

Union Calendar No. 134

109TH CONGRESS
1ST SESSION**H. R. 1065****[Report No. 109–209, Parts I and II]**

To establish the United States Boxing Commission to protect the general welfare of boxers and to ensure fairness in the sport of professional boxing.

IN THE HOUSE OF REPRESENTATIVES

MARCH 2, 2005

Mr. STEARNS (for himself, Ms. SCHAKOWSKY, and Mr. BROWN of Ohio) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

JULY 28, 2005

Reported from the Committee on Energy and Commerce with an amendment
[Strike out all after the enacting clause and insert the part printed in *italie*]

JULY 28, 2005

Referral to the Committee on Education and the Workforce extended for a period ending not later than September 30, 2005

JULY 28, 2005

Referred to the Committee on the Judiciary, for a period ending not later than September 30, 2005 for consideration of such provisions of the bill and the amendment as fall within the jurisdiction of that committee pursuant to clause 1(l), rule X

SEPTEMBER 30, 2005

Reported from the Committee on the Judiciary with an amendment
[Strike out all after the enacting clause and insert the part printed in **boldface roman**]

SEPTEMBER 30, 2005

Committee on Education and the Workforce discharged; committed to the

Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on March 2, 2005]

A BILL

To establish the United States Boxing Commission to protect the general welfare of boxers and to ensure fairness in the sport of professional boxing.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “United States Boxing*
 5 *Commission Act”.*

6 **SEC. 2. DEFINITIONS.**

7 *As used in this Act, the following definitions apply:*

8 (1) *COMMISSION.—The term “Commission”*
 9 *means the United States Boxing Commission estab-*
 10 *lished under section 3.*

11 (2) *BOXER.—The term “boxer” means an indi-*
 12 *vidual who fights in a professional boxing match.*

13 (3) *BOXING COMMISSION.—The term “boxing*
 14 *commission” means an entity authorized under State*
 15 *or tribal law to regulate professional boxing matches.*

16 (4) *INDIAN LANDS.—The term “Indian lands”*
 17 *has the meanings given that terms by paragraphs (4)*

1 *of section 4 of the Indian Gaming Regulatory Act (25*
2 *U.S.C. 2703).*

3 (5) *JUDGE.—The term “judge” means an official*
4 *who scores a boxing match to determine the winner.*

5 (6) *MANAGER.—The term “manager” means a*
6 *person other than a promoter who, under contract,*
7 *agreement, or other arrangement with a boxer, under-*
8 *takes to control or administer, directly or indirectly,*
9 *a boxing-related matter on behalf of that boxer, in-*
10 *cluding a person who is a booking agent for a boxer.*

11 (7) *MATCHMAKER.—The term “matchmaker”*
12 *means a person that proposes, selects, and arranges*
13 *for boxers to participate in a professional boxing*
14 *match. Such term does not include a hotel, casino, re-*
15 *sort, or other commercial establishment hosting or*
16 *sponsoring a professional boxing match, or a provider*
17 *of cable, satellite, or network television programming,*
18 *unless—*

19 (A) *the hotel, casino, resort, or other com-*
20 *mercial establishment, or provider of cable, sat-*
21 *ellite, or network television programming is pri-*
22 *marily responsible for proposing, selecting, and*
23 *arranging for boxers to participate in the profes-*
24 *sional boxing match; and*

1 (B) there is no other person primarily re-
2 sponsible for proposing, selecting, and arranging
3 for boxers to participate in the match.

4 (8) *REFEREE*.—The term “referee” means the of-
5 ficial inside the boxing ring who supervises the boxing
6 match.

7 (9) *PROFESSIONAL BOXING MATCH*.—The term
8 “professional boxing match” means a boxing contest
9 held in the United States between individuals for fi-
10 nancial compensation. Such term does not include a
11 boxing contest that is regulated by a duly recognized
12 amateur sports organization, as approved by the
13 Commission.

14 (10) *PROMOTER*.—The term “promoter”—
15 (A) means the person primarily responsible
16 for organizing, promoting, and producing a pro-
17 fessional boxing match; but

18 (B) does not include a hotel, casino, resort,
19 or other commercial establishment hosting or
20 sponsoring a professional boxing match, or a
21 provider of cable, satellite, or network television
22 programming, unless—

23 (i) the hotel, casino, resort, or other
24 commercial establishment, or provider of
25 cable, satellite, or network television pro-

1 *gramming is primarily responsible for or-*
2 *ganizing, promoting, and producing the*
3 *match; and*

4 *(ii) there is no other person primarily*
5 *responsible for organizing, promoting, and*
6 *producing the match.*

7 (11) *STATE.*—*The term “State” means each of*
8 *the 50 States, Puerto Rico, the District of Columbia,*
9 *and any territory or possession of the United States,*
10 *including the Virgin Islands.*

11 (12) *SANCTIONING ORGANIZATION.*—*The term*
12 *“sanctioning organization” means an organization,*
13 *other than a boxing commission, that sanctions pro-*
14 *fessional boxing matches, ranks professional boxers, or*
15 *charges a sanctioning fee for professional boxing*
16 *matches in the United States—*

17 *(A) between boxers who are residents of dif-*
18 *ferent States; or*

19 *(B) that are advertised, otherwise promoted,*
20 *or broadcast (including closed circuit television)*
21 *in interstate commerce.*

22 (13) *SUSPENSION.*—*The term “suspension” in-*
23 *cludes within its meaning the temporary revocation of*
24 *a boxing license.*

1 (14) *TRIBAL ORGANIZATION*.—*The term “tribal*
 2 *organization” has the same meaning as in section*
 3 *4(l) of the Indian Self-Determination and Education*
 4 *Assistance Act (25 U.S.C. 450b(l)).*

5 **SEC. 3. ESTABLISHMENT OF UNITED STATES BOXING COM-**
 6 **MISSION.**

7 (a) *IN GENERAL*.—*The United States Boxing Commis-*
 8 *sion is established as a commission within the Department*
 9 *of Commerce.*

10 (b) *MEMBERS*.—

11 (1) *IN GENERAL*.—*The Commission shall consist*
 12 *of 3 members appointed by the President, by and*
 13 *with the advice and consent of the Senate.*

14 (2) *QUALIFICATIONS*.—*No member of the Com-*
 15 *mission may, while serving as a member of the Com-*
 16 *mission—*

17 (A) *be engaged as a professional boxer, box-*
 18 *ing promoter, agent, fight manager, matchmaker,*
 19 *referee, judge, or in any other capacity in the*
 20 *conduct of the business of professional boxing;*

21 (B) *have any pecuniary interest in the*
 22 *earnings of any boxer or the proceeds or outcome*
 23 *of any boxing match; or*

24 (C) *serve as a member of a boxing commis-*
 25 *sion.*

1 (3) *BIPARTISAN MEMBERSHIP*.—Not more than 2
2 *members of the Commission may be members of the*
3 *same political party.*

