

(1) 551,000 copies of the document, of which 441,000 copies shall be for the use of the House of Representatives, 100,000 copies shall be for the use of the Senate, and 10,000 copies shall be for the use of the Joint Committee on Printing; or

(2) such number of copies of the document as does not exceed a total production and printing cost of \$218,379, with distribution to be allocated in the same proportion as described in paragraph (1), except that in no case shall the number of copies be less than 1 per Member of Congress.

The concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

#### JUDICIAL SURVIVORS PROTECTION ACT OF 2009

Mr. JOHNSON of Georgia. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of the bill (S. 1107) to amend title 28, United States Code, to provide for a limited 6-month period for Federal judges to opt into the Judicial Survivors' Annuities System and begin contributing toward an annuity for their spouse and dependent children upon their death, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The text of the bill is as follows:

S. 1107

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Judicial Survivors Protection Act of 2009".

#### SEC. 2. DEFINITIONS.

In this Act:

(1) The term "judicial official" refers to incumbent officials defined under section 376(a) of title 28, United States Code.

(2) The term "Judicial Survivors' Annuities Fund" means the fund established under section 3 of the Judicial Survivors' Annuities Reform Act (28 U.S.C. 376 note; Public Law 94-554; 90 Stat. 2611).

(3) The term "Judicial Survivors' Annuities System" means the program established under section 376 of title 28, United States Code.

#### SEC. 3. PERSONS NOT CURRENTLY PARTICIPATING IN THE JUDICIAL SURVIVORS' ANNUITIES SYSTEM.

(a) ELECTION OF JUDICIAL SURVIVORS' ANNUITIES SYSTEM COVERAGE.—An eligible judicial official may elect to participate in the Judicial Survivors' Annuities System during the open enrollment period specified in subsection (d).

(b) MANNER OF MAKING ELECTIONS.—An election under this section shall be made in writing, signed by the person making the election, and received by the Director of the Administrative Office of the United States Courts before the end of the open enrollment period.

(c) EFFECTIVE DATE FOR ELECTIONS.—Any such election shall be effective as of the first day of the first calendar month following the month in which the election is received by the Director.

(d) OPEN ENROLLMENT PERIOD DEFINED.—The open enrollment period under this section is the 6-month period beginning 30 days after the date of enactment of this Act.

#### SEC. 4. JUDICIAL OFFICERS' CONTRIBUTIONS FOR OPEN ENROLLMENT ELECTION.

(a) CONTRIBUTION RATE.—Every active judicial official who files a written notification of his or her intention to participate in the Judicial Survivors' Annuities System during the open enrollment period shall be deemed thereby to consent and agree to having deducted from his or her salary a sum equal to 2.75 percent of that salary or a sum equal to 3.5 percent of his or her retirement salary, except that the deduction from any retirement salary—

(1) of a justice or judge of the United States retired from regular active service under section 371(b) or 372(a) of title 28, United States Code;

(2) of a judge of the United States Court of Federal Claims retired under section 178 of title 28, United States Code; or

(3) of a judicial official on recall under section 155(b), 373(c)(4), 375, or 636(h) of title 28, United States Code,

shall be an amount equal to 2.75 percent of retirement salary.

(b) CONTRIBUTIONS TO BE CREDITED TO JUDICIAL SURVIVORS' ANNUITIES FUND.—Contributions made under subsection (a) shall be credited to the Judicial Survivors' Annuities Fund.

#### SEC. 5. DEPOSIT FOR PRIOR CREDITABLE SERVICE.

(a) LUMP SUM DEPOSIT.—Any judicial official who files a written notification of his or her intention to participate in the Judicial Survivors' Annuities System during the open enrollment period may make a deposit equaling 2.75 percent of salary, plus 3 percent annual, compounded interest, for the last 18 months of prior service, to receive the credit for prior judicial service required for immediate coverage and protection of the official's survivors. Any such deposit shall be made on or before the closure of the open enrollment period.

(b) DEPOSITS TO BE CREDITED TO JUDICIAL SURVIVORS' ANNUITIES FUND.—Deposits made under subsection (a) shall be credited to the Judicial Survivors' Annuities Fund.

#### SEC. 6. VOLUNTARY CONTRIBUTIONS TO ENLARGE SURVIVORS' ANNUITY.

Section 376 of title 28, United States Code, is amended by adding at the end the following:

"(y) For each year of Federal judicial service completed, judicial officials who are enrolled in the Judicial Survivors' Annuities System on the date of enactment of the Judicial Survivors Protection Act of 2009 may purchase, in 3-month increments, up to an additional year of service credit, under the terms set forth in this section. In the case of judicial officials who elect to enroll in the Judicial Survivors' Annuities System during the statutory open enrollment period authorized under the Judicial Survivors Protection Act of 2009, for each year of Federal judicial service completed, such an official may purchase, in 3-month increments, up to an additional year of service credit for each year of Federal judicial service completed, under the terms set forth in section 4(a) of that Act."

#### SEC. 7. EFFECTIVE DATE.

This Act, including the amendment made by section 6, shall take effect on the date of enactment of this Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### JOHN ARTHUR "JACK" JOHNSON POSTHUMOUS PARDON

Mr. JOHNSON of Georgia. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of the concurrent resolution (S. Con. Res. 29) expressing the sense of the Congress that John Arthur "Jack" Johnson should receive a posthumous pardon for the racially motivated conviction in 1913 that diminished the athletic, cultural, and historic significance of Jack Johnson and unduly tarnished his reputation, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

Mr. JACKSON of Illinois. Mr. Speaker, I reserve the right to object.

While it is not my intention to object to the bill, I wanted to thank Representative PETER KING for introducing this legislation in the House, and I was honored to join him as a cosponsor of this bill.

Mr. Speaker, Jack was the first African American to win the world heavyweight boxing championship and was a trailblazer. After defeating Tommy Burns and winning the world heavyweight boxing title in 1908, resentment grew as his wins continued and his flamboyant behavior unfairly earned him the disdain of many. In fact, it was his interracial relationships that led to his arrest on charges of violating the Mann Act's prohibition against "transporting women across State lines for immoral purposes."

Mr. Speaker, I felt compelled to come back to this floor because one of the chief advocates of this legislation is the late Vernon Forrest who came to this Congress 3 years ago, met with Members of the Congress in the House, met with Senator MCCAIN in the Senate, we had a press conference in the "swamp" to support this posthumous legislation on behalf of the late Jack Jackson. Vernon Forrest in Atlanta was shot this week 8 times in the back, and he will be memorialized, I believe, later this week or sometime this weekend.

I wanted to say on behalf of a grateful Nation and grateful Congress to the Forrest family how grateful we were for his conscientiousness, for his willingness to fight for something bigger than himself, and for the extraordinary legacy that he has left us all.

I want to thank the Judiciary Committee and Representative PETER KING for their extraordinary leadership in bringing this very timely bill to the Congress. And, as Ken Burns states, Jack Johnson's story was "about freedom and one black man's insistence that he be able to live a life nothing short of a free man."

Mr. Speaker, I withdraw my reservation and urge the immediate passage of S. Con. Res. 29.