

Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 11 o'clock and 34 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1205

### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HOLDEN) at 12 o'clock and 5 minutes p.m.

### EXPRESSING SENSE OF CONGRESS THAT THE PRESIDENT SHOULD GRANT A POSTHUMOUS PARDON TO JOHN ARTHUR "JACK" JOHNSON

Ms. ZOE LOFGREN of California. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 214) expressing the sense of Congress that the President should grant a posthumous pardon to John Arthur "Jack" Johnson for the 1913 racially motivated conviction of Johnson, which diminished his athletic, cultural, and historic significance, and tarnished his reputation.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

#### H. CON. RES. 214

Whereas John Arthur "Jack" Johnson was a flamboyant, defiant, and controversial figure in American history who challenged racial biases;

Whereas Jack Johnson was born in Galveston, Texas, in 1878 to parents who were former slaves;

Whereas Jack Johnson was a professional boxer who traveled throughout the United States and the world, fighting both Black and White heavyweight boxers;

Whereas in 1908, after being denied the opportunity to fight two White boxing champions on purely racial grounds, Jack Johnson was granted an opportunity by an Australian promoter to fight Tommy Burns, the reigning world heavyweight champion;

Whereas Jack Johnson defeated Burns to become the first African American to hold the title of world heavyweight champion;

Whereas the victory of Jack Johnson over Burns prompted the search for a White boxer who could beat him, a recruitment effort dubbed the search for the "Great White Hope";

Whereas in Reno, Nevada, in 1910, in what was referred to by many as the "Battle of the Century", a White former heavyweight champion named James "Jim" Jeffries came back from retirement to fight, and lose to, Jack Johnson;

Whereas the defeat of Jeffries by Jack Johnson sparked rioting and aggression toward African Americans and led to racially

motivated murders of African Americans nationwide;

Whereas the resentment felt toward Jack Johnson by many Whites was compounded by his relationships with White women;

Whereas between 1901 and 1910, 754 African Americans were lynched, some simply for being "too familiar" with White women;

Whereas in 1910, Congress passed the White-slave traffic Act (commonly known as the "Mann Act"), which outlawed the transportation of women in interstate or foreign commerce "for the purpose of prostitution or debauchery, or for any other immoral purpose";

Whereas in October 1912, Jack Johnson became involved with a White woman, Lucille Cameron, whose mother disapproved of the relationship, claimed that Johnson had abducted her daughter, and sought action from the Department of Justice;

Whereas Jack Johnson was arrested by United States marshals on October 18, 1912, for transporting Lucille Cameron across State lines for an "immoral purpose" in violation of the Mann Act, but Cameron refused to cooperate with authorities, the charges were dropped, and Cameron later married the champion;

Whereas Federal authorities continued to pursue Jack Johnson and summoned Belle Schreiber, a White woman, to testify that Johnson had transported her across State lines for the purposes of "prostitution and debauchery";

Whereas in 1913, Jack Johnson was convicted of violating the Mann Act and was sentenced to 1 year and 1 day in Federal prison, but fled the country to Canada and then to various European and South American countries;

Whereas Jack Johnson lost the heavyweight championship title to Jess Willard in Cuba in 1915;

Whereas Jack Johnson returned to the United States in July 1920, surrendered to the authorities, and served nearly 1 year in the United States Penitentiary at Leavenworth, Kansas;

Whereas Jack Johnson fought boxing matches after his release from prison, but never regained the heavyweight championship title;

Whereas Jack Johnson supported this Nation during World War II by encouraging citizens to buy war bonds and by participating in exhibition boxing matches to promote the sale of war bonds;

Whereas Jack Johnson died in an automobile accident in 1946; and

Whereas in 1954, Jack Johnson was inducted into the Boxing Hall of Fame; Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that—*

(1) John Arthur "Jack" Johnson paved the way for African American athletes to participate and succeed in racially integrated professional sports in the United States;

(2) Jack Johnson was wronged by a racially motivated conviction prompted by his success in the boxing ring and his relationships with White women;

(3) the criminal conviction of Jack Johnson unjustly ruined his career and destroyed his reputation; and

(4) the President should grant a posthumous pardon to Jack Johnson to expunge from the annals of American criminal justice a racially motivated abuse of the prosecutorial authority of the Federal Government, and to recognize Jack Johnson's athletic and cultural contributions to society.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. ZOE LOFGREN) and the

gentleman from Utah (Mr. CANNON) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

#### GENERAL LEAVE

Ms. ZOE LOFGREN of California. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. ZOE LOFGREN of California. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of this resolution expressing the sense of Congress that the President should grant a posthumous pardon to John Arthur "Jack" Johnson for the 1913 racially motivated conviction of Mr. Johnson, which diminished his athletic, cultural and historic significance and tarnished his reputation.