4 (4) *GEOGRAPHIC BALANCE*.—Not more than 2
5 *members of the Commission may be residents of the*
6 *same geographic region of the United States when ap-*
7 *pointed to the Commission. For purposes of the pre-*
8 *ceding sentence, the area of the United States east of*
9 *the Mississippi River is a geographic region, and the*
10 *area of the United States west of the Mississippi*
11 *River is a geographic region.*

12 (5) *TERMS*.—

13 (A) *IN GENERAL*.—The term of a member of
14 *the Commission shall be 3 years. No member of*
15 *the Commission shall serve more than 2 terms.*

16 (B) *MIDTERM VACANCIES*.—A member of
17 *the Commission appointed to fill a vacancy in*
18 *the Commission occurring before the expiration*
19 *of the term for which the member's predecessor*
20 *was appointed shall be appointed for the remain-*
21 *der of that unexpired term.*

22 (C) *CONTINUATION PENDING REPLACE-*
23 *MENT*.—A member of the Commission may serve
24 *after the expiration of that member's term until*
25 *a successor has taken office.*

1 (6) *REMOVAL.*—*A member of the Commission*
2 *may be removed by the President only for cause.*

3 (c) *EXECUTIVE DIRECTOR.*—

4 (1) *IN GENERAL.*—*The Commission shall employ*
5 *an Executive Director to perform the administrative*
6 *functions of the Commission under this Act, and such*
7 *other functions and duties of the Commission as the*
8 *Commission shall specify.*

9 (2) *DISCHARGE OF FUNCTIONS.*—*Subject to the*
10 *authority, direction, and control of the Commission*
11 *the Executive Director shall carry out the functions*
12 *and duties of the Commission under this Act.*

13 (d) *GENERAL COUNSEL.*—*The Commission shall em-*
14 *ploy a General Counsel to provide legal counsel and advice*
15 *to the Executive Director and the Commission in the per-*
16 *formance of its functions under this Act, and to carry out*
17 *such other functions and duties as the Commission shall*
18 *specify.*

19 (e) *STAFF.*—*The Commission shall employ such addi-*
20 *tional staff as the Commission considers appropriate to as-*
21 *sist the Executive Director and the General Counsel in car-*
22 *rying out the functions and duties of the Commission under*
23 *this Act.*

24 (f) *MEETINGS.*—*The Commission shall hold its first*
25 *meeting no later than 30 days after all members shall have*

1 *been appointed, and shall meet thereafter not less frequently*
2 *than once every 60 days.*

3 *(g) COMPENSATION.—*

4 *(1) MEMBERS OF COMMISSION.—*

5 *(A) IN GENERAL.—Each member of the*
6 *Commission shall be compensated at a rate equal*
7 *to the daily equivalent of the annual rate of*
8 *basic pay prescribed for level IV of the Executive*
9 *Schedule under section 5315 of title 5, United*
10 *States Code, for each day (including travel time)*
11 *during which such member is engaged in the per-*
12 *formance of the duties of the Commission.*

13 *(B) TRAVEL EXPENSES.—The members of*
14 *the Commission shall be allowed travel expenses,*
15 *including per diem in lieu of subsistence, at*
16 *rates authorized for employees of agencies under*
17 *subchapter I of chapter 57 of title 5, United*
18 *States Code, while away from their homes or reg-*
19 *ular places of business in the performance of*
20 *services for the Commission.*

21 *(2) EXECUTIVE DIRECTOR AND STAFF.—The*
22 *Commission shall fix the compensation of the Execu-*
23 *tive Director, the General Counsel, and other per-*
24 *sonnel of the Commission. The rate of pay for the Ex-*
25 *ecutive Director, the General Counsel, and other per-*

1 sonnel may not exceed the rate payable for level V of
2 the Executive Schedule under section 5316 of title 5,
3 United States Code.

4 **SEC. 4. FUNCTIONS.**

5 (a) *GENERAL FUNCTIONS.*—The general functions of
6 the Commission are—

7 (1) to protect the general interests of boxers con-
8 sistent with the provisions of this Act;

9 (2) to ensure uniformity, fairness, and integrity
10 in professional boxing; and

11 (3) except as otherwise determined by the Com-
12 mission, oversee all professional boxing matches in the
13 United States.

14 (b) *INITIAL RULEMAKING.*—Not later than 180 days
15 after the date on which the Commission shall hold its first
16 meeting, the Commission shall, by rule promulgate uniform
17 standards for professional boxing in consultation with the
18 Association of Boxing Commissions.

19 (c) *ADDITIONAL FUNCTIONS.*—In addition to its gen-
20 eral functions under subsection (a), the Commission shall—

21 (1) work with the boxing commissions of the sev-
22 eral States and tribal organizations to improve the
23 status and standards of professional boxing in the
24 United States;

1 (2) *ensure, in cooperation with the Attorney*
2 *General (who shall represent the Commission in any*
3 *judicial proceeding under this Act), the chief law en-*
4 *forcement officer of the several States, and other ap-*
5 *propriate officers and agencies of Federal, State, and*
6 *local government, that Federal and State laws appli-*
7 *cable to professional boxing matches in the United*
8 *States are vigorously, effectively, and fairly enforced;*

9 (3) *review State boxing commission regulations*
10 *for professional boxing and provide assistance to such*
11 *authorities in meeting minimum standards prescribed*
12 *by the Commission under this Act;*

13 (4) *if the Commission determines appropriate,*
14 *publish a newspaper, magazine, or other publication*
15 *and establish and maintain an Internet website con-*
16 *sistent with the provisions of this Act; and*

17 (5) *promulgate rules, regulations, and guidance,*
18 *and take any other action necessary and proper to ac-*
19 *complish the purposes of, and consistent with, the*
20 *provisions of this Act.*

21 (d) *PROHIBITIONS.—The Commission may not—*

22 (1) *promote boxing events or rank professional*
23 *boxers; or*

24 (2) *provide technical assistance to, or authorize*
25 *the use of the name of the Commission by, boxing*

1 *commissions that do not comply with requirements of*
2 *the Commission.*

3 **SEC. 5. LICENSING AND REGISTRATION OF BOXING PER-**
4 **SONNEL.**

5 *(a) LICENSING.—*

6 *(1) REQUIREMENT FOR LICENSE.—Beginning 1*
7 *year after the date of enactment of this Act, no person*
8 *may compete in a professional boxing match or serve*
9 *as a boxing manager, boxing promoter, matchmaker,*
10 *judge, referee, or sanctioning organization for a pro-*
11 *fessional boxing match except as provided in a license*
12 *granted to that person under this subsection.*

13 *(2) APPLICATION AND TERM.—*

14 *(A) IN GENERAL.—The Commission shall—*

15 *(i) establish application procedures,*
16 *forms, and fees for licenses granted under*
17 *this section;*

18 *(ii) establish and publish appropriate*
19 *standards for such licenses;*

20 *(iii) issue a license to any person who,*
21 *as determined by the Commission, meets the*
22 *standards established by the Commission*
23 *under this Act; and*

1 (iv) begin issuing such licenses not
 2 later than 270 days after the date on which
 3 Commission holds its first meeting.

