

(E) regulatory relief is provided to small businesses through the reduction of duplicative or unnecessary regulatory requirements that increase costs for small businesses; and

(F) leveling the playing field for contracting opportunities remains a primary focus, so that small businesses, particularly minority-owned small businesses, can compete for and win more of the \$400,000,000,000 in contracts that the Federal Government enters into each year for goods and services.

# SENATE RESOLUTION 198—CONGRATULATING THE ALASKA ACES HOCKEY TEAM ON WINNING THE 2011 KELLY CUP AND BECOMING THE EAST COAST HOCKEY LEAGUE CHAMPIONS FOR THE SECOND TIME IN TEAM HISTORY

Mr. BEGICH (for himself and Ms. MURKOWSKI) submitted the following resolution; which was considered and agreed to:

S. RES. 198

Whereas on Saturday, May 21, 2011, the Alaska Aces won the second Kelly Cup championship in the history of the team with a 5-3 victory over the Kalamazoo Wings;

Whereas the Alaska Aces lost only 1 game throughout the entire 2011 Kelly Cup playoffs;

Whereas the Alaska Aces finished the regular season by winning an impressive 35 of the final 41 games;

Whereas the Alaska Aces won the Brabham Cup with the best record in the East Coast Hockey League regular season;

Whereas head coach Brent Thompson led the Alaska Aces to the Kelly Cup championship in only his second year as head coach and received the John Brophy award as the East Coast Hockey League's Coach of the Year;

Whereas Alaska Aces Captain Scott Burt became the first player in East Coast Hockey League history to win 3 Kelly Cups;

Whereas Alaska Aces forward Scott Howes was named the Most Valuable Player of the Kelly Cup playoffs with 7 goals and 19 points earned during the postseason;

Whereas Alaska Aces forward Wes Goldie was named Most Valuable Player for the 2010-2011 East Coast Hockey League regular season with 83 points;

Whereas Alaska Aces goaltender Gerald Coleman backstopped the Alaska Aces with a record of 11 wins and 1 loss during the Kelly Cup playoffs and was selected as the East Coast Hockey League's Goaltender of the Year;

Whereas the Alaska Aces benefitted from the veteran leadership of center and native Alaskan Brian Swanson;

Whereas the hard work and dedication of the entire team lead the Alaska Aces to victory;

Whereas the East Coast Hockey League has developed some of the greatest hockey players who have later enjoyed successful careers in the National Hockey League and the American Hockey League; and

Whereas Alaskans everywhere are proud of the accomplishments of the Alaska Aces in the 2011 season: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates each member and the coaching staff of the Alaska Aces hockey team on an impressive championship season;

(2) recognizes the achievements of the East Coast Hockey League on another fine season of developing players and promoting ice hockey in North America; and

(3) respectfully requests the Secretary of the Senate to transmit an enrolled copy of this resolution to—

(A) the Alaska Aces ownership;

(B) the Commissioner of the East Coast Hockey League, Brian McKenna; and

(C) the Commissioner Emeritus of the East Coast Hockey League, Patrick J. Kelly.

## SENATE CONCURRENT RESOLUTION 22—EXPRESSING THE SENSE OF CONGRESS THAT JOHN ARTHUR “JACK” JOHNSON SHOULD RECEIVE A POSTHUMOUS PARDON FOR THE RACIALLY MOTIVATED CONVICTION IN 1913 THAT DIMINISHED THE ATHLETIC, CULTURAL, AND HEROIC SIGNIFICANCE OF JACK JOHNSON AND UNDULY TARNISHED HIS REPUTATION

Mr. MCCAIN submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 22

Whereas John Arthur “Jack” Johnson was a flamboyant, defiant, and controversial figure in the history of the United States who challenged racial biases;

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

Whereas Jack Johnson became a professional boxer and traveled throughout the United States, fighting White and African-American heavyweights;

Whereas after being denied (on purely racial grounds) the opportunity to fight 2 White champions, in 1908, Jack Johnson was granted an opportunity by an Australian promoter to fight the reigning White titleholder, Tommy Burns;

Whereas Jack Johnson defeated Tommy Burns to become the first African-American to hold the title of Heavyweight Champion of the World;

Whereas the victory by Jack Johnson over Tommy Burns prompted a search for a White boxer who could beat Jack Johnson, a recruitment effort that was dubbed the search for the “great white hope”;

Whereas in 1910, a White former champion named Jim Jeffries left retirement to fight Jack Johnson in Reno, Nevada;

Whereas Jim Jeffries lost to Jack Johnson in what was deemed the “Battle of the Century”;

Whereas the defeat of Jim Jeffries by Jack Johnson led to rioting, aggression against African-Americans, and the racially motivated murder of African-Americans nationwide;

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

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

Whereas in 1910, Congress passed the Act of June 25, 1910 (commonly known as the “White Slave Traffic Act” or the “Mann Act”) (18 U.S.C. 2421 et seq.), 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 whose mother disapproved of their relationship and sought action from the Department of Justice, claiming that Jack Johnson had abducted her daughter;