More importantly, Mr. Speaker, adoption of this resolution and granting of this posthumous pardon by the President would remove a nearly century-old stain from the reputation of this Nation. Although the harm inflicted on Mr. Johnson can never be undone, it is nevertheless important that we set the record straight and acknowledge that he was wrongfully convicted in a disgraceful climate of racial hatred.

John Arthur "Jack" Johnson was a flamboyant, defiant and controversial figure in American history who challenged racial biases. The son of former slaves, Jack Johnson was a professional boxer who traveled throughout the United States and the world, fighting both black and white heavyweight boxers. He was without question one of the greatest boxers this Nation has ever produced.

The resentment felt towards Mr. Johnson by many whites was not limited to his successes in the ring. It was compounded by his relationship with white women, an issue which aroused not just anger, but brutal violence. Between 1901 and 1910, 754 African Americans were lynched, some simply for being perceived as "too familiar" with white women.

In 1912, Jack Johnson was arrested by United States marshals and charged with transporting his future wife, Lucille Cameron, across State lines for an "immoral purpose" in violation of the Mann Act. Ms. Cameron refused to cooperate with the authorities, the charges were dropped, and she later married the champion.

Federal authorities continued to pursue Jack Johnson and subsequently sought to prosecute him based on charges of "prostitution and debauchery." This time they were able to obtain a conviction, and Mr. Johnson was forced to flee the country.

He returned to the United States in July 1920, surrendered to the authorities, and served nearly 1 year in the

United States Penitentiary at Leavenworth, Kansas. Jack Johnson fought boxing matches after his release from prison, but never regained the heavy-weight championship title.

Although this Nation failed him, Jack Johnson remained a patriotic American. He supported this Nation during World War II by encouraging citizens to buy war bonds and by participating in exhibition boxing matches to promote the sale of war bonds. He died in 1946. In 1954, Jack Johnson was finally inducted into the Boxing Hall of Fame, a fitting recognition of the outstanding accomplishments of this great sportsman.

It is time that we also recognize the wrong that was done and do what is in our power to make amends for this wrongful conviction, which destroyed a great boxing career, but not a courageous and indomitable sportsman.

I urge my colleagues to support the measure.

I reserve the balance of my time.

Mr. CANNON. Mr. Speaker, I yield myself such time as I may consume.

The gentlewoman from California has eloquently set forth the facts, the simple facts that relate to why we are here today. This is a profoundly important piece of legislation because it transforms a wrong in American history.

I would just like to say that one of the profoundly important things in our time, one of the things that I am most proud of and most pleased with, in fact one of the things that gives me the greatest pleasure in life, is the fact that we are in a time when a person's ethnicity is less important than his or her capabilities.

I think it is time that we ask the President to pardon Jack Johnson, because he represents some of the difficulty in our past. I am impressed that he was killed in a car accident after he sped away from a restaurant that refused to serve him. Every American today is uncomfortable with that. It was a standard at one point in time. It is not the standard in America today, something that I think is wonderful in our country.

At a time with other crises going on around us, I am pleased to ask for our colleagues to support this bill and do something right, or recognize that some wrong was done in America and do something about that.

I support the passage of House Concurrent Resolution 214, which calls on the President to grant a posthumous pardon to Jack Johnson for a racially motivated conviction for violating the Mann Act.

Jack Johnson was the first African American boxer to become the heavyweight champion of the world. But the Mann Act conviction diminished Mr. Johnson's athletic, cultural, and historic significance and tarnished his reputation.

Jack Johnson was born in Galveston, TX, in 1878. The son of former slaves, Johnson grew up poor. He attended school only until the fifth grade and began boxing as a young teenager.

By 1902, Johnson had won at least 50 fights against both white and black opponents. However, his efforts to win the heavyweight

title were thwarted as world champion Jim Jeffries refused to face him. In 1905, Jeffries retired from the sport rather than give Johnson a title fight.