4 (B) *DURATION*.—A license issued under this
 5 section shall be for a renewable—

6 (i) 4-year term for a boxer; and

7 (ii) 2-year term for any other person.

8 (C) *PROCEDURE*.—The Commission may
 9 issue a license under this paragraph through
 10 boxing commissions or in a manner determined
 11 by the Commission.

12 (b) *LICENSING FEES*.—

13 (1) *AUTHORITY*.—The Commission may pre-
 14 scribe and charge reasonable fees for the licensing of
 15 persons under this Act. The Commission may set,
 16 charge, and adjust varying fees on the basis of classi-
 17 fications of persons, functions, and events determined
 18 appropriate by the Commission.

19 (2) *LIMITATIONS*.—In setting and charging fees
 20 under paragraph (1), the Commission shall ensure
 21 that, to the maximum extent practicable—

22 (A) club boxing is not adversely effected;

23 (B) sanctioning organizations and pro-
 24 motors pay comparatively the largest portion of
 25 the fees; and

1 (C) boxers pay as small a portion of the fees
2 as is possible.

3 **SEC. 6. NATIONAL REGISTRY OF BOXING PERSONNEL.**

4 *The Commission shall establish and maintain (or au-*
5 *thorize a third party to establish and maintain) a unified*
6 *national computerized registry for the collection, storage,*
7 *and retrieval of such information as the Commission shall*
8 *prescribe by rule related to the performance of its duties.*

9 **SEC. 7. CONSULTATION REQUIREMENTS.**

10 *The Commission shall consult with the Association of*
11 *Boxing Commissions—*

12 (1) *before prescribing any regulation or estab-*
13 *lishing any standard under the provisions of this Act;*
14 *and*

15 (2) *not less than once each year regarding mat-*
16 *ters relating to professional boxing.*

17 **SEC. 8. MISCONDUCT.**

18 (a) *SUSPENSION AND REVOCATION OF LICENSE OR*
19 *REGISTRATION.—*

20 (1) *AUTHORITY.—The Commission may, after*
21 *notice and opportunity for a hearing, suspend or re-*
22 *voke any license issued under this Act if the Commis-*
23 *sion—*

1 (A) finds that the license holder has violated
2 any provision of this Act or a standard pre-
3 scribed under this Act;

4 (B) reasonably believes that a standard pre-
5 scribed by the Commission under this Act is not
6 being met, or that bribery, collusion, intentional
7 losing, racketeering, extortion, or the use of un-
8 lawful threats, coercion, or intimidation have oc-
9 curred in connection with a license; or

10 (C) finds that the suspension or revocation
11 is in the public interest.

12 (2) *PERIOD OF SUSPENSION.*—A suspension of a
13 license under this section shall be effective for a period
14 determined appropriate by the Commission.

15 (3) *PERIOD OF REVOCATION.*—In the case of a
16 revocation of the license of a boxer, the revocation
17 shall be for a period of not less than 1 year.

18 (b) *INVESTIGATIONS AND INJUNCTIONS.*—

19 (1) *AUTHORITY.*—The Commission may—

20 (A) conduct any investigation that it con-
21 siders necessary to determine whether any person
22 has violated, or is about to violate, any provision
23 of this Act or any regulation prescribed under
24 this Act;

1 (B) require or permit any person to file
2 with it a statement in writing, under oath or
3 otherwise as the Commission shall determine, as
4 to all the facts and circumstances concerning the
5 matter to be investigated;

6 (C) in its discretion, publish information
7 concerning any violations; and

8 (D) investigate any facts, conditions, prac-
9 tices, or matters to aid in the enforcement of the
10 provisions of this Act, in the prescribing of regu-
11 lations under this Act, or in securing informa-
12 tion to serve as a basis for recommending legisla-
13 tion concerning the matters to which this Act re-
14 lates.

15 (2) *POWERS.*—

16 (A) *IN GENERAL.*—For the purpose of any
17 investigation under paragraph (1) or any other
18 proceeding under this Act—

19 (i) any officer designated by the Com-
20 mission may administer oaths and affirma-
21 tions, subpoena or otherwise compel the at-
22 tendance of witnesses, take evidence, and re-
23 quire the production of any books, papers,
24 correspondence, memoranda, or other

1 *records the Commission considers relevant*
2 *or material to the inquiry; and*

3 *(ii) the provisions of sections 6002 and*
4 *6004 of title 18, United States Code, shall*
5 *apply.*

6 *(B) WITNESSES AND EVIDENCE.—The at-*
7 *tendance of witnesses and the production of any*
8 *documents under subparagraph (A) may be re-*
9 *quired from any place in the United States, in-*
10 *cluding Indian land, at any designated place of*
11 *hearing.*

12 *(3) ENFORCEMENT OF SUBPOENAS.—*

13 *(A) CIVIL ACTION.—In case of contumacy*
14 *by, or refusal to obey a subpoena issued to, any*
15 *person, the Commission may file an action in*
16 *any district court of the United States within*
17 *the jurisdiction of which an investigation or pro-*
18 *ceeding is carried out, or where that person re-*
19 *sides or carries on business, to enforce the at-*
20 *tendance and testimony of witnesses and the pro-*
21 *duction of books, papers, correspondence, memo-*
22 *randums, and other records. The court may issue*
23 *an order requiring the person to appear before*
24 *the Commission to produce records, if so ordered,*

1 *or to give testimony concerning the matter under*
2 *investigation or in question.*

3 (B) *FAILURE TO OBEY.*—*Any failure to*
4 *obey an order issued by a court under subpara-*
5 *graph (A) may be punished as contempt of that*
6 *court.*

7 (C) *PROCESS.*—*All process in any contempt*
8 *case under subparagraph (A) may be served in*
9 *the judicial district in which the person is an in-*
10 *habitant or in which the person may be found.*

11 (4) *EVIDENCE OF CRIMINAL MISCONDUCT.*—*No*
12 *person may be excused from attending and testifying*
13 *or from producing books, papers, contracts, agree-*
14 *ments, and other records and documents before the*
15 *Commission, in obedience to the subpoena of the Com-*
16 *mission, or in any cause or proceeding instituted by*
17 *the Commission, on the ground that the testimony or*
18 *evidence, documentary or otherwise, required of that*
19 *person may tend to incriminate the person or subject*
20 *the person to a penalty or forfeiture.*

21 (5) *INJUNCTIVE RELIEF.*—*If the Commission or*
22 *the Executive Director determines that any person is*
23 *engaged or about to engage in any act or practice*
24 *that constitutes a violation of any provision of this*
25 *Act, or of any regulation prescribed under this Act,*

