

refused to cooperate with Federal authorities, and then married Jack Johnson;

Whereas, Federal authorities persisted and summoned a white woman named Belle Schreiber, who testified that Jack Johnson had transported her across State lines for the purpose of "prostitution and debauchery";

Whereas, in 1913, Jack Johnson was convicted of violating the Mann Act and sentenced to 1 year and 1 day in Federal prison;

Whereas Jack Johnson fled the United States to Canada and 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 authorities, and served nearly a year in the Federal penitentiary at Leavenworth, Kansas;

Whereas Jack Johnson subsequently fought in boxing matches, but never regained the Heavyweight Championship title;

Whereas Jack Johnson served his country during World War II by encouraging citizens to buy war bonds and participating in exhibition boxing matches to promote the war bond cause;

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 Senate (the House of Representatives concurring),* That it is the sense of the Senate 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 relationship with white women;

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

(4) the President of the United States should grant a pardon to Jack Johnson posthumously—

(A) to expunge a racially motivated abuse of the prosecutorial authority of the Federal Government from the annals of criminal justice in the United States; and

(B) in recognition of the athletic and cultural contributions of Jack Johnson to society.

Mr. MCCAIN. Mr. President, today I am pleased to introduce a resolution to pardon posthumously the world's first African-American heavyweight champion, John Arthur "Jack" Johnson. This resolution expresses the sense of the Senate that the President should exercise his constitutional authority to pardon Jack Johnson posthumously.

For my colleagues who may not be familiar with the plight of Jack Johnson, he is considered by many to be the most dominant athlete in boxing history. Arthur John Johnson was born March 31, 1878, in Galveston, TX, to parents who were former slaves. At an early age he realized his talent for the sweet science. In order to make a living, Johnson traveled across the country fighting anyone willing to face him. But he was denied repeatedly on purely racial grounds a chance to fight for the world heavyweight title. For too long, African-American fighters were not seen as legitimate contenders

for the championship. Fortunately, after years of perseverance, Johnson was finally granted an opportunity in 1908 to fight the then-reigning title holder, Tommy Burns. Johnson handily defeated Burns to become the first African-American heavyweight champion.

Mr. Johnson's success in the ring, and sometimes indulgent lifestyle outside of it, fostered resentment among many and raised concerns that his continued dominance in the ring would somehow disrupt what was then perceived by many as a "racial order." So as history tells us, a search for a Caucasian boxer who could defeat Johnson began a recruitment effort that was dubbed the search for the "Great White Hope." That hope arrived in the person of former champion, Jim Jeffries, who returned from retirement to fight Johnson in 1910. But when Johnson defeated Jeffries, race riots broke out as many sought to avenge the loss.

Following the defeat of the "Great White Hope," the Federal Government launched an investigation into the legality of Johnson's relationships with Caucasian women. The Mann Act, which was enacted in 1910, outlawed the transport of Caucasian women across State lines for the purpose of prostitution or debauchery, or for "any other immoral purpose." Using the "any other immoral purpose" clause as a pretext, Federal law enforcement officials set out to "get" Johnson. On October 18, 1912, he was arrested for transporting his Caucasian girlfriend across State lines in violation of the act. However, the charges were dropped when the Caucasian, whose mother had originally tipped off Federal officials, refused to cooperate with authorities. She later married Johnson.

Yet Federal authorities persisted in their persecution of Johnson, persuading a former Caucasian girlfriend of Johnson's to testify that he had transported her across State lines. Her testimony resulted in Johnson's conviction in 1913, when he was sentenced to 1 year and a day in Federal prison. During Johnson's appeal, one prosecutor admitted that "Mr. Johnson was perhaps persecuted as an individual, but that it was his misfortune to be the foremost example of the evil in permitting the intermarriage of whites and blacks."

After the trial, Johnson fled the country to Canada, and then traveled to various European and South American countries, before losing his heavyweight championship title in Cuba in 1915. He returned to the United States in 1920, surrendered to federal authorities, and served nearly a year in Federal prison. Despite this obvious and clear injustice, Johnson refused to turn his back on the country that betrayed him. Mr. Johnson died in an automobile accident in 1946.

The Jack Johnson case is an ignominious stain on our Nation's history. Rectifying this injustice is long overdue. Again, this resolution calls on the

President to pardon Mr. Johnson posthumously. It recognizes the unjustness of what transpired, and sheds light on the achievements of an athlete who was forced into the shadows of bigotry and prejudice. Johnson was a flawed individual who was certainly controversial. But he was also a historic American figure, whose life and accomplishments played an instrumental role in our Nation's progress toward true equality under the law. And he deserved much better than a racially motivated conviction, which denied him of his liberty, and served to diminish his athletic, cultural, and historic significance.

Yesterday was the 131st anniversary of Jack Johnson's birth and we should take this opportunity to allow future generations to grasp fully what Jack Johnson accomplished against great odds and appreciate his contributions to society unencumbered by the taint of his criminal conviction. We know that we cannot possibly right the wrong that was done to Jack Johnson, but we can take this small step toward acknowledging his mistreatment and removing the cloud that casts a shadow on his legacy. I urge my colleagues to support this resolution.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 805. Mr. ENSIGN (for himself, Mrs. FEINSTEIN, Mr. GREGG, Mr. GRAHAM, Mr. ENZI, Mr. CRAPO, Mr. COBURN, and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014.

SA 806. Mr. CORNYN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra.

SA 807. Mr. JOHANNIS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 808. Mr. BROWN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 809. Mr. BROWN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 810. Mr. BROWN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 811. Mr. SANDERS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 812. Mr. SANDERS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 813. Ms. KLOBUCHAR (for herself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.

SA 814. Mr. PRYOR (for himself and Mr. ROCKEFELLER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 13, supra; which was ordered to lie on the table.