In 1908, Johnson finally won the heavy-weight title when he knocked out Tommy Burns in Sydney, Australia. However, Johnson was not officially recognized as champion until 1910, when he bested Jim Jeffries who came out of retirement specifically for the fight.

Johnson went on to defend his title a number of times. But in 1913, at the height of his career, the boxer was convicted of violating the Mann Act—a law that outlawed the transportation of women across state lines for “any immoral purpose.”

After his conviction, Jack Johnson fled the country and spent several years abroad as a fugitive. In 1915, he lost his title to Jess Willard in Cuba.

Five years later, Johnson returned to the United States, surrendered to authorities, and served 1 year and 1 day in prison. He was never given another shot at the heavyweight title, and he never cleared his name. He died in a traffic accident in 1946 at age 68. He was furiously speeding away from a restaurant that refused to serve him.

In 2004, filmmaker Ken Burns initiated the movement for a pardon after producing a documentary about Jack Johnson's life. That year, the Senate approved Senate Resolution 447, an earlier version of today's resolution, by unanimous consent.

In 2005, a bipartisan group of Senators, led by Senator MCCAIN, wrote a letter to the President to request a pardon. The letter stated that a pardon “would be a strong and necessary symbol to the world of America's continuing resolve to live up to the noble ideals of freedom, opportunity and equal justice for all.”

Although it has been over 90 years since Jack Johnson's conviction and over 50 years since his death, a Presidential pardon would be untimely but still just.

I join my colleagues in supporting this resolution and ask that the President grant a long-awaited pardon to Jack Johnson.

Mr. KING of New York. Mr. Speaker, today I rise in support of H. Con. Res. 214, a resolution granting a posthumous pardon to John Arthur “Jack” Johnson for his 1913 racially motivated conviction. On September 17, 2007, I introduced this resolution with Congressman JESSE JACKSON, and I join today with 40 of my cosponsoring colleagues in urging the House to pass this resolution today.

Jack Johnson became the first black World Heavyweight Boxing Champion in 1908 after defeating Tommy Burns in Australia and kept the title until 1915. He was a flamboyant and controversial figure in American history who paved the way for African-American athletes to participate and succeed in racially integrated professional sports in the United States.

Prompted by his success in the boxing ring and his relationship with a white woman, Jack Johnson was wronged by a racially motivated conviction under the Mann Act. He was convicted in 1913 after fleeing to Canada, Europe and South America and served one year in prison. Being convicted ruined his career and wrongly destroyed his reputation.

Because of this, we believe the President should grant a posthumous pardon to Jack Johnson to clear his name and recognize his athletic and cultural contributions to society. I

am proud to have sponsored this resolution on his behalf

Mr. Speaker, I urge all my colleagues to support this resolution.

Mr. CANNON. Mr. Speaker, I yield back the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Speaker, I urge adoption of this measure. I appreciate Mr. CANNON's comments, and yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. ZOE LOFGREN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 214.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. CANNON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

#### EFFECTIVE CHILD PORNOGRAPHY PROSECUTION ACT OF 2007

Ms. ZOE LOFGREN of California. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 4120) to amend title 18, United States Code, to provide for more effective prosecution of cases involving child pornography, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

#### SECTION 1. TABLE OF CONTENTS.

*The table of contents for this Act is as follows:*

*Sec. 1. Table of contents.*

#### TITLE I—EFFECTIVE CHILD PORNOGRAPHY PROSECUTION ACT OF 2007

*Sec. 101. Short title.*

*Sec. 102. Findings.*

*Sec. 103. Clarifying ban of child pornography.*

#### TITLE II—ENHANCING THE EFFECTIVE PROSECUTION OF CHILD PORNOGRAPHY ACT OF 2007

*Sec. 201. Short title.*

*Sec. 202. Money laundering predicate.*

*Sec. 203. Knowingly accessing child pornography with the intent to view child pornography.*

#### TITLE I—EFFECTIVE CHILD PORNOGRAPHY PROSECUTION ACT OF 2007

##### SEC. 101. SHORT TITLE.

*This title may be cited as the “Effective Child Pornography Prosecution Act of 2007”.*

##### SEC. 102. FINDINGS.

*Congress finds the following:*

(1) Child pornography is estimated to be a multibillion dollar industry of global proportions, facilitated by the growth of the Internet.

(2) Data has shown that 83 percent of child pornography possessors had images of children