1 *the Commission or the Executive Director may bring*
2 *an action in the appropriate district court of the*
3 *United States, the United States District Court for*
4 *the District of Columbia, or the United States courts*
5 *of any territory or other place subject to the jurisdic-*
6 *tion of the United States, to enjoin the act or prac-*
7 *tice, and upon a proper showing, the court shall grant*
8 *without bond a permanent or temporary injunction*
9 *or restraining order.*

10 (6) *MANDAMUS.*—*Upon application of the Com-*
11 *mission, the district courts of the United States, the*
12 *United States District Court for the District of Co-*
13 *lumbia, and the United States courts of any territory*
14 *or other place subject to the jurisdiction of the United*
15 *States, shall have jurisdiction to issue writs of man-*
16 *damus commanding any person to comply with the*
17 *provisions of this Act or any order of the Commission.*

18 (c) *INTERVENTION IN CIVIL ACTIONS.*—

19 (1) *IN GENERAL.*—*The Commission, on behalf of*
20 *the public interest, may intervene of right as provided*
21 *under rule 24(a) of the Federal Rules of Civil Proce-*
22 *dure in any civil action relating to professional box-*
23 *ing filed in a district court of the United States.*

24 (2) *AMICUS FILING.*—*The Commission may file*
25 *a brief in any action filed in a court of the United*

1 *States on behalf of the public interest in any case re-*
2 *lating to professional boxing.*

3 (d) *HEARINGS BY COMMISSION.*—*Hearings conducted*
4 *by the Commission under this Act shall be public and may*
5 *be held before any officer of the Commission. The Commis-*
6 *sion shall keep appropriate records of the hearings.*

7 **SEC. 9. NONINTERFERENCE WITH BOXING COMMISSIONS.**

8 (a) *NONINTERFERENCE.*—*Nothing in this Act pro-*
9 *hibits any boxing commission from exercising any of its*
10 *powers, duties, or functions with respect to the regulation*
11 *or supervision of professional boxing or professional boxing*
12 *matches to the extent not inconsistent with the provisions*
13 *of this Act.*

14 (b) *MINIMUM STANDARDS.*—*Nothing in this Act pro-*
15 *hibits any boxing commission from enforcing local stand-*
16 *ards or requirements that exceed the minimum standards*
17 *or requirements promulgated by the Commission under this*
18 *Act.*

19 **SEC. 10. ASSISTANCE FROM OTHER AGENCIES.**

20 *Any employee of any executive department, agency,*
21 *bureau, board, commission, office, independent establish-*
22 *ment, or instrumentality may be detailed to the Commis-*
23 *sion, upon the request of the Commission, on a reimbursable*
24 *or nonreimbursable basis, with the consent of the appro-*
25 *priate authority having jurisdiction over the employee.*

1 *While so detailed, an employee shall continue to receive the*
 2 *compensation provided pursuant to law for the employee's*
 3 *regular position of employment and shall retain, without*
 4 *interruption, the rights and privileges of that employment.*

5 **SEC. 11. STUDIES.**

6 (a) *HEALTH AND SAFETY STUDY.—*

7 (1) *STUDY.—The Commission shall conduct a*
 8 *study on the health and safety aspects of boxing, in-*
 9 *cluding an examination of—*

10 (A) *the risks or serious injury and the na-*
 11 *ture of potential injuries, including risks par-*
 12 *ticular to boxers of each sex;*

13 (B) *the long term effect of boxing on the*
 14 *health of boxers;*

15 (C) *the availability of health insurance for*
 16 *boxers;*

17 (D) *the extent to which differences in equip-*
 18 *ment effect the risks of potential injury; and*

19 (E) *the effectiveness of safety standards and*
 20 *regulations.*

21 (2) *REPORT.—Not later than 1 year after the*
 22 *date of enactment of this Act, the Commission shall*
 23 *submit a report on the study required by this section*
 24 *to the Committee on Commerce, Science, and Trans-*
 25 *portation of the Senate and the Committee on Energy*

1 *and Commerce of the House of Representatives, in-*
2 *cluding recommendations to improve the health and*
3 *safety aspects of boxing.*

4 *(b) STUDY ON THE DEFINITION OF PROMOTER.—*

5 *(1) STUDY.—The United States Boxing Commis-*
6 *sion shall conduct a study on how the term “pro-*
7 *moter” should be defined for purposes of the United*
8 *States Boxing Commission Act.*

9 *(2) HEARINGS.—As part of that study, the Com-*
10 *mission shall hold hearings and solicit testimony at*
11 *those hearings from boxers, managers, promoters, pre-*
12 *mium, cable, and satellite program service providers,*
13 *hotels, casinos, resorts, and other commercial estab-*
14 *lishments that host or sponsor professional boxing*
15 *matches, and other interested parties with respect to*
16 *the definition of that term as it is used in the United*
17 *States Boxing Commission Act.*

18 *(3) REPORT.—Not later than 1 year after the*
19 *date of the enactment of this Act, the Commission*
20 *shall submit to the Committee on Commerce, Science,*
21 *and Transportation of the Senate and the Committee*
22 *on Energy and Commerce of the House of Representa-*
23 *tives a report on the study conducted under subsection*
24 *(a). The report shall—*

1 (A) set forth a proposed definition of the
2 term “promoter” for purposes of the United
3 States Boxing Commission Act; and

4 (B) describe the findings, conclusions, and
5 rationale of the Commission for the proposed def-
6 inition, together with any recommendations of
7 the Commission, based on the study.

8 **SEC. 12. REPORTS.**

9 (a) *ANNUAL REPORT.*—Not later than 2 years after
10 the date of enactment of this Act, and each year thereafter,
11 the Commission shall submit a report on its activities to
12 the Committee on Commerce, Science, and Transportation
13 of the Senate and the Committee on Energy and Commerce
14 of the House of Representatives. The annual report shall
15 include—

16 (1) a detailed discussion of the activities of the
17 Commission for the year covered by the report;

18 (2) an overview of the licensing and enforcement
19 activities of the State and tribal organization boxing
20 commissions; and

21 (3) recommendations regarding additional per-
22 sons or entities within the sport of boxing over whom
23 to extend the licensing requirement established by this
24 Act.