Whereas Jack Johnson was arrested by Federal marshals on October 18, 1912, for transporting the woman across State lines for an “immoral purpose” in violation of the Mann Act;

Whereas the Mann Act charges against Jack Johnson were dropped when the woman 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;

Whereas in 1954, Jack Johnson was inducted into the Boxing Hall of Fame; and

Whereas on July 29, 2009, the 111th Congress agreed to Senate Concurrent Resolution 29, which expressed the sense of the 111th Congress that Jack Johnson should receive a posthumous pardon for his racially motivated 1913 conviction: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring)*, That it remains the sense of Congress that Jack Johnson should receive a posthumous pardon—

(1) 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

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

Mr. MCCAIN. Mr. President, today I am re-introducing a resolution calling on the President of the United States to posthumously pardon the world's first African-American heavyweight boxing champion, John Arthur “Jack” Johnson.

As you may remember, Representative PETER KING and I introduced a similar bipartisan resolution during the last session of Congress, and it passed both chambers unanimously. I was very pleased that two of the resolution's strongest supporters were the Senate Majority Leader, my friend Senator REID, and the Chairman of the Judiciary Committee, Senator LEAHY. However, I am disappointed to say that the President still has not pardoned Mr. Johnson. Today, I call upon my Senate colleagues to once again pass this resolution and send a clear message to our President that this unacceptable historical injustice must be rectified.

For those 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. John Arthur 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 sporting dominance would somehow disrupt what was then perceived by many as a "racial order." So, a search for a Caucasian boxer who could defeat Johnson began, a campaign dubbed as the search for the "Great White Hope." That hope arrived in the person of a 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. He was sentenced to 1 year and 1 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.

We are quickly coming up on the 65th anniversary of Jack Johnson's death, and we should take this opportunity to allow future generations to grasp what he 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 towards once again 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 335. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 1038, to extend the expiring provisions of the USA PATRIOT Improvement and Reauthorization Act of 2005 and the Intelligence Reform and Terrorism Prevention Act of 2004 until June 1, 2015, and for other purposes; which was ordered to lie on the table.

SA 336. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 1038, supra; which was ordered to lie on the table.

SA 337. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 1038, supra; which was ordered to lie on the table.

SA 338. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 1038, supra; which was ordered to lie on the table.

SA 339. Mr. WYDEN (for himself, Mr. UDALL of Colorado, Mr. MERKLEY, and Mr. UDALL of New Mexico) submitted an amendment intended to be proposed by him to the bill S. 1038, supra; which was ordered to lie on the table.

SA 340. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 1038, supra; which was ordered to lie on the table.

SA 341. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 1038, supra; which was ordered to lie on the table.

SA 342. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 1038, supra; which was ordered to lie on the table.

SA 343. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 1038, supra; which was ordered to lie on the table.

SA 344. Mr. UDALL of New Mexico submitted an amendment intended to be proposed by him to the bill S. 1038, supra; which was ordered to lie on the table.

SA 345. Mr. UDALL of New Mexico (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill S. 1038, supra; which was ordered to lie on the table.

SA 346. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 1038, supra; which was ordered to lie on the table.

SA 347. Mr. REID proposed an amendment to the bill S. 990, to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

SA 348. Mr. REID proposed an amendment to amendment SA 347 proposed by Mr. REID to the bill S. 990, supra.

SA 349. Mr. REID proposed an amendment to the bill S. 990, supra.

SA 350. Mr. REID proposed an amendment to the bill S. 990, supra.

SA 351. Mr. REID proposed an amendment to amendment SA 350 proposed by Mr. REID to the bill S. 990, supra.

SA 352. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 1038, to extend the expiring provisions of the USA PATRIOT Improvement and Reauthorization Act of 2005 and the Intelligence Reform and Terrorism Prevention Act of 2004 until June 1, 2015, and for other purposes; which was ordered to lie on the table.

SA 353. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 1038, supra; which was ordered to lie on the table.

**SA 335.** Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 1038, to extend the expiring provisions of the USA PATRIOT Improvement and Reauthorization Act of 2005 and the Intelligence Reform and Terrorism Prevention Act of 2004 until June 1, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

#### **SEC. 3. TERRORIST ASSAULTS, KIDNAPPINGS, AND MURDERS.**

(a) ADDITION OF SEXUAL ASSAULT TO DEFINITION OF OFFENSE OF TERRORIST ASSAULT.—Section 2332(c) of title 18, United States Code, is amended—

(1) in paragraph (1), by inserting "(as defined in section 1365, including any conduct that, if the conduct occurred in the special maritime and territorial jurisdiction of the United States, would violate section 2241 or 2242)" after "injury";

(2) in paragraph (2), by inserting "(as defined in section 1365, including any conduct that, if the conduct occurred in the special maritime and territorial jurisdiction of the United States, would violate section 2241 or 2242)" after "injury"; and

(3) by striking the matter following paragraph (2) and inserting the following: "shall be punished as provided in section 2242, and, if the conduct would violate section 2241(a) if it occurred in the special territorial or maritime jurisdiction of the United