendment in the nature of a substitute, title 4 says Justice for Victims of Lynching Act and then it goes through from page 129 to page 135 with numerous findings and my amendment doesn't change any of those. Congressman Bobby Rush worked very hard on all of those. Those are left intact. Then on page 135, section 403 it just says that chapter 13 of Title 18 US Code is amended by adding at the end of the following, "whoever conspires with another person to violate these certain sections 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."

Now the original bill that Congressman Rush had was a much better bill and I asked him on the floor, "Why did this get watered-down? It shouldn't be a ten-year sentence, it ought to be life." In his original bill it was life, but it got watered-down because apparently the Democratic leadership said if you want to vote, you got to water it down, so he did. So this was really more of a symbolic addition or a vote on the floor and I think it's legitimate to have it in this bill, but not like this. It needs to be closer to what Congressman Rush originally had that addresses just how heinous a lynching is. And he wanted it... He's been fighting for years to have it named after Emmett Till do something about lynching. Let's get serious and I voted against it because it's reserved to have a ten-year maximum mentioned and only talk about conspiracy and say we dealt with the Emmett Till situation.

For those that don't know, he was a 14-year-old African American in 1955 on summer vacation, he was visiting relatives in the Mississippi Delta region. He spoke to a 21-year-old, young woman who was white, married, and was proprietor of a small grocery store there. What happened in the store is a matter of great dispute; Till was accused of flirting or whistling and the woman originally alleged he touched her waist. Several nights after the incident at the store, the woman's husband Roy and his half-brother JW were armed and they went to Till's great uncle's house, they abducted this poor fourteen-year-old boy, took him away, beat him, mutilated him, and then shot him in the head and sank his body in the Tallahatchie River. Several nights after the incident a story – well, these men publicly admitted in a 1956 interview with Look magazine that they had killed Emmett Till.

If this bill, the way it is right now, had been passed into law before this happened in 1955 it wouldn't have had any effect – a 10-year maximum for conspiring. My amendment is serious and it puts a serious penalty on this. Let's give Emmett Till's legacy something more serious than conspiracy in ten year max if something more than that. Let's do it right. Those two men deserve

to be found guilty and they deserved the death penalty. I've looked two people in the eye, they were both white and sentenced them to death. I had one tried for capital murder who was black and sentenced him to life, so it's the jury's findings. In this case, I won't have no problem looking these guys in the eyes and sentencing them to death.

Let's get serious. You want to do something serious? You say we're not serious? I say you're not serious unless you join me in putting a serious legacy onto the name of Emmett Till and the hard work many years that Bobby Rush has put in to making something where it should be. I yield back.

NADLER: The gentleman yields back. I recognize myself in opposition to the amendment. Lynching is a heinous, heinous crime. Murder of black people, of African Americans, or anybody else obviously is a heinous crime. This bill establishes for the first time in federal law the crime of lynching. It was a great step forward, in addition to all the other provisions of the bill which we've been discussing which are great steps forward to stop the systemic racism in this country, to stop the murder by police officers of so many black African American people. Lynching is made a crime, a federal crime by this bill for the first time. It's very necessary to do that but we're not going to make this bill barbarous by having a death penalty in it. The death penalty is a barbarous penalty not deserving of existing in the United States, and its application over the years has been also systemically racist.

GOHMERT: But gentlemen you...

NADLER: No, I will not yield. The death penalty has been systemically racist. It is barbarous; it is essential that we make lynching a federal crime which we do in this bill and that is why we're doing it and we are not going to contaminate the great act of making lynching a federal crime by enacting a barbarous death penalty. I yield back.

CHABOT: Mr. Chairman, Mr. Chairman.

NADLER: Who seeks recognition?

NADLER: What purpose does the gentleman from Ohio seek recognition?

CHABOT: Move to strike last word

NADLER: Gentleman is recognized.

CHABOT: Thank you, I yield to the gentleman from Texas.

GOHMERT: I appreciate my friend from Ohio yielding. Look I understand Democrats are in the majority. I would like this amendment adopted to give real teeth to lynching laws and if striking "or death" from the language of the amendment will get the Chairman – since you say your big objection is it's barbarous because it includes the death penalty. You're in the majority I understand that; that has consequences; I'll strike death off of it, if it will get your vote Mr.

Chairman and I would yield to you for that question. Will you vote yes if we eliminate the death penalty?

NADLER: The gentleman's time is his own.

GOHMERT: And I yield it to you Mr. Chairman. I know you're busy doing all kinds of other things other than this bill but with regard to this amendment, you're in the majority and if I don't have your approval, apparently nobody is going to go different from you – it's a group thing, but I will strike the death penalty part from this since that was your big objection in your comments, if that will get your vote. Will you vote for it if I eliminate the death penalty from this amendment so that it has a maximum life sentence?

NADLER: Does the gentleman yield to me?

GOHMERT: Yes.

NADLER: The answer is no. We're going to... this section of the bill was fashioned by the two authors of the bill and I think it does exactly job that we want it to do.

GOHMERT: You know I wish we were serious about putting real teeth in – I reclaim my time – obviously this is a serious amendment meant to put serious teeth into this bill. I think what happened to Emmett Till deserved the death penalty and should in the future but elections have consequences, you're in the majority, you won't vote for a death penalty – I'm willing to strike that because I want teeth in it not just some symbolism from the death of Emmett Till. This recognizes what happened to him as lynching and it was punished it and I will yield to my friend from Texas.