1 **(b) PUBLIC REPORT.**—*The Commission shall annually*
 2 *issue and publicize a report of the Commission on the*
 3 *progress made at Federal and State levels and on Indian*
 4 *lands in the reform of professional boxing, which shall in-*
 5 *clude comments on issues of continuing concern to the Com-*
 6 *mission.*

7 **SEC. 13. SUNSET PROVISION.**

8 *This Act shall cease to have effect 12 years after the*
 9 *date of enactment of this Act.*

10 **SEC. 14. AUTHORIZATION OF APPROPRIATIONS.**

11 **(a) IN GENERAL.**—*There are authorized to be appro-*
 12 *priated for the Commission for each fiscal year such sums*
 13 *as may be necessary for the Commission to perform its func-*
 14 *tions for that fiscal year.*

15 **(b) RECEIPTS CREDITED AS OFFSETTING COLLEC-**
 16 **TIONS.**—*Notwithstanding section 3302 of title 31, United*
 17 *States Code, any fee collected under this Act—*

18 (1) *shall be credited as offsetting collections to*
 19 *the account that finances the activities and services*
 20 *for which the fee is imposed;*

21 (2) *shall be available for expenditure only to pay*
 22 *the costs of activities and services for which the fee is*
 23 *imposed; and*

24 (3) *shall remain available until expended.*

1 **SECTION 1. SHORT TITLE.**

2 **This Act may be cited as the “United**
3 **States Boxing Commission Act”.**

4 **SEC. 2. DEFINITIONS.**

5 **As used in this Act, the following defini-**
6 **tions apply:**

7 **(1) COMMISSION.—The term “Commis-**
8 **sion” means the United States Boxing**
9 **Commission established under section 3.**

10 **(2) BOXER.—The term “boxer” means**
11 **an individual who fights in a professional**
12 **boxing match.**

13 **(3) BOXING COMMISSION.—The term**
14 **“boxing commission” means an entity au-**
15 **thorized under State or tribal law to reg-**
16 **ulate professional boxing matches.**

17 **(4) INDIAN LANDS.—The term “Indian**
18 **lands” has the meanings given that terms**
19 **by paragraphs (4) of section 4 of the In-**
20 **dian Gaming Regulatory Act (25 U.S.C.**
21 **2703).**

22 **(5) JUDGE.—The term “judge” means**
23 **an official who scores a boxing match to**
24 **determine the winner.**

25 **(6) MANAGER.—The term “manager”**
26 **means a person other than a promoter**

1 **who, under contract, agreement, or other**
2 **arrangement with a boxer, undertakes to**
3 **control or administer, directly or indi-**
4 **rectly, a boxing-related matter on behalf**
5 **of that boxer, including a person who is**
6 **a booking agent for a boxer.**

7 **(7) MATCHMAKER.—The term “match-**
8 **maker” means a person that proposes, se-**
9 **lects, and arranges for boxers to partici-**
10 **pate in a professional boxing match. Such**
11 **term does not include a hotel, casino, re-**
12 **sort, or other commercial establishment**
13 **hosting or sponsoring a professional box-**
14 **ing match, or a provider of cable, sat-**
15 **ellite, or network television program-**
16 **ming, unless—**

17 **(A) the hotel, casino, resort, or**
18 **other commercial establishment, or**
19 **provider of cable, satellite, or net-**
20 **work television programming is pri-**
21 **marily responsible for proposing, se-**
22 **lecting, and arranging for boxers to**
23 **participate in the professional boxing**
24 **match; and**

1 **(B) there is no other person pri-**
2 **marily responsible for proposing, se-**
3 **lecting, and arranging for boxers to**
4 **participate in the match.**

5 **(8) REFEREE.—The term “referee”**
6 **means the official inside the boxing ring**
7 **who supervises the boxing match.**

8 **(9) PROFESSIONAL BOXING MATCH.—The**
9 **term “professional boxing match” means**
10 **a boxing contest held in the United**
11 **States between individuals for financial**
12 **compensation. Such term does not in-**
13 **clude a boxing contest that is regulated**
14 **by a duly recognized amateur sports or-**
15 **ganization, as approved by the Commis-**
16 **sion.**

17 **(10) PROMOTER.—The term “pro-**
18 **moter”—**

19 **(A) means the person primarily**
20 **responsible for organizing, pro-**
21 **moting, and producing a professional**
22 **boxing match; but**

23 **(B) does not include a hotel, ca-**
24 **sino, resort, or other commercial es-**
25 **tablishment hosting or sponsoring a**

1 professional boxing match, or a pro-
2 vider of cable, satellite, or network
3 television programming, unless—

4 (i) the hotel, casino, resort, or
5 other commercial establishment,
6 or provider of cable, satellite, or
7 network television programming
8 is primarily responsible for orga-
9 nizing, promoting, and producing
10 the match; and

11 (ii) there is no other person
12 primarily responsible for orga-
13 nizing, promoting, and producing
14 the match.

15 (11) STATE.—The term “State” means
16 each of the 50 States, Puerto Rico, the
17 District of Columbia, and any territory or
18 possession of the United States, including
19 the Virgin Islands.

20 (12) SANCTIONING ORGANIZATION.—The
21 term “sanctioning organization” means
22 an organization, other than a boxing
23 commission, that sanctions professional
24 boxing matches, ranks professional box-
25 ers, or charges a sanctioning fee for pro-

1 **fessional boxing matches in the United**
2 **States—**

3 **(A) between boxers who are resi-**
4 **dents of different States; or**

5 **(B) that are advertised, otherwise**
6 **promoted, or broadcast (including**
7 **closed circuit television) in interstate**
8 **commerce.**

9 **(13) SUSPENSION.—The term “suspen-**
10 **sion” includes within its meaning the**
11 **temporary revocation of a boxing license.**

12 **(14) TRIBAL ORGANIZATION.—The term**
13 **“tribal organization” has the same mean-**
14 **ing as in section 4(l) of the Indian Self-**
15 **Determination and Education Assistance**
16 **Act (25 U.S.C. 450b(l)).**

17 **SEC. 3. ESTABLISHMENT OF UNITED STATES BOXING COM-**
18 **MISSION.**

19 **(a) IN GENERAL.—The United States Box-**
20 **ing Commission is established as a commis-**
21 **sion within the Department of Commerce.**

22 **(b) MEMBERS.—**

23 **(1) IN GENERAL.—The Commission**
24 **shall consist of 3 members appointed by**

1 the President, by and with the advice and
2 consent of the Senate.

3 (2) **QUALIFICATIONS.**—No member of
4 the Commission may, while serving as a
5 member of the Commission—

6 (A) be engaged as a professional
7 boxer, boxing promoter, agent, fight
8 manager, matchmaker, referee, judge,
9 or in any other capacity in the con-
10 duct of the business of professional
11 boxing;

12 (B) have any pecuniary interest in
13 the earnings of any boxer or the pro-
14 ceeds or outcome of any boxing
15 match; or

16 (C) serve as a member of a boxing
17 commission.

18 (3) **BIPARTISAN MEMBERSHIP.**—Not
19 more than 2 members of the Commission
20 may be members of the same political
21 party.

22 (4) **GEOGRAPHIC BALANCE.**—Not more
23 than 2 members of the Commission may
24 be residents of the same geographic re-
25 gion of the United States when appointed

1 to the Commission. For purposes of the
2 preceding sentence, the area of the
3 United States east of the Mississippi
4 River is a geographic region, and the
5 area of the United States west of the Mis-
6 sissippi River is a geographic region.

7 (5) TERMS.—

8 (A) IN GENERAL.—The term of a
9 member of the Commission shall be 3
10 years. No member of the Commission
11 shall serve more than 2 terms.

12 (B) MIDTERM VACANCIES.—A mem-
13 ber of the Commission appointed to
14 fill a vacancy in the Commission oc-
15 curring before the expiration of the
16 term for which the member's prede-
17 cessor was appointed shall be ap-
18 pointed for the remainder of that un-
19 expired term.

20 (C) CONTINUATION PENDING RE-
21 PLACEMENT.—A member of the Com-
22 mission may serve after the expira-
23 tion of that member's term until a
24 successor has taken office.

1 **(6) REMOVAL.—**A member of the Com-
2 mission may be removed by the President
3 only for cause.

4 **(c) EXECUTIVE DIRECTOR.—**

5 **(1) IN GENERAL.—**The Commission
6 shall employ an Executive Director to
7 perform the administrative functions of
8 the Commission under this Act, and such
9 other functions and duties of the Com-
10 mission as the Commission shall specify.

11 **(2) DISCHARGE OF FUNCTIONS.—**Subject
12 to the authority, direction, and control of
13 the Commission the Executive Director
14 shall carry out the functions and duties
15 of the Commission under this Act.

16 **(d) GENERAL COUNSEL.—**The Commission
17 shall employ a General Counsel to provide
18 legal counsel and advice to the Executive Di-
19 rector and the Commission in the perform-
20 ance of its functions under this Act, and to
21 carry out such other functions and duties as
22 the Commission shall specify.

23 **(e) STAFF.—**The Commission shall employ
24 such additional staff as the Commission con-
25 siders appropriate to assist the Executive Di-

1 rector and the General Counsel in carrying
2 out the functions and duties of the Commis-
3 sion under this Act.

4 (f) MEETINGS.—The Commission shall hold
5 its first meeting no later than 30 days after all
6 members shall have been appointed, and shall
7 meet thereafter not less frequently than once
8 every 60 days.

9 (g) COMPENSATION.—

10 (1) MEMBERS OF COMMISSION.—

11 (A) IN GENERAL.—Each member of
12 the Commission shall be compensated
13 at a rate equal to the daily equivalent
14 of the annual rate of basic pay pre-
15 scribed for level IV of the Executive
16 Schedule under section 5315 of title 5,
17 United States Code, for each day (in-
18 cluding travel time) during which
19 such member is engaged in the per-
20 formance of the duties of the Commis-
21 sion.

22 (B) TRAVEL EXPENSES.—The mem-
23 bers of the Commission shall be al-
24 lowed travel expenses, including per
25 diem in lieu of subsistence, at rates

1 **authorized for employees of agencies**
2 **under subchapter I of chapter 57 of**
3 **title 5, United States Code, while**
4 **away from their homes or regular**
5 **places of business in the performance**
6 **of services for the Commission.**

7 **(2) EXECUTIVE DIRECTOR AND STAFF.—**

8 **The Commission shall fix the compensa-**
9 **tion of the Executive Director, the Gen-**
10 **eral Counsel, and other personnel of the**
11 **Commission. The rate of pay for the Exec-**
12 **utive Director, the General Counsel, and**
13 **other personnel may not exceed the rate**
14 **payable for level V of the Executive**
15 **Schedule under section 5316 of title 5,**
16 **United States Code.**

17 **SEC. 4. FUNCTIONS.**

18 **(a) GENERAL FUNCTIONS.—The general**
19 **functions of the Commission are—**

20 **(1) to protect the general interests of**
21 **boxers consistent with the provisions of**
22 **this Act;**

23 **(2) to ensure uniformity, fairness, and**
24 **integrity in professional boxing; and**

1 (3) except as otherwise determined by
2 the Commission, oversee all professional
3 boxing matches in the United States.

4 (b) INITIAL RULEMAKING.—Not later than
5 180 days after the date on which the Commis-
6 sion shall hold its first meeting, the Commis-
7 sion shall, by rule promulgate uniform stand-
8 ards for professional boxing in consultation
9 with the Association of Boxing Commissions.

10 (c) ADDITIONAL FUNCTIONS.—In addition to
11 its general functions under subsection (a), the
12 Commission shall—

13 (1) work with the boxing commissions
14 of the several States and tribal organiza-
15 tions to improve the status and standards
16 of professional boxing in the United
17 States;

18 (2) ensure, in cooperation with the
19 Attorney General, or a designee of the At-
20 torney General, (who shall represent the
21 Commission in any judicial proceeding
22 under this Act), the chief law enforce-
23 ment officer of the several States, and
24 other appropriate officers and agencies
25 of Federal, State, and local government,

1 that Federal and State laws applicable to
2 professional boxing matches in the
3 United States are vigorously, effectively,
4 and fairly enforced;

5 (3) review State boxing commission
6 regulations for professional boxing and
7 provide assistance to such authorities in
8 meeting minimum standards prescribed
9 by the Commission under this Act;

10 (4) if the Commission determines ap-
11 propriate, publish a newspaper, maga-
12 zine, or other publication and establish
13 and maintain an Internet website con-
14 sistent with the provisions of this Act;
15 and

16 (5) promulgate rules, regulations, and
17 guidance, and take any other action nec-
18 essary and proper to accomplish the pur-
19 poses of, and consistent with, the provi-
20 sions of this Act.

21 (d) PROHIBITIONS.—The Commission may
22 not—

23 (1) promote boxing events or rank
24 professional boxers; or

8 **(a) LICENSING.—**

19 **(2) APPLICATION AND TERM.—**

22 (i) establish application proce-
23 dures, forms, and fees for licenses
24 granted under this section;

1 (ii) establish and publish ap-
2 propriate standards for such li-
3 censes;

4 (iii) issue a license to any per-
5 son who, as determined by the
6 Commission, meets the standards
7 established by the Commission
8 under this Act; and

9 (iv) begin issuing such li-
10 censes not later than 270 days
11 after the date on which Commis-
12 sion holds its first meeting.

13 **(B) DURATION.**—A license issued
14 under this section shall be for a re-
15 newable—

16 (i) 4-year term for a boxer;
17 and

18 (ii) 2-year term for any other
19 person.

20 **(C) PROCEDURE.**—The Commission
21 may issue a license under this para-
22 graph through boxing commissions or
23 in a manner determined by the Com-
24 mission.

25 **(b) LICENSING FEES.**—

1 **(1) AUTHORITY.—The Commission may**
2 **prescribe and charge reasonable fees for**
3 **the licensing of persons under this Act.**
4 **The Commission may set, charge, and ad-**
5 **just varying fees on the basis of classi-**
6 **fications of persons, functions, and**
7 **events determined appropriate by the**
8 **Commission.**

9 **(2) LIMITATIONS.—In setting and**
10 **charging fees under paragraph (1), the**
11 **Commission shall ensure that, to the**
12 **maximum extent practicable—**

13 **(A) club boxing is not adversely**
14 **effected;**

15 **(B) sanctioning organizations and**
16 **promoters pay comparatively the**
17 **largest portion of the fees; and**

18 **(C) boxers pay as small a portion**
19 **of the fees as is possible.**

20 **SEC. 6. NATIONAL REGISTRY OF BOXING PERSONNEL.**

21 **The Commission shall establish and main-**
22 **tain (or authorize a third party to establish**
23 **and maintain) a unified national computer-**
24 **ized registry for the collection, storage, and**
25 **retrieval of such information as the Commis-**

1 sion shall prescribe by rule related to the per-
2 formance of its duties.

3 **SEC. 7. CONSULTATION REQUIREMENTS.**

4 **The Commission shall consult with the As-**
5 **sociation of Boxing Commissions—**

6 **(1) before prescribing any regulation**
7 **or establishing any standard under the**
8 **provisions of this Act; and**

9 **(2) not less than once each year re-**
10 **garding matters relating to professional**
11 **boxing.**

12 **SEC. 8. MISCONDUCT.**

13 **(a) SUSPENSION AND REVOCATION OF LI-**
14 **CENSE OR REGISTRATION.—**

15 **(1) AUTHORITY.—The Commission may,**
16 **after notice and opportunity for a hear-**
17 **ing, suspend or revoke any license issued**
18 **under this Act if the Commission—**

19 **(A) finds that the license holder**
20 **has violated any provision of this Act**
21 **or a standard prescribed under this**
22 **Act;**

23 **(B) reasonably believes that a**
24 **standard prescribed by the Commis-**
25 **sion under this Act is not being met,**

1 or that bribery, collusion, intentional
2 losing, racketeering, extortion, or the
3 use of unlawful threats, coercion, or
4 intimidation have occurred in con-
5 nection with a license; or

6 (C) finds that the suspension or
7 revocation is in the public interest.

8 (2) PERIOD OF SUSPENSION.—A suspen-
9 sion of a license under this section shall
10 be effective for a period determined ap-
11 propriate by the Commission.

12 (3) PERIOD OF REVOCATION.—In the
13 case of a revocation of the license of a
14 boxer, the revocation shall be for a pe-
15 riod of not less than 1 year.

16 (b) INVESTIGATIONS AND INJUNCTIONS.—

17 (1) AUTHORITY.—The Commission
18 may—

19 (A) conduct any investigation that
20 it considers necessary to determine
21 whether any person has violated, or
22 is about to violate, any provision of
23 this Act or any regulation prescribed
24 under this Act;

1 **(B) require or permit any person**
2 **to file with it a statement in writing,**
3 **under oath or otherwise as the Com-**
4 **mission shall determine, as to all the**
5 **facts and circumstances concerning**
6 **the matter to be investigated;**

7 **(C) in its discretion, publish infor-**
8 **mation concerning any violations;**
9 **and**

10 **(D) investigate any facts, condi-**
11 **tions, practices, or matters to aid in**
12 **the enforcement of the provisions of**
13 **this Act, in the prescribing of regula-**
14 **tions under this Act, or in securing**
15 **information to serve as a basis for**
16 **recommending legislation concerning**
17 **the matters to which this Act relates.**

18 **(2) POWERS.—**

19 **(A) IN GENERAL.—For the purpose**
20 **of any investigation under paragraph**
21 **(1) or any other proceeding under**
22 **this Act—**

23 **(i) any officer designated by**
24 **the Commission may administer**
25 **oaths and affirmations, subpoena**

1 or otherwise compel the attend-
2 ance of witnesses, take evidence,
3 and require the production of any
4 books, papers, correspondence,
5 memoranda, or other records the
6 Commission considers relevant or
7 material to the inquiry; and

8 (ii) the provisions of sections
9 6002 and 6004 of title 18, United
10 States Code, shall apply.

11 **(B) WITNESSES AND EVIDENCE.—**The
12 attendance of witnesses and the pro-
13 duction of any documents under sub-
14 paragraph (A) may be required from
15 any place in the United States, in-
16 cluding Indian land, at any des-
17 ignated place of hearing.

18 **(3) ENFORCEMENT OF SUBPOENAS.—**

19 **(A) CIVIL ACTION.—**In case of con-
20 tumacy by, or refusal to obey a sub-
21 poena issued to, any person, the Com-
22 mission may file an action in any dis-
23 trict court of the United States within
24 the jurisdiction of which an inves-
25 tigation or proceeding is carried out,

1 or where that person resides or car-
2 ries on business, to enforce the at-
3 tendance and testimony of witnesses
4 and the production of books, papers,
5 correspondence, memorandums, and
6 other records. The court may issue an
7 order requiring the person to appear
8 before the Commission to produce
9 records, if so ordered, or to give testi-
10 mony concerning the matter under
11 investigation or in question.

12 (B) FAILURE TO OBEY.—Any failure
13 to obey an order issued by a court
14 under subparagraph (A) may be pun-
15 ished as contempt of that court.

16 (C) PROCESS.—All process in any
17 contempt case under subparagraph
18 (A) may be served in the judicial dis-
19 trict in which the person is an inhab-
20 itant or in which the person may be
21 found.

22 (D) ADMINISTRATIVE SUBPOENAS.—
23 The requirements of section 3486 of
24 title 18, United States Code, shall
25 apply to the administration and en-

1 **forcement of subpoenas under this**
2 **Act.**

3 **(4) EVIDENCE OF CRIMINAL MIS-**
4 **CONDUCT.—No person may be excused**
5 **from attending and testifying or from**
6 **producing books, papers, contracts,**
7 **agreements, and other records and docu-**
8 **ments before the Commission, in obedi-**
9 **ence to the subpoena of the Commission,**
10 **or in any cause or proceeding instituted**
11 **by the Commission, on the ground that**
12 **the testimony or evidence, documentary**
13 **or otherwise, required of that person may**
14 **tend to incriminate the person or subject**
15 **the person to a penalty or forfeiture.**

16 **(5) INJUNCTIVE RELIEF.—If the Com-**
17 **mission determines that any person is en-**
18 **gaged or about to engage in any act or**
19 **practice that constitutes a violation of**
20 **any provision of this Act, or of any regu-**
21 **lation prescribed under this Act, the**
22 **Commission may bring an action in the**
23 **appropriate district court of the United**
24 **States, the United States District Court**
25 **for the District of Columbia, or the**

1 **United States courts of any territory or**
2 **other place subject to the jurisdiction of**
3 **the United States, to enjoin the act or**
4 **practice, and upon a proper showing, the**
5 **court shall grant without bond a perma-**
6 **nent or temporary injunction or restrain-**
7 **ing order.**

8 **(6) MANDAMUS.—Upon application of**
9 **the Commission, the district courts of the**
10 **United States, the United States District**
11 **Court for the District of Columbia, and**
12 **the United States courts of any territory**
13 **or other place subject to the jurisdiction**
14 **of the United States, shall have jurisdic-**
15 **tion to issue writs of mandamus com-**
16 **manding any person to comply with the**
17 **provisions of this Act or any order of the**
18 **Commission.**

19 **(c) INTERVENTION IN CIVIL ACTIONS.—**

20 **(1) IN GENERAL.—The Commission, on**
21 **behalf of the public interest, may inter-**
22 **vene of right as provided under rule 24(a)**
23 **of the Federal Rules of Civil Procedure in**
24 **any civil action relating to professional**

1 **boxing filed in a district court of the**
2 **United States.**

3 **(2) AMICUS FILING.—The Commission**
4 **may file a brief in any action filed in a**
5 **court of the United States on behalf of**
6 **the public interest in any case relating to**
7 **professional boxing.**

8 **(d) HEARINGS BY COMMISSION.—Hearings**
9 **conducted by the Commission under this Act**
10 **shall be public and may be held before any of-**
11 **ficer of the Commission. The Commission**
12 **shall keep appropriate records of the hear-**
13 **ings.**

14 **SEC. 9. NONINTERFERENCE WITH BOXING COMMISSIONS.**

15 **(a) NONINTERFERENCE.—Nothing in this**
16 **Act prohibits any boxing commission from ex-**
17 **ercising any of its powers, duties, or functions**
18 **with respect to the regulation or supervision**
19 **of professional boxing or professional boxing**
20 **matches to the extent not inconsistent with**
21 **the provisions of this Act.**

22 **(b) MINIMUM STANDARDS.—Nothing in this**
23 **Act prohibits any boxing commission from en-**
24 **forcing local standards or requirements that**
25 **exceed the minimum standards or require-**

1 ments promulgated by the Commission under
2 this Act.

3 SEC. 10. ASSISTANCE FROM OTHER AGENCIES.

4 Any employee of any executive depart-
5 ment, agency, bureau, board, commission, of-
6 fice, independent establishment, or instru-
7 mentality may be detailed to the Commission,
8 upon the request of the Commission, on a re-
9 imbursable or nonreimbursable basis, with
10 the consent of the appropriate authority hav-
11 ing jurisdiction over the employee. While so
12 detailed, an employee shall continue to re-
13 ceive the compensation provided pursuant to
14 law for the employee's regular position of em-
15 ployment and shall retain, without interrup-
16 tion, the rights and privileges of that employ-
17 ment.

18 SEC. 11. STUDIES.

19 (a) HEALTH AND SAFETY STUDY.—

20 (1) STUDY.—The Commission shall
21 conduct a study on the health and safety
22 aspects of boxing, including an examina-
23 tion of—

24 (A) the risks or serious injury and
25 the nature of potential injuries, in-

1 cluding risks particular to boxers of
2 each sex;

3 (B) the long term effect of boxing
4 on the health of boxers;

5 (C) the availability of health in-
6 surance for boxers;

7 (D) the extent to which dif-
8 ferences in equipment effect the risks
9 of potential injury; and

10 (E) the effectiveness of safety
11 standards and regulations.

12 (2) REPORT.—Not later than 1 year
13 after the date of enactment of this Act,
14 the Commission shall submit a report on
15 the study required by this section to the
16 Committee on Commerce, Science, and
17 Transportation of the Senate and the
18 Committee on Energy and Commerce of
19 the House of Representatives, including
20 recommendations to improve the health
21 and safety aspects of boxing.

22 (b) STUDY ON THE DEFINITION OF PRO-
23 MOTER.—

24 (1) STUDY.—The United States Boxing
25 Commission shall conduct a study on how

1 the term “promoter” should be defined
2 for purposes of the United States Boxing
3 Commission Act.

4 (2) HEARINGS.—As part of that study,
5 the Commission shall hold hearings and
6 solicit testimony at those hearings from
7 boxers, managers, promoters, premium,
8 cable, and satellite program service pro-
9 viders, hotels, casinos, resorts, and other
10 commercial establishments that host or
11 sponsor professional boxing matches, and
12 other interested parties with respect to
13 the definition of that term as it is used in
14 the United States Boxing Commission
15 Act.

16 (3) REPORT.—Not later than 1 year
17 after the date of the enactment of this
18 Act, the Commission shall submit to the
19 Committee on Commerce, Science, and
20 Transportation of the Senate and the
21 Committee on Energy and Commerce of
22 the House of Representatives a report on
23 the study conducted under subsection (a).
24 The report shall—

1 (A) set forth a proposed definition
2 of the term “promoter” for purposes
3 of the United States Boxing Commis-
4 sion Act; and

5 (B) describe the findings, conclu-
6 sions, and rationale of the Commis-
7 sion for the proposed definition, to-
8 gether with any recommendations of
9 the Commission, based on the study.

10 SEC. 12. REPORTS.

11 (a) ANNUAL REPORT.—Not later than 2
12 years after the date of enactment of this Act,
13 and each year thereafter, the Commission
14 shall submit a report on its activities to the
15 Committee on Commerce, Science, and Trans-
16 portation of the Senate and the Committee on
17 Energy and Commerce of the House of Rep-
18 resentatives. The annual report shall in-
19 clude—

20 (1) a detailed discussion of the activi-
21 ties of the Commission for the year cov-
22 ered by the report;

23 (2) an overview of the licensing and
24 enforcement activities of the State and

1 tribal organization boxing commissions;
2 and

3 (3) recommendations regarding addi-
4 tional persons or entities within the sport
5 of boxing over whom to extend the licens-
6 ing requirement established by this Act.

7 (b) PUBLIC REPORT.—The Commission
8 shall annually issue and publicize a report of
9 the Commission on the progress made at Fed-
10 eral and State levels and on Indian lands in
11 the reform of professional boxing, which shall
12 include comments on issues of continuing
13 concern to the Commission.

14 SEC. 13. SUNSET PROVISION.

15 This Act shall cease to have effect 12 years
16 after the date of enactment of this Act.

17 SEC. 14. AUTHORIZATION OF APPROPRIATIONS.

18 (a) IN GENERAL.—There are authorized to
19 be appropriated for the Commission for each
20 fiscal year such sums as may be necessary for
21 the Commission to perform its functions for
22 that fiscal year.

23 (b) RECEIPTS CREDITED AS OFFSETTING COL-
24 LECTIONS.—Notwithstanding section 3302 of

1 title 31, United States Code, any fee collected
2 under this Act—

3 (1) shall be credited as offsetting col-
4 lections to the account that finances the
5 activities and services for which the fee
6 is imposed;

7 (2) shall be available for expenditure
8 only to pay the costs of activities and
9 services for which the fee is imposed; and

10 (3) shall remain available until ex-
11 pended.

Union Calendar No. 134

109TH CONGRESS
1ST Session

H. R. 1065

[Report No. 109-209, Parts I and II]

A BILL

To establish the United States Boxing Commission to protect the general welfare of boxers and to ensure fairness in the sport of professional boxing.

SEPTEMBER 30, 2005

Committee on Education and the Workforce discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed