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HEARINGS ON THE CREATION OF A FEDERAL BOXING BOARD

DOCUMENTS

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HEARINGS

BEFORE THE

SUBCOMMITTEE ON LABOR STANDARDS

OF THE

COMMITTEE ON EDUCATION AND LABOR

HOUSE OF REPRESENTATIVES

NINETY-SIXTH CONGRESS

FIRST SESSION

ON

H.R. 2726

TO ESTABLISH IN THE DEPARTMENT OF LABOR A FEDERAL
BOXING BOARD TO PRESCRIBE AND ENFORCE FAIR LABOR
STANDARDS APPLICABLE TO THE CONDUCT OF PROFES-
SIONAL BOXING AND TO IMPOSE CERTAIN OTHER REQUIRE-
MENTS RELATING TO PROFESSIONAL BOXING, AND FOR
OTHER PURPOSES

HEARINGS HELD IN WASHINGTON, D.C., MARCH 28,
29; AND APRIL 3, 1979

Printed for the use of the Committee on Education and Labor



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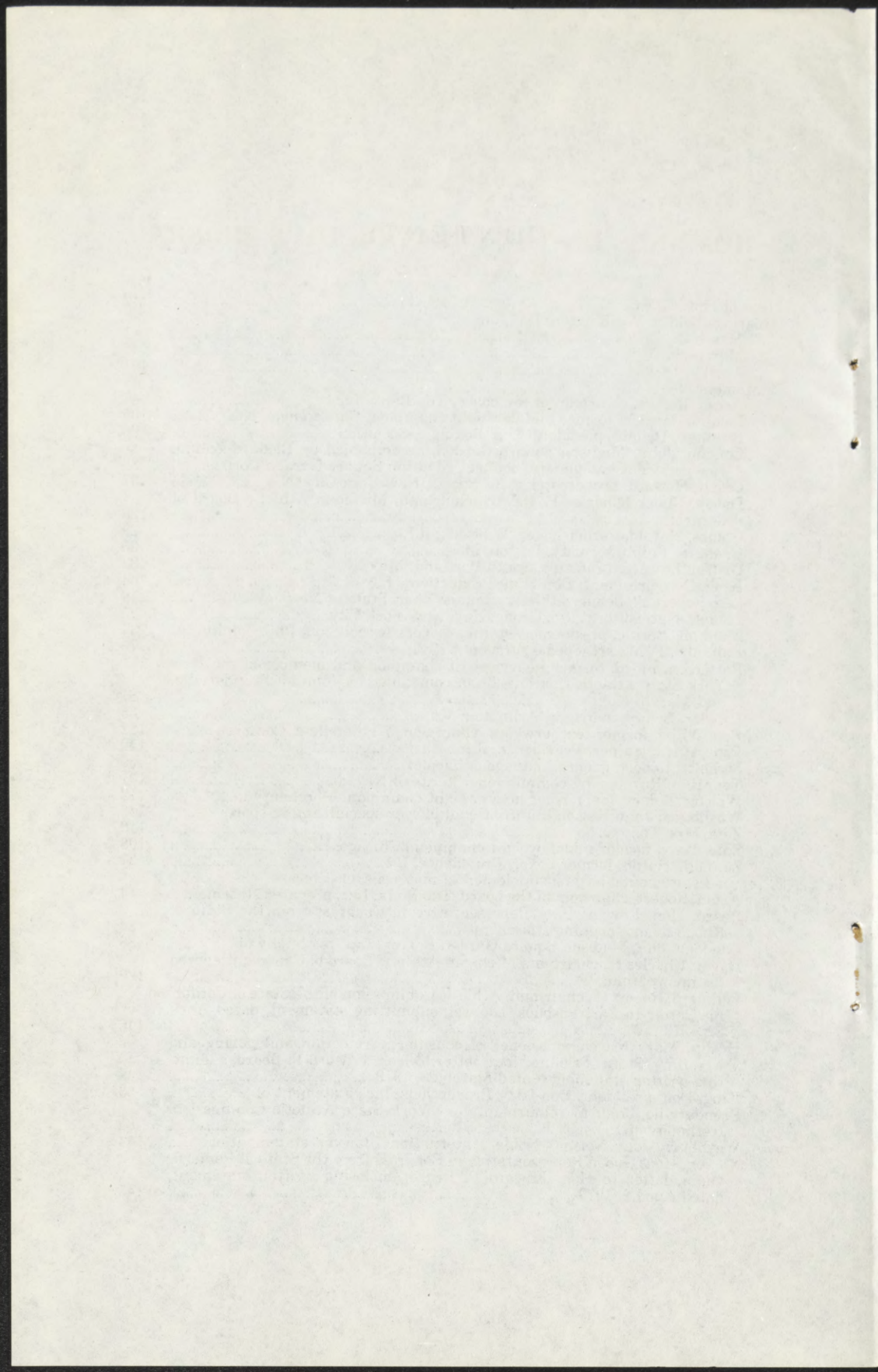
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CONTENTS

	Page
Text of H.R. 2726	2
Hearings held in Washington, D.C., on:	
March 28, 1979	1
March 29, 1979	43
April 3, 1979	101
Statement of—	
Arum, Robert, chairman of the board, Top Rank, Inc	47
Basilio, Carmen, former middleweight champion, Chittenango, N.Y	105
Brennan, Donald, president, U.S. Boxing Association	96
Condon, John, Madison Square Garden, accompanied by Richard Zahnd, vice president and general counsel, Madison Square Garden Corp	88
Cosell, Howard, broadcaster, ABC Sports, New York City, N.Y	137
Davey, Chuck (Charles P. Davey), chairman, Michigan Athletic Board of Control	128
Gomes, Harold, former boxer, Warwick, R.I.	29
Granara, Ralph, security, Boston, Mass	95
Griffin, Edward, promoter, South Portland, Me	33
King, Don, president, Don King Productions, Inc.	64
Lee, Robert B., deputy athletic commissioner, State of New Jersey	119
Loubet, Nat, editor, "Ring" magazine, New York City	25
Manhoff, Bernie, president, Veterans Boxers Association, Philadelphia	37
Palumbo, P. M., orthopedic surgeon	76
Patterson, Floyd, former heavyweight champion and member of the New York State Athletic Commission, accompanied by John M. Prenderville, and Marvin Kohn	81
Pensler, Lenny, manager, Arlington, Va	35
Pep, Willie, former featherweight champion, Wethersfield, Conn	122
Provost, Al, trainer, Providence, R.I.	142
Sigholtz, Robert, general manager, Starplex	60
Tennison, Roy, boxing commissioner, State of Nevada	101
Walcott, Jersey Joe, former heavyweight champion, Merchantville, N.J.	112
Washburn, John Nelson, international lawyer specializing in sports	143
Zale, Mrs. Tony	110
Zale, Tony, former middleweight champion, Chicago, Ill.	108
Zannelli, Ralph, former boxer, Providence, R.I.	31
Prepared statements, letters, supplemental materials, et cetera—	
Arum, Robert, chairman of the board, Top Rank, Inc., prepared statement ..	44
Beard, Hon. Edward P., a Representative in Congress from the State of Rhode Island, opening statement	24
Condon, John, Madison Square Garden Boxing, Inc., testimony of	86
Davey, Charles P., chairman, Michigan Athletic Board of Control, prepared testimony from	126
Fellmeth, Robert C., chairman, Athletic Commission of the State of Califor- nia, letter to Earl Pasback, counsel, submitting statement, dated April 22, 1979	146
Heslin, Mary M., commissioner of consumer protection and boxing and wrestling, State of Connecticut, letter to Hon. Edward P. Beard, submit- ting written statement, dated March 23, 1979	148
King, Don, president, Don King Productions, Inc., statement of	63
Prenderville, John M., chairman, New York State Athletic Commission, testimony of	82
Washburn, John Nelson "Noble", international lawyer, statement of	144
Yatron, Hon. Gus, a Representative in Congress from the State of Pennsyl- vania, letter to Hon. Edward P. Beard, enclosing written statement, dated April 3, 1979	145



HEARINGS ON THE CREATION OF A FEDERAL BOXING BOARD

WEDNESDAY, MARCH 28, 1979

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON LABOR STANDARDS,
COMMITTEE ON EDUCATION AND LABOR,
Washington, D.C.

The subcommittee met, pursuant to notice, at 9:40 a.m. in room 2257, Rayburn House Office Building, Hon. Edward P. Beard (chairman of the subcommittee) presiding.

Members present: Representatives Beard, Williams, and Erlenborn.

Staff present: Earl Pasbach, counsel; Sharon Leininger, legislative assistant; Carole DiDomenico, staff assistant; Edith Baum, minority labor counsel; and Dorothy Strunk, minority legislative associate.

Mr. BEARD. The subcommittee on Labor Standards will now proceed. I would like at this time to introduce my colleague at my left, John Erlenborn. And on my right the Honorable Pat Williams from Montana.

Pat, would you like to say a few words at this point?

Mr. WILLIAMS. Mr. Chairman, I'm glad that we are starting this 96th Congress with this labor standards hearing with such a fine and notorious group of witnesses. It's good to see you all here.

Mr. BEARD. On my left is minority ranking member of this committee, John Erlenborn. John?

Mr. ERLBORN. Thank you, Mr. Chairman.

Good morning, everybody.

Mr. BEARD. I'm Congressman Beard, the chairman of the subcommittee.

I want to welcome all of the people who are going to testify before this committee. We'll be holding 3 days of hearings, today, tomorrow and next Tuesday, to hear your thoughts on the idea of a Federal Boxing Commission, a boxing board, to improve and upgrade the standards in the profession.

The bill that we have in the Congress at the present time is H.R. 2726.

[The text of H.R. 2726 follows:]

96TH CONGRESS
1ST SESSION

H. R. 2726

To establish in the Department of Labor a Federal Boxing Board to prescribe and enforce fair labor standards applicable to the conduct of professional boxing and to impose certain other requirements relating to professional boxing, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 8, 1979

Mr. BEARD of Rhode Island introduced the following bill; which was referred jointly to the Committees on Education and Labor and Interstate and Foreign Commerce

A BILL

To establish in the Department of Labor a Federal Boxing Board to prescribe and enforce fair labor standards applicable to the conduct of professional boxing and to impose certain other requirements relating to professional boxing, and for other purposes.

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

3 SHORT TITLE

4 SECTION 1. This Act may be cited as the "Federal
5 Boxing Control Act of 1979".

FINDINGS AND POLICY

SEC. 2. (a) The Congress hereby finds that—

(1) it is in the best interests of the public and the best interests of professional boxing that factors relating to the integrity of professional boxing, including adherence to fair labor standards by the persons involved, be subject, to the extent necessary and appropriate, to effective and efficient governmental surveillance;

(2) by reason of a wide diversity among applicable State laws, rules, and regulations, and a lack of adequate Federal authority, neither State nor Federal governmental authorities have had adequate power to protect the integrity of professional boxing; and

(3) professional boxing involves facilities affecting interstate and foreign commerce.

(b) It is, therefore, the purpose of this Act to establish in the Department of Labor a Federal Boxing Board, with adequate authority to establish and enforce uniform standards relating to compensation, working conditions, and other factors involved in the conduct of professional boxing, and to provide adequate opportunities for relief of persons aggrieved by violations of such standards.

DEFINITIONS

SEC. 3. For purposes of this Act—

1 (1) The term "boxing match" means a profession-
2 al boxing match, or any part thereof, which is held
3 within the United States and does not include an ama-
4 teur boxing match.

5 (2) The term "State" includes the District of Co-
6 lumbia, the Commonwealth of Puerto Rico, Guam, the
7 Virgin Islands, the Commonwealth of the Northern
8 Mariana Islands, American Samoa, and any other ter-
9 ritory or possession of the United States.

10 (3) The term "United States" means, when used
11 in a geographical context, all of the several States.

12 FEDERAL BOXING BOARD

13 SEC. 4. (a) There is established in the Department of
14 Labor a Federal Boxing Board (hereinafter referred to as the
15 "Board") consisting of three members, each of whom shall be
16 appointed by the Secretary of Labor for a term of six years,
17 except that of the members first appointed, one shall be ap-
18 pointed for a term of two years and one for a term of four
19 years, and any member appointed to fill a vacancy occurring
20 otherwise than upon the expiration of the term of his prede-
21 cessor shall be appointed for the unexpired portion of such
22 term. Any member of the Board may continue to serve as
23 such after the scheduled date of expiration of his term until
24 his successor has been appointed and has qualified. The Sec-

1 retary shall designate one member of the Board to serve as
2 Chairman.

3 (b) Each member of the Board shall be a citizen of the
4 United States and shall not, during his service as a member
5 of the Board, be engaged as a professional boxer, boxing pro-
6 moter, agent, fight manager, matchmaker, referee, judge, or
7 in any other capacity in the conduct of the business of profes-
8 sional boxing or have any pecuniary interest in the earnings
9 of any boxer or the proceeds or outcome of any boxing
10 match.

11 (c) Not more than one member of the Board shall have
12 been engaged at any time prior to his appointment to mem-
13 bership on the Board as a professional boxer, boxing promot-
14 er, agent, fight manager, matchmaker, referee, judge, or in
15 any other capacity in the conduct of the business of profes-
16 sional boxing. Each other member of the Board shall be an
17 individual who, by reason of his business, professional, or
18 other background, training, experience, or activities outside
19 the business of professional boxing and its related activities,
20 has a broad understanding of the relationship between profes-
21 sional boxing, both as a sport and as a business, and the
22 public interest.

23 (d) Section 5316 of title 5, United States Code, relating
24 to positions at level V of the Executive Schedule, is amended
25 by adding at the end thereof the following:

1 “(157) Members, Federal Boxing Board (3).”.

2 (e) The Board may appoint an executive officer who
3 shall perform such duties as the Chairman may prescribe,
4 consistent with the rules, regulations, decisions, and policies
5 of the Board. The executive officer of the Board may be ap-
6 pointed without regard to the provisions of title 5, United
7 States Code, governing appointments in the competitive
8 service but shall be paid in accordance with the provisions of
9 chapter 51 and subchapter III of chapter 53 of such title
10 relating to classification and General Schedule pay rates.

11 (f) The Board may appoint such personnel as may be
12 necessary to carry out the purposes of this Act. Such person-
13 nel shall be appointed subject to the provisions of title 5,
14 United States Code, governing appointments in the competi-
15 tive service and shall be paid in accordance with the provi-
16 sions of chapter 51 and subchapter III of chapter 53 of such
17 title relating to classification and General Schedule pay rates.

18 (g) The principal office of the Board shall be in the Dis-
19 trict of Columbia, but the Board may hold sessions and con-
20 duct proceedings anywhere in the United States.

21 (h) Two members of the Board shall constitute a
22 quorum.

1 REGISTERED BOXING MATCHES AND BOXERS;
2 REQUIREMENTS

3 SEC. 5. (a) Boxing matches and boxers participating in
4 such matches may be registered with the Board by such
5 person and in such manner as shall be set forth in regulations
6 which shall be prescribed by the Board. No boxing match
7 may take place, and no boxer may participate in such match,
8 unless such match is registered under this section and such
9 boxer is registered in connection with such match under this
10 section.

11 (b) No boxer shall be registered by the Board in connec-
12 tion with a registered boxing match unless the Board is satis-
13 fied, after considering the size, weight, experience, and other
14 appropriate characteristics of the boxer, that the boxer is fit
15 to face the other boxer registered in connection with such
16 match. Any boxer may not be, or continue to be, registered
17 in connection with any boxing match if, during the thirty-day
18 period ending immediately before the date of the match, the
19 boxer has been defeated in a boxing match by a knockout or
20 by a technical knockout, as such terms are defined in regula-
21 tions which shall be prescribed by the Board.

22 (c)(1) No boxing match may be registered under this
23 section unless, before such registration, the Board has been
24 informed of a date certain for which such match has been
25 scheduled. Any change in such date which does not result in

1 automatic cancellation of the registration may be made only
2 in accordance with regulations which shall be prescribed by
3 the Board. No boxing match may be registered more than
4 three hundred and sixty days or less than seven days before
5 the date on which the registered boxing match takes place.

6 (2) Except in the case of unavoidable extenuating cir-
7 cumstances determined in advance by the Board, no regis-
8 tered boxing match may be canceled before the end of a rea-
9 sonable notice period which shall be prescribed by the Board
10 by regulation.

11 (d) The person who has registered any boxing match
12 under this section, or such other person as may be designated
13 by the Board by regulation, shall send to the Board a report,
14 in a form which the Board shall by regulation require, on the
15 outcome of the boxing match, and such other information
16 concerning the conduct of the match as the Board may by
17 regulation require, not more than three days after the date of
18 the match. The Board shall transmit a copy of such report to
19 the appropriate authorities of each State. Any boxing match
20 may not take place in any State unless the appropriate au-
21 thorities of such State have received, in the case of each
22 boxer in such match, their copy of the report required under
23 this subsection relating to the boxing match, if any, in which
24 the boxer last participated.

1 (e) The Board shall fix and collect a fee for the registra-
 2 tion of boxing matches and boxers under this section. All
 3 such fees shall, when collected, be covered into the Treasury
 4 as miscellaneous receipts. The Board shall fix such fees in
 5 such amounts as will, in the judgment of the Board, equal in
 6 the aggregate as nearly as practicable the administrative
 7 costs of such registration.

8 CONTRACTS AND AGREEMENTS

9 SEC. 6. (a) Any contract, agreement, arrangement, or
 10 understanding pertaining to the conduct or promotion of any
 11 boxing match or any matter related thereto between or
 12 among any persons one or more of whom is acting or expect-
 13 ed to act in connection with such match in any capacity—

- 14 (1) as a boxer;
- 15 (2) as a boxing promoter;
- 16 (3) as an agent of a boxer;
- 17 (4) as a fight manager;
- 18 (5) as a matchmaker;
- 19 (6) as a referee;
- 20 (7) as a judge; or
- 21 (8) in any other capacity which the Board by reg-
 22 ulation prescribes;

23 shall be in writing and shall be open to inspection by the
 24 Board, and a copy thereof shall be furnished to the Board

1 upon its request by any party thereto or any person having
2 possession or control thereof.

3 (b) The Board may provide by regulations that any such
4 contract, agreement, arrangement, or understanding—

5 (1) shall contain provisions setting forth the fair
6 labor standards which are specified in regulations
7 issued under section 8(1) of this Act and which shall be
8 binding upon the parties to the contract;

9 (2) shall contain any other provisions, described in
10 the regulations issued by the Board, of a nature which
11 the Board has determined to be in the best interests of
12 the public and the best interests of professional boxing;
13 and

14 (3) shall not contain provisions, described in the
15 regulations issued by the Board, of a nature which the
16 Board has determined to be contrary to the best inter-
17 ests of the public and the best interests of professional
18 boxing.

19 PROHIBITORY ORDERS

20 SEC. 7. (a) The Board may, after appropriate notice and
21 opportunity for hearing, by order prohibit the holding of any
22 proposed boxing match if it finds such prohibition is in the
23 public interest and that—

24 (1) any contract, arrangement, or agreement with
25 respect to such match does not conform to the regula-

1 tions of the Board prescribed under section 6(b) of this
2 Act or, if applicable, section 8(5) of this Act;

3 (2) such match, or any boxer in such match, is not
4 registered as provided under section 6 of this Act; or

5 (3) there exist reasonable grounds for belief that
6 such match will be in any way affected by violations of
7 fair labor standards prescribed in regulations issued by
8 the Board under section 8(1) of this Act, bribery, collu-
9 sion, intentional losing, racketeering, extortion, or the
10 use of unlawful threats, coercion, intimidation; or
11 violence.

12 (b) At or after the time that notice of any proceeding
13 pursuant to subsection (a) of this section is sent or ordered by
14 the Board to be published, regardless of whether or not any
15 person to be affected by such proceeding has received such
16 notice, the Board may, if in its judgment such action is in the
17 public interest and necessary to carry out the purposes of this
18 Act, by order without notice or hearing summarily prohibit
19 the holding of the boxing match in question pending final
20 disposition of the proceeding by the Board, or for such
21 shorter period as the Board considers appropriate. No liabili-
22 ty shall attach to any person by virtue of a summary order
23 issued under this subsection unless such person has actual
24 notice thereof.

REGULATIONS OF THE COMMISSION

SEC. 8. The Board shall prescribe—

(1) regulations prescribing fair labor standards applicable to professional boxing, including—

(A) minimum rates of compensation or other consideration;

(B) minimum environmental standards to be met at the sites of registered boxing matches; and

(C) minimum standards for availability of medical services and facilities;

which it determines are in the best interests of the public and the best interests of professional boxing;

(2) regulations defining terms used in this Act;

(3) regulations pertaining to the registration of boxing matches and boxers required under this Act;

(4) regulations pertaining to the making of contracts, agreements, arrangements, and understandings subject to this Act, and provisions required or prohibited therein;

(5) regulations pertaining to the promotion and conduct of boxing matches; and

(6) such other regulations as the Board may deem necessary to carry out the purposes of this Act.

1 INVESTIGATIONS; INJUNCTIONS AND PROSECUTION OF
2 OFFENSES

3 SEC. 9. (a) The Board may, in its discretion, make such
4 investigations as it considers necessary to determine whether
5 any person has violated or is about to violate any provision of
6 this Act or any rule or regulation thereunder, and may re-
7 quire or permit any person to file with it a statement in writ-
8 ing, under oath or otherwise as the Board shall determine, as
9 to all the facts and circumstances concerning the matter to be
10 investigated. The Board may, in its discretion, publish infor-
11 mation concerning any such violations, and investigate any
12 facts, conditions, practices, or matters which it may deem
13 necessary or proper to aid in the enforcement of the provi-
14 sions of this Act, in the prescribing of rules and regulations
15 under this Act, or in securing information to serve as a basis
16 for recommending further legislation concerning the matters
17 to which this Act relates.

18 (b) For the purpose of any such investigation, or any
19 other proceeding under this Act, any member of the Board or
20 any officer designated by it is empowered to administer oaths
21 and affirmations, subpoena witnesses, compel their attendance,
22 take evidence, and require the production of any books,
23 papers, correspondence, memorandums, or other records
24 which the Board considers relevant or material to the in-
25 quiry. Such attendance of witnesses and the production of

1 any such records may be required from any place in the
2 United States or any State at any designated place of
3 hearing.

4 (c) In case of contumacy by, or refusal to obey a sub-
5 pena issued to, any person, the Board may invoke the aid of
6 any court of the United States within the jurisdiction of
7 which such investigation or proceeding is carried on, or
8 where such person resides or carries on business, in requiring
9 the attendance and testimony of witnesses and the production
10 of books, papers, correspondence, memorandums, and other
11 records. Such court may issue an order requiring such person
12 to appear before the Board or member or officer designated
13 by the Board, there to produce records, if so ordered, or to
14 give testimony concerning the matter under investigation or
15 in question. Any failure to obey such order of the court may
16 be punished by such court as a contempt thereof. All process
17 in any such case may be served in the judicial district in
18 which such person is an inhabitant or in which he may be
19 found. Any person who, without just cause, fails or refuses to
20 attend and testify or to answer any lawful inquiry or to pro-
21 duce books, papers, correspondence, memorandums, and
22 other records, if in his power so to do, in obedience to the
23 subpoena of the Board, shall be guilty of a misdemeanor and,
24 upon conviction, shall be subject to a fine of not more than

1 \$1,000 or to imprisonment for a term of not more than one
2 year, or both.

3 (d) No person shall be excused from attending and testi-
4 fying or from producing books, papers, contracts, agree-
5 ments, and other records and documents before the Board, or
6 in obedience to the subpoena of the Board or any member
7 thereof or any officer designated by it, or in any cause or
8 proceeding instituted by the Board, on the ground that the
9 testimony or evidence, documentary or otherwise, required of
10 him may tend to incriminate him or subject him to a penalty
11 or forfeiture. No individual shall be prosecuted or subject to
12 any penalty or forfeiture for or on account of any transaction,
13 matter, or thing concerning which he is compelled, after
14 having claimed his privilege against self-incrimination, to tes-
15 tify or produce evidence, documentary or otherwise, except
16 that such individual so testifying shall not be exempt from
17 prosecution and punishment for perjury committed in so
18 testifying.

19 (e) Whenever it shall appear to the Board that any
20 person is engaged or about to engage in any acts or practices
21 which constitute or will constitute a violation of any provi-
22 sion of this Act, or of any rule or regulation thereunder, it
23 may in its discretion bring an action in the proper district
24 court of the United States, the United States District Court
25 for the District of Columbia, or the United States courts of

1 any territory or other place subject to the jurisdiction of the
2 United States, to enjoin such acts or practices, and upon a
3 proper showing a permanent or temporary injunction or re-
4 straining order shall be granted without bond.

5 (f) Upon application of the Board the district courts of
6 the United States, the United States District Court for the
7 District of Columbia, and the United States courts of any
8 territory or other place subject to the jurisdiction of the
9 United States, shall also have jurisdiction to issue writs of
10 mandamus commanding any person to comply with the provi-
11 sions of this Act or any order of the Board made in pursuance
12 thereof.

13 HEARINGS BY BOARD

14 SEC. 10. Hearings may be public and may be held
15 before the Board, any member or members thereof, or any
16 officer or officers of the Commission designated by it, and
17 appropriate records thereof shall be kept.

18 COURT REVIEW OF ORDERS

19 SEC. 11. (a) Any person aggrieved by an order issued
20 by the Board in a proceeding under this Act to which such
21 person is a party may obtain a review of such order in the
22 court of appeals of the United States, within any circuit in
23 which such person resides or has his principal place of busi-
24 ness, or in the United States Court of Appeals for the Dis-
25 trict of Columbia, by filing in such court, within sixty days

1 after the entry of such order, a written petition praying that
2 the order of the Board be modified or set aside in whole or in
3 part. A copy of such petition shall be transmitted as soon as
4 practicable by the clerk of the court to any member of the
5 Board, and thereupon the Board shall file in the court the
6 record upon which the order complained of was entered, as
7 provided in section 2112 of title 28, United States Code.
8 Upon the filing of such petition such court shall have jurisdic-
9 tion, which upon the filing of the record shall be exclusive, to
10 affirm, modify, and enforce, or set aside such order, in whole
11 or in part. No objection to the order of the Board shall be
12 considered by the court unless such objection shall have been
13 urged before the Board. The finding of the Board as to the
14 facts, if supported by substantial evidence, shall be conclu-
15 sive. If either party shall apply to the court for leave to
16 adduce additional evidence, and shall show to the satisfaction
17 of the court that such additional evidence is material and that
18 there were reasonable grounds for failure to adduce such evi-
19 dence in the hearing before the Board, the court may order
20 such additional evidence to be taken before the Board and to
21 be adduced upon the hearing in such manner and upon such
22 terms and conditions as to the court may seem proper. The
23 Board may modify its findings as to the facts, by reason of
24 the additional evidence so taken, and it shall file such modi-
25 fied or new findings, which, if supported by substantial evi-

1 dence, shall be conclusive, and its recommendation, if any,
2 for the modification or setting aside of the original order. The
3 judgment and decree of the court, affirming, modifying, and
4 enforcing or setting aside, in whole or in part, any such order
5 of the Board, shall be final, subject to review by the Supreme
6 Court of the United States upon certiorari or certification as
7 provided in section 1254 of title 28, United States Code.

8 (b) The commencement of proceedings under subsection
9 (a) shall not, unless specifically ordered by the court, operate
10 as a stay of the Board's order.

11 PERSONAL SUITS

12 SEC. 12. (a)(1) Any person who claims to have been
13 injured by a violation of any provision of this Act or of any
14 rule or regulation prescribed under this Act may commence a
15 civil action—

16 (A) for actual damages resulting from such viola-
17 tion and, in the case of any knowing, willful, and reck-
18 less violation, punitive damages not to exceed \$50,000;
19 or

20 (B) to enjoin any person alleged to be in violation
21 of such provision.

22 (2) In the case of any violation of section 5(c)(2) of this
23 Act, relating to adequate notice before cancellation of boxing
24 matches, actual damages under paragraph (1)(A) of this sub-
25 section shall be construed to consist of an amount equal to

1 amounts expended by the aggrieved person in training for the
2 boxing match or matches involved plus one-third of any addi-
3 tional expenses incurred by the aggrieved person by reason of
4 such violation. Such amounts expended in training and such
5 additional expenses shall be determined in accordance with
6 regulations which shall be prescribed by the Board.

7 (b) Any person who believes that such person or class
8 will be irrevocably injured by a violation of any provision of
9 this Act or any rule or regulation prescribed under this Act
10 may commence a civil action to enjoin any person from en-
11 gaging in such violation.

12 (c) The district courts of the United States, the United
13 States District Court for the District of Columbia, and the
14 United States courts of any territory or other place subject to
15 the jurisdiction of the United States shall have jurisdiction,
16 without regard to the amount in controversy or the citizen-
17 ship of the parties, over actions commenced under subsection
18 (a) or (b) of this section. Any such action may be brought in
19 the judicial district in which the violation occurs.

20 (d) In any action commenced under this section, the At-
21 torney General, at the request of the Board, may intervene
22 on behalf of the United States as a matter of right.

23 (e) The court, in issuing any final order in any action
24 commenced under this section may award costs of litigation
25 (including reasonable attorney and expert witness fees) to

1 any party, whenever the court determines such award is
2 appropriate.

3 (f) Any injunctive relief granted pursuant to this section
4 shall not restrict any right which any person may have under
5 any statute or common law to seek enforcement of any stand-
6 ard or limitation or to seek any other relief.

7 ASSISTANCE FROM OTHER AGENCIES

8 SEC. 13. (a)(1) Notwithstanding section 552a of title 5,
9 United States Code, or any other provision of law, the Board
10 may secure directly from any executive department, agency,
11 bureau, board, commission, office, independent establishment,
12 or instrumentality any information, suggestions, estimates,
13 and statistics which will assist the Board in carrying out the
14 purposes of this Act, and each such department, agency,
15 bureau, board, commission, office, independent establishment,
16 or instrumentality shall furnish such information, suggestions,
17 estimates, and statistics directly to the Board, upon request
18 made by the Chairman or any member designated by the
19 Chairman.

20 (2) Any information, including suggestions, estimates,
21 and statistics, secured by the Board which, but for paragraph
22 (1) of this subsection, could not be secured by the Board by
23 reason of section 552a of title 5, United States Code, or any
24 other provision of law shall be treated by the Board as confi-
25 dential information.

1 (3) It shall be unlawful, except as provided in paragraph
2 (4) of this subsection, for any member, officer, or employee of
3 the Board to disclose to any person other than a member,
4 officer, or employee of the Board any information referred to
5 in paragraph (2) of this subsection. Nothing in this subsection
6 shall be construed to authorize the Board to withhold infor-
7 mation from the Congress.

8 (4)(A) Any information referred to in paragraph (2) of
9 this subsection may be disclosed in accordance with the prior
10 written consent of the person with respect to whom such
11 information is maintained, but only to such extent, under
12 such circumstances, and for such other purposes as may be
13 allowed under regulations which shall be prescribed by the
14 Board.

15 (B) Whether or not the person, with respect to whom
16 any information referred to in paragraph (2) of this subsection
17 is maintained, gives his consent, such information may be
18 disclosed if authorized by an appropriate order of a court of
19 competent jurisdiction granted after application showing good
20 cause therefor. In assessing good cause the court shall weigh
21 the public interest and the need for disclosure against any
22 prejudice to the person together with the effective adminis-
23 tration and enforcement of the provisions of this Act. Upon
24 the granting of such order, the court, in determining the
25 extent to which any disclosure of all or any part of any infor-

1 mation is necessary, shall impose appropriate safeguards
2 against unauthorized disclosure.

3 (5)(A) Whoever violates any provision of this subsection
4 may be assessed a civil penalty of not to exceed \$1,000 for
5 each violation. Such penalty shall be assessed by the court in
6 a civil action brought by the Attorney General.

7 (B) The Board shall refer to the Attorney General the
8 name of any person it has reasonable cause to believe has
9 violated any provision of this subsection.

10 (b) Any employee of any executive department, agency,
11 bureau, board, commission, office, independent establishment,
12 or instrumentality may be detailed to the Board, upon the
13 request of the Chairman or any member designated by the
14 Chairman, on a reimbursable or nonreimbursable basis, with
15 the consent of the appropriate authority having jurisdiction
16 over such employee. While so detailed, such employee shall
17 continue to receive the compensation provided pursuant to
18 law for his regular employment and shall retain, without in-
19 terruption, the rights and privileges of such employment.

20 ANNUAL REPORTS OF BOARD

21 SEC. 14. The Board shall submit annually to the Con-
22 gress a report on its activities under this Act, together with
23 such recommendations as it deems advisable.

1 NONINTERFERENCE WITH STATE BOXING AUTHORITIES

2 SEC. 15. Nothing in this Act shall prohibit any board,
3 commission, or other agency, created by or pursuant to the
4 law of any State or political subdivision thereof, Common-
5 wealth, or possession of the United States from exercising
6 any of its powers, duties, or functions with respect to the
7 regulation or supervision of professional boxing or profession-
8 al boxing matches, except to the extent inconsistent with the
9 provisions of this Act.

Mr. BEARD. Let me just say this. I have an opening statement prepared. I'd like to submit that for the record to be incorporated in the record.

[The opening statement referred to follows:]

PREPARED STATEMENT OF CONGRESSMAN EDWARD P. BEARD

OPENING STATEMENT

Today the Subcommittee on Labor Standards begins three days of hearings on an issue that has been under consideration by the Congress for over two decades, the creation of federal standards to guide the sport of boxing. Specifically we will hear testimony on H.R. 2726, a bill which will establish within the Department of Labor a Federal Boxing Board to prescribe and enforce fair labor standards appropriate to the conduct of professional boxing, and to impose certain requirements relating to professional boxing, and for other purposes.

There has been much criticism concerning the sport of boxing from those within, as well as from those outside the ranks. Young fighters who want to get a start in professional boxing find that their way is unnecessarily blocked despite their ability as boxers. Their managers complain that they are unable to obtain matches with equivalent boxers, so that they may have an opportunity to progress in ranking. There is further no defined system of ranking, nor is there any one organization authorized to endorse a champion; but probably more critical is the fact that there are no adequate safety standards to ensure that a fighter place a safety margin of time between fights when he is knocked out or stopped by a technical knock out, or that he fights under adequate medical and managerial supervision. There has also been criticism of the fact that a fighter may not be receiving his fair share of the gate.

It is these and other questionable practices within the boxing field that we wish to concern ourselves with at these hearings. Accordingly, undue Federal interference in sports in general is in principle abhorrent. However, it is my feeling that the above stated criticisms of an old and respected sport do require a full hearing, with the possible enactment of curative legislation.

I might point out that legislation creating a Federal Boxing Commission was very heavily endorsed by the House of Representatives when that legislation was passed in 1965. However the legislation failed in the Senate due to the untimely death of Senator Kefauver, the Bill's primary backer.

The witnesses we will listen to at these hearings come from the various sectors of the sport of boxing. Boxers, managers, promoters, trainers, representatives of the State Athletic Commission and the communication industry. At this time I want to thank all those witnesses who will appear today, as well as those who will appear on March 29th, and April 3rd. We will now start the hearings, and begin with Mr. Loubet.

Mr. BEARD. I also think it's important to bring out that in 1961 Senator Kefauver had committee hearings on the idea of a boxing commission to get all the points of view. At that time the late Rocky Marciano, Joe Louis and many others had testified along with Nat Fleischer, I believe, of Ring magazine and had presented a case.

The bill passed the House. I think it died in the Senate, when Senator Kefauver passed on.

So I welcome everyone here. I and my colleagues look forward to the testimony. We'll have questions for the various people who will testify to bring out facts that will help us decide what course we should take beyond that which we've already taken.

The first witness today I'd like to call is Nat Loubet, editor of Ring magazine. He has distinguished himself over the years in publicizing boxing. Nat, it's a pleasure to welcome you here, representing Ring magazine, New York City. We'll be looking forward to your remarks.

STATEMENT OF NAT LOUBET, EDITOR, RING MAGAZINE, NEW YORK CITY

Mr. LOUBET. Congressman Beard, I would like to first say that I thank you for this chance to appear before you. I've been trying for 30-some-odd years since I've been in boxing to see such a bill come into being. I think that it certainly is one of the most intrinsic facets of the sport of boxing and boxing is an international sport. I would like very much to see this happen, to cleanse it, to put it under uniformity of rules and regulations.

I can only say that you will hear people from various aspects of sports and certainly of boxing who will be against this bill and the only reason they will be against this bill will be for personal aggrandizement or personal gain. Members of certain organizations that have no authority or official standing do not want to lose this. So I would like to call attention to this matter so that you'll all be aware that when you hear some of the anti parts, of the people who are against this, why.

I think perhaps I ought to say I am a graduate of Colgate University where I played football, for what it's worth and some boxing. Then I went to Columbia to get another, advanced, degree. I also have been in boxing in many capacities and at the moment I am the editor and publisher of the Ring magazine.

I have been trained, I think, very well by Nat Fleischer, who was world renowned as an expert.

I could go on, I think, talking by the datebook rather than by just the minutes that you may have. I don't want to bore you. Gentlemen, I think perhaps if you would like to ask me some questions: if you would rather not, I could become specific on my own, whichever you'd prefer, sir.

Mr. BEARD. Let me ask you this. What do you think of the idea as has been mentioned in the bill that if a person is knocked out of a fight or is knocked out in the course of a fight and the rules of the Rhode Island State Athletic Commission and also I believe New York and other States that a fighter be suspended for 30 days? The object of course is that it gives him that period of time to recuperate and cut down the possibility of brain damage. Do you think that this type of thing should be across the Nation, a standard should be set in the 50 States?

Mr. LOUBET. I don't think you can exactly set 30 days. I think you can make a point of saying 30 days and then have an examination by a medical board. At that point the man is either given a white light or green light or else he's given a red light and be told to come back in a month from now, depending on his condition.

I certainly think that that's an important item. Yes, a medical uniformity for all types of examinations and passing of physicals and so forth across the country. That goes with all rules and regulations. I think you must have uniformity if you are going to make boxing into what I would like to see it.

Mr. BEARD. What about a national registration where fighters would be recorded in 50 States, their records would be known in 50 States?

Mr. LOUBET. I think it's a must. I think if you leave the various commissions with their own authority so as not to get into this situation of State's rights and let them register the fighters and

then mandate by Washington a rule, if you wish to call it that, by the Federal board, a rule that they would have to submit a certified copy of every of fighters, managers, seconds and this then would be checked perhaps by the central bureau, as I would call it, or your committee to verify everything.

This would lead to a lot of other things such as if a state were to rescind a license, the matter would then go to Washington for a decision as to whether the revocation becomes nationwide or whether the man has been unfairly dealt with in having his license rescinded et cetera.

Mr. BEARD. I have one other question. What in your opinion does the image of American boxing present to foreigners? How do they look upon American boxing?

Mr. LOUBET. I think you have hit on a very salient point. It is an international sport, as we all know.

Mr. BEARD. Yes.

Mr. LOUBET. I believe that especially when you talk about the underprivileged nations, the Arab nations, places like this, we have a very bad image. The feeling is that there is no equality, that you have to know somebody, the right man, I use that in quotes, that you have to have connections or you can be a tremendous fighter and never make it.

Incidentally, I agree that they're right. I think also in this day and age when America is trying to improve its foreign image, that it certainly will help a lot, when you are sending fighters around, to be able to say that we do live up to what our forefathers envisioned and that all fighters are treated equally, since they do get all the, notice that they do. We're talking about a lot of big money too, that actually the United States is losing.

I don't want to deviate too far. But television money-taxes would more than pay for this commission that you're talking about. So there is no reason why anyone has to worry about a commission like this taking money out of U.S. coffers and putting us further in debt. You can make enough off this from your television and promotions and things to pay for all of this.

I think your image abroad, to get back to this, would be enhanced and people would say: "Look at America. Look at their fighters. The lowest man in the street has a chance to go to the top without paying the price with his blood or having to give up more than he should or having to play with the wrong people."

Mr. BEARD. Mr. Williams?

Mr. WILLIAMS. Mr. Loubet, thank you for your testimony. Can you carry us through the events that lead up to the signing of a contract? I'm particularly interested in knowing if our boxers obtain bouts on the basis of their boxing ability or are there many other things involved in the signing of a contract?

Mr. LOUBET. Ability plays a tremendous part, along with luck and connections. I don't think you have a fair shake all the way. Somebody for instance who comes in with a new fighter and does not know boxing, doesn't know the people in boxing, has one hell of a hard time breaking in without giving out part of the fighter.

If he goes to a promoter or matchmaker for a fight, he's likely to be told, "If you go see Mr. So-and-So, he perhaps can tell you how

to do this better than I can." This is ridiculous because the matchmaker knows if he can use the fighter.

What happens is this man talks to the Mr. X and Mr. X says, "If you give me anywhere from 10 to 50 percent of the fighter, I can get him in fighting with this promoter or in these attractions."

You're going to do away with this with the Federal board if your people know what you're doing and if you appoint the right people.

Mr. WILLIAMS. I'm particularly interested in knowing about the connections if any between the promoters, the matchmakers and the people in the communications business, the TV moguls.

Mr. LOUBET. It's getting worse. I think if you don't have this Federal commission, boxing will recede to the state of being a vaudeville show. Why do I say this? Because networks now own fighters, whether they do it through a manager or whatever. For example, take the case of Leonard on TV. It is common knowledge that ABC controls the fighter. They pick opponents for him that are ridiculous. You saw Leonard the other night on national TV. He was belted out in one, to use the expression, in 1 minute, 22 seconds, I think it was, one round. It shouldn't have been on, not with this particular man. But TV is very powerful. They are also able to control the promoters. They are controlling the fighters. They can control boxing.

As long as they can get ratings they will be very happy. If the ratings sag, all that television says is, "We will now replace this with a quarter-hour show of 'Star Wars' or a 2-hour show." It won't bother them.

I think they have to be curtailed. They have to come under direction. I think whether it's the FCC or whether it becomes a commission, I think it's very important. Deals are made of which I have become aware that are unbelievable to me by television with promoters and the matchmakers.

I think that every deal should be open to the public and to the fighters. I think they should know every penny and how it's manipulated. Right now, that's not done.

I know of one promoter who would arrange with a television organization to put on a certain big bout. He then would get under the table \$35, \$50, \$100,000 as his money for having prepared this fight, gotten this fight together. In the meantime the fighter doesn't know this and he is the one whose blood is being spilled in order to give this great attraction to the public.

This man has had enough. He's getting his share already. Now he is getting a second share which he's not entitled to. This should be stopped and will be with what you're trying to do.

Mr. WILLIAMS. I have another question, Mr. Chairman.

Mr. Loubet, in view of your long career on behalf of boxing and you say you've been in favor of this type of legislation for 30 years, is there anything about having the Federal Government involved at this level in your sport that concerns you? Do you have any concerns about it that you would like to share?

Mr. LOUBET. Just one. I happen to be proud of my Federal Government in spite of a lot of things that occur. You have got to live with this. I am worried about one thing: the level of appointee to run this. If you run businessmen who don't know what they're doing and if you appoint political hacks—and I'm going to be

honest with you, this has happened to our country in many cases with commissions—you must have people who have integrity. They've got to have a working knowledge of this sport and by working knowledge, know what it's about but not have connections where they owe debts. It's like anything in this world. If you owe debts, it's going to be very hard to run it with any kind of integrity.

I think it's very important. If you're just, if you're strong, if you have integrity, I'm not worried. I don't think the central authority means anything because the individuals, State commissions, will still have their own powers except that they will be under uniformity of direction and you will have someone up here on the mountain who can make sure that things don't go wrong and help guide them.

That means that referees and judges all will have to pass some sort of a little examination uniformly across the country. Every other sport has its head man who makes regulations and decisions; baseball does, football does, and so forth. I wish we could do it an easier way. Unfortunately you can't because in football the people who own the various teams get together and appoint someone. Who are you going to have appoint this? The WBA appoints themselves and they're out for themselves. The U.S. Boxing Association is only out for self-aggrandizement, what it can get out of it, and the World Boxing Council. Everybody knows these things, forgetting about any integrity. I am not impugning their integrity. What they do is, they get paid a certain amount from television in order to recognize a certain title. So obviously the more titles that there are the better for the WBA and the WBC. The champions won't fight each other.

A gentleman by the name of Brunlau was the head of the Louisiana Boxing Commission a year or so ago. He asked me would I try to get the WBA and WBC together. At that time I notified the man who was head of WBA and a good friend in Panama. Would he meet at my office or anywhere he would agree to, and I would arrange with the WBC in order to try to get rid of this ridiculous nonsense of 25 champions and all kinds of undercover deals. He said he'd be delighted to.

I went to the WBC and they said, "This is a war. We'll never sit down with those blankety-blanks."

This is where you are. What can change this but a Federal commission? Nothing, in my book.

Mr. WILLIAMS. Thank you very much, sir.

Thank you, Mr. Chairman.

Mr. BEARD. Mr. Erlenborn?

Mr. ERLENBORN. I have no questions, Mr. Chairman.

Thank you.

Mr. BEARD. Thank you very, very much, Mr. Loubet, for your professional testimony. I want to assure you of one thing. As chairman of this committee, I think it would be a tragedy if the commission was a selection system of political hacks. I think they should be people who have had experience. You don't hire a plumber to do an electrician's job. I think it's as simple as that. I think it should be people who have had many years of experience, who know this business inside and out. It would be that type of person certainly if

I were asked for recommendations, without names, it is that type of person that I would definitely recommend, that they should choose.

Mr. LOUBET. That's thrilling, sir. In closing I would like to say that as far as I'm concerned I would pledge the Ring, myself, and my staff anyway that we can help you or if there is a group of men who are running this to help them, make our records available, our methods available, our ratings available to them for their use.

I think you realize this is not to my benefit or to the Ring because if we are making ratings and keeping records, we make a lot of money, bluntly, by selling record books. We aren't going to be making that money if you have your own records. But without records this game would have been long ago gone. I say you need a record book or you need records and you've got to have all the things you're talking about.

God bless you because this is the closest I've ever come to seeing something done about this game.

Mr. BEARD. Thank you very much.

Mr. LOUBET. I thank you for letting me be here.

Mr. BEARD. The next witness is Harold Gomes from Rhode Island. Harold Gomes is a former junior lightweight champion of the world. Harold, welcome to the committee.

Harold, do you have an opening statement?

STATEMENT OF HAROLD GOMES, FORMER BOXER, WARWICK, R.I.

Mr. GOMES. No. I just want to thank you for inviting me here and allowing me to testify on behalf of this program you are trying to start. I think it's a very good idea to have boxing federally controlled.

Mr. BEARD. Let me ask a few questions. You've boxed over a number of years. What is your opinion of the medical examination a fighter receives?

Mr. GOMES. In different States it varies. I can say a few States have some bad examinations. They just check your heart and say you're OK. In New York they give you a thorough examination, at least two hours. They give you X-rays, urine tests, electrocardiograms and a brain wave. It should be that way all over.

Mr. BEARD. What about, for example, various commissioners who are appointed, who have had no experience at all in boxing.

Mr. GOMES. That's bad for boxing because as you were saying, it should be someone involved in boxing over the years that has some experience, either ex-boxers or managers or someone in the business for years.

Like you say, you can't get a painter for a plumber's job or vice versa. It has to be someone involved in boxing.

Mr. BEARD. What about accountability for the money? It is my understanding that it is sometimes very difficult to figure out who is getting what when it gets down to the fighter: An accountability for how much money is brought in, how much money is paid out on a given night to the various fighters and the expenses. That should become a public record.

Mr. GOMES. It should become public record. I believe the fighter is always the one who gets shortchanged. Managers, have certain deals with the fighter to advance them. They probably have to make some kind of adjustment in their pay.

Mr. BEARD. Harold, do you recall in the course of your career of the fighters that you've known, from watching the various fights and from being a participant in the sport, do you recall fighters being paid off by cash, in preliminaries and main events?

Mr. GOMES. Mostly preliminary fighters will get paid off in cash.

Mr. BEARD. Would that create a problem of accountability?

Mr. GOMES. No; not necessarily because they always had a receipt from the promoter, stating how much they received.

Mr. BEARD. I see.

What do you think of the idea of having a Federal umbrella, some commission, a boxing board, that this bill creates to oversee the 50 States? What's your opinion?

Mr. GOMES. I think it's a great idea. I know places where fighters come in right off the street and fight and no one even knows who they are and they come up with some records. I don't know where they get them.

There's no examinations. I remember I was in a fight someplace and the examination was totally bad.

If the commission doesn't even know the fighter and he has a phony record, he's only hurting the game by bringing someone who's an opponent for the fighter.

Mr. BEARD. So you would subscribe to the idea of having across the board across the United States a uniform recordkeeping system?

Mr. GOMES. Right, like pictures and fingerprints, just like they do in any other sport.

Mr. BEARD. Mr. Williams?

Mr. WILLIAMS. Thank you, Mr. Chairman.

Mr. Gomes, could you tell us in your own words about the one or two things about boxing as it is today that you think is bad? You know, if you were visiting with somebody in their house or at a restaurant somewhere and you were just jawing with the guys and you wanted to tell them the one or two things in boxing that may ruin this sport if it isn't changed, what would you tell them?

Mr. GOMES. I haven't been involved in boxing since I retired in 1963. But like Nat Loubet said about a guy getting knocked out in one round, to me that's like an opponent who you bring a guy in, you don't even know his record, and he's put before the camera.

I'm not taking any credibility away from Sugar Ray Leonard. He's a good fighter, a great fighter. To see him knock out a guy in one round, it isn't doing any good for his career. I never heard of the other guys.

Mr. WILLIAMS. Do you think mismatches are common today in boxing?

Mr. GOMES. I'd say yes, they are. Not all of them. Some of them are. You take the heavyweights. You think of a kid who comes out of the amateur ranks and fights seven fights. In the old days a guy had to fight 40 fights before he got a championship fight. You go through the process of upgrading his ability, to move up from the 4 rounds and 6 rounds and 10 rounds. He might fight 10 rounds for a

couple of years before he even gets a good shot at a contender. But he's been around, he's a seasoned fighter.

But take a guy with seven fights and he wins the heavyweight title, next we're going to be involved with the Olympics. As soon as they come out they're going to fight pro.

Mr. WILLIAMS. They've done that, you know.

You of course were a great fighter and fought many great fighters.

Mr. GOMES. Thank you.

Mr. WILLIAMS. Many of them not as good as you, many of them as good as you, many of them on a good night maybe better. Do you think you were ever involved in a mismatch of the type you are describing to us?

Mr. GOMES. I don't believe I was ever in a mismatch. I believe I was mismatched when I lost the title. [Laughter.]

Mr. WILLIAMS. That was that "given night" I was talking about.

Mr. GOMES. You had a lot of clubs when street fighters were coming up. That's what we lack today. We lack the clubs to bring these kids up. In my home town, I live in Providence and Warwick, there is not a club around to help these kids in boxing. There's no boxing in the CYO, no boxing in the Boy Scouts. They've stopped them. College has stopped it also. Everybody is stopping it. Now they're trying to come around with it again, which is good. But all these clubs stopped the kids from developing themselves in the past.

If they had more boxing clubs, I think it would be a great help to them, the kids of the future. There are very few places left in New England. Providence was the second-best in the Nation at one time. We used to have fights every week. It was tremendous. Everybody was fighting. But today it's a different story.

Mr. WILLIAMS. Thank you.

Thank you, Mr. Chairman.

Mr. BEARD. Thank you very much, Mr. Gomes. I have no further questions outside of the fact that I'm delighted that you have taken the time to be here today to present your testimony as a former professional fighter.

Mr. Gomes is also a referee in the State of Rhode Island and was a young fighter who fought all the way to the championship. We certainly appreciate his testimony.

Mr. GOMES. Thank you for inviting me.

Mr. BEARD. Our next witness is a man well-known to many New Englanders. He has a great reputation among Rhode Islanders and sport fans in New England. He is the former welterweight and middleweight champion of New England. He fought such fighters as Sugar Ray Robinson, Johnny Bredon, Henry Armstrong, eight or nine champions. He has a reservoir of experience.

Ralph, would you please take the stand?

Ralph, just say in your own words what you feel.

STATEMENT OF RALPH ZANNELLI, FORMER BOXER, PROVIDENCE, R.I.

Mr. ZANNELLI. Nat Loubet said everything I want to say about these fighters that Gomes said. They need more gyms. They've got

to keep off the streets. I think that Gomes has got the right idea because without gyms you can't make a fighter.

Mr. BEARD. Ralph, let me ask you this question. What do you think about having a registration system for all the fighters across the Nation so that all the States know each fighter's record?

Mr. ZANNELLI. I think that's a good idea. I think you should have that.

Mr. BEARD. What about the idea that if a fighter, as in our State, is knocked out, the fighter is suspended for 30 days for his own protection? Would you like to see that type of standard?

Mr. ZANNELLI. I think I would like to see that too.

Mr. BEARD. Why do you feel that this would be a good protection for the fighter, Ralph?

Mr. ZANNELLI. It clears out the cobwebs when he gets a good righthand punch on the chin when he goes down and he's in another dream world. I think a 30-day rest will do him a lot of good.

Mr. BEARD. Mr. Zannelli, from your experience, are you aware of fighters who have been knocked out in one city only to take a fight a week later somewhere else because of an ambitious manager and of the fact that they needed money? Do you think this has caused damage to fighters?

Mr. ZANNELLI. Sure. It'll cause damage to fighters. A fighter has taken an awful beating in one town. He'll go into another town and take another beating. It's going to affect him.

Mr. BEARD. Do you think promoters today are concerned about the health and welfare of the fighter? Or are they more concerned about gate receipts?

Mr. ZANNELLI. I think it's more a concern with the promoters for the gate receipts.

Mr. BEARD. During your career what did you think of the quality of medical examinations given to fighters in various areas of the country?

Mr. ZANNELLI. When they were examining me years ago they really examined me, from my toes to the tips of my fingers. Today they just pass you by.

Mr. BEARD. If I wanted to know your boxing record, where would I have to go to find out your record as a boxer?

Mr. ZANNELLI. A copy of my record as a boxer will be found in Nat Fleischer's "The Ring, A Record Book and Boxing Encyclopedia," which I believe is published annually.

Mr. BEARD. I think Mr. Zannelli has illustrated that we ought to know what's going on in the sport. You have to go to a private agency or Ring magazine or some other record book to find out one's record. This is one of the problems that we have addressed in the bill, to have a recordkeeping system to avoid overmatches where a fighter claims he has 40 fights but maybe in reality he only has ten, or if the fight is televised, he gets knocked out in the first round because he really didn't belong there in the first place.

Ralph, this isn't in the bill. But I'd like to get your feelings on it. Do you think there should be some kind of a compensation or pension plan set up within the sport for the benefit of fighters?

Mr. ZANNELLI. I think that should have been done a long time ago.

Mr. BEARD. I know that Rocky Marciano felt that way in 1961 when he testified.

Mr. ZANNELLI. They never did this because the promoters think just for themselves and not for the fighters.

Mr. BEARD. Mr. Williams?

Mr. WILLIAMS. Mr. Zannelli, would you tell us what you think the image of boxing is today compared to what it was when you fought and shortly after you were finished fighting? Compare the image that people have of boxing today with what you think it used to be.

Mr. ZANNELLI. In two words, it stinks.

Mr. WILLIAMS. Thank you.

Mr. ZANNELLI. You're welcome.

Mr. BEARD. Thanks very much, Ralph.

Mr. ZANNELLI. About getting paid, I always got paid in money. Never got paid in a check in my life. My manager always paid me off in money.

Mr. WILLIAMS. Did you get receipts?

Mr. ZANNELLI. No.

Mr. BEARD. Thanks very much.

Mr. ZANNELLI. Thank you, Mr. Beard.

Mr. BEARD. Our next witness will be Edward Griffin, promoter of Portland, Maine.

STATEMENT OF EDWARD GRIFFIN, PROMOTER, SOUTH PORTLAND, MAINE

Mr. GRIFFIN. Ralph's right about getting paid in cash.

I wouldn't take a promoter's check myself. I run various fast-pitch softball tournaments, basketball tournaments. When they ask for a \$50 entrance fee I want it a week before the tournament because if it's gonna bounce it's gonna bounce within that week. Anybody takes a check is crazy.

Mr. BEARD. Do you have a prepared statement?

Mr. GRIFFIN. No. Like you come from Rhode Island. You say there's no fights there. There's no fights in New Hampshire. There's no fights in Vermont. If I don't promote a fight in Maine, there's no fight. The only place I can fight is Connecticut, which was within the last couple of years, and Massachusetts.

My problem with the promoters promoting a fight is, Connecticut or Massachusetts, if they tie a fighter up then he fights for them or he don't fight for nobody else and when they pull him they pull him the afternoon of the fight. That is if you're lucky you find out the afternoon of the fight. But usually you find out two or three hours before the fight. Like the kind of guy that would work with a Connecticut promoter or Massachusetts, they don't work with us.

Mr. BEARD. Let me ask you this about the bill H.R. 2726, do you favor such a Federal Board set up to improve standards and have the Board set those standards in the 50 states?

Mr. GRIFFIN. Certainly. But I hope that you have somebody that's involved with the fights, like Mr. Gomes or Mr. Zannelli, somebody who has been through the game. I don't want you to give it some politician that's just gonna have a little fun with the damn thing.

Mr. BEARD. What about the idea of having a national updated bookkeeping system for the 50 States where the fighters and their records would be clearly identified.

Mr. GRIFFIN. It would be the best thing in the world. You'd be selling the public the truth. The public never gets the truth.

Mr. BEARD. There's also a provision in the bill which would cover the situation where a fight is called off with little or no notice to give the fighter a right to obtain his legal fees or training expenses so as to protect the fighter and his manager.

Mr. GRIFFIN. Sometimes a fighter does come up with a legitimate excuse. He probably gets hurt in training or he might catch the flu. If you throw a substitute in there, people don't like substitutes. You might get a break some day where you might get a Hell of a fight. But you've lost the crowd on account of the substitute.

Mr. BEARD. What about the medical examinations? How do you see the medical examinations in fighting today?

Mr. GRIFFIN. For \$50 you're going to get a \$50 job. You're just gonna get nothing. That's what your gonna get. If you don't die in the meantime. If he don't die in the meantime. Then if he really gets hurt he's gonna die anyway.

Mr. BEARD. Do you say then that they should improve the physical examination given fighters prior to their entering the ring?

Mr. GRIFFIN. I used to bring fighters down from Maine to fight in Waltham, Mass., the civic center and the Prudential Center. Sam used to have me bring these guys to Massachusetts General Hospital. They would have cardiograms and everything else, which is a thorough physical, really.

Mr. BEARD. For the benefit of the committee, you are referring to Sam Silverman?

Mr. GRIFFIN. Right.

Mr. BEARD. Sam Silverman was a promoter in the Boston region. Mr. Williams?

Mr. WILLIAMS. Mr. Griffin, one of the charges of opposition against this legislation is that it would violate States' rights and that it might lead to a breakdown in the local and state control of boxing. Of course, that's really been the genius of boxing. These guys from the local level. You are a promoter in a State and apparently in favor of the bill. What is your answer to that charge?

Mr. GRIFFIN. I think they should have one governing head like you have in baseball and football and basketball. That's the only thing, if you have somebody that's going to control the whole thing and be an honest controllee, then I think you would bring the game back more than it is right now. Right now nobody knows what the Hell's going on.

Mr. WILLIAMS. Thank you.

Thank you, Mr. Chairman.

Mr. BEARD. Thank you very much for taking the time to come here and give your testimony.

Mr. GRIFFIN. The reason I come here, I'm promoting Dale Staley in Portland, and Wilson Bell, who's fighting on the card here tonight in the civic center. I know how well Bell can fight. But Staley was knocking people out like it was going out of style. I want to see if the guy can fight myself. I came all the way to Washington to see if he can fight.

Mr. BEARD. Thank you very much.

The next gentleman who will testify is the promoter from Las Vegas, Michael Sarge.

Is he here?

OK. The next gentleman is Lenny Pensler of Arlington, Va.

Mr. Pensler is a manager. Let the record show it's "Lenny" Pensler.

STATEMENT OF LENNY PENSLE, MANAGER, ARLINGTON, VA.

Mr. PENSLE. Thank you, Mr. Chairman.

Mr. BEARD. Do you have an opening statement?

Do you have a written statement?

Mr. PENSLE. No, Mr. Beard, I don't.

Mr. BEARD. You may proceed.

Mr. PENSLE. Mr. Chairman, the previous witnesses were all with the past of boxing. Let's take it from here on in. When a new boxer gets started in this field, what would the manager have to do? I happen to have been with Nat Loubet for the last 30 years. So I know places where I could put my fighter. But a new fellow with talent would have a problem. He would have to split his fee. They would have to give pieces of his contract away, different deals in different States. One deal wouldn't suffice. He'd have to keep shuffling his contract around.

By the time if the boy had any talent and got to the championship level he'd probably end up with around 5 percent of the fighter.

Another thing I think should be limited by your commission would be the size of the stables. Certain managers have 30, 40 fighters of every weight class. You know someone's going to get overlooked. You can't serve so many fighters equally and efficiently. So I think in your bill there should be a limit on the amount of fighters a manager can handle in every weight class.

Mr. BEARD. Let me ask you this. As I mentioned to previous witnesses, what do you think of the recordkeeping system today the way it is right now?

Mr. PENSLE. I think Mr. Loubet does a terrific job with the Ring record book. But the only record he gets is from the managers and the fighters. In the past I think Mr. Loubet would appreciate there have been false entrances and results given to him.

Mr. BEARD. Do you think the State commissions, not mentioning any given State, do you think generally the State commissioners are qualified in their positions? Or are they political appointees?

Mr. PENSLE. All States? Or some?

Mr. BEARD. What is your feeling about the states?

Mr. PENSLE. Most of them are. Some of them aren't.

Mr. BEARD. What about the physical examination of today that fighters receive?

Mr. PENSLE. The physical examinations that I've been witness to are pretty efficient. Dr. Campbell in New York, they give a good exam. The examinations given in this area are very good under Mr. Dixon.

Mr. BEARD. You mentioned about a fighter's purse being divided up over the course of his career, climbing. What type of people are we talking about?

Mr. PENSLE. As was previously stated, if you go into a promoter he'll tell you, these aren't all of them now, but he'll say, "I am filled up. Go see Joe over there." And Joe will say, "Yeah, I got a fight. It'll cost you 10 percent."

Mr. BEARD. Do you think if there were a national agency with jurisdiction in every State, to complain to—if I read you correctly, what you are saying is unless you pay off in various cities or various States to either front men or people that are not known, it is difficult to get fights and it's going to be impossible for a manager, trainer, second who has a fighter, that's not a friend of a friend to move his fighter towards the front?

Mr. PENSLE. Yes. Somewhat, yes.

Mr. BEARD. So I want to ask this question, do you feel that a Federal Board with standards would improve the lot of the fighters?

Mr. PENSLE. I definitely think it should be. It should standardize throughout the United States. It would give an air of respectability to boxing overseas too.

Mr. BEARD. One last question. I think this is quite important. Do you think boxing in the present day, unless something is done at this level where there is as I see it a certain amount of credibility and integrity, the sport of boxing is possibly in danger of just going out of business completely?

Mr. PENSLE. Boxing will not go out of business completely. For the simple reason it is getting to be the biggest draw of TV. The boxing will become a pawn of the networks.

Mr. BEARD. Do you see a connection between the networks, the promoter, as being more and more to the spectacular, that certain fighters have a certain flair for the people and maybe there is little or no consideration toward matchmaking?

Mr. PENSLE. Of course if you have a draw on TV, you're not going to match him and have the people in the United States see him knocked out. So the matching has to be very careful.

Mr. BEARD. But in the course of all this activity do you feel today that the fighter is becoming lost in the total picture and not getting his fair share?

Mr. PENSLE. Definitely.

Mr. BEARD. Mr. Williams?

Mr. WILLIAMS. What makes boxing tick today? Is it the kid coming off the street? Or is it the local club, of which there aren't very many anymore? Is it the networks? What's holding it together?

Mr. PENSLE. Right now what's holding it together, well, the foundation has deteriorated. There are no more boxing clubs. There is no place where the fighter can get his training outside, through the Armed Services or through the AAU or the Olympics. The Olympics have become very popular now since the great rise of Mr. Leonard. But now the networks are making boxing because they are pushing it now because it's a big revenue maker.

Mr. WILLIAMS. Do you think without television boxing would be in big trouble today?

Mr. PENSLE. Definitely.

Mr. WILLIAMS. One more question. Enlighten us a little more on the steps that a young fellow must go through after he comes to

you to get good fights and to break in. Just go through the process a little bit. So at least I will have a better understanding of it.

Mr. PENSLE. The fighter comes to me. I look at his amateur record. Well, first of all, let's take a different case. Here's a fellow who thinks he has talent to box and he's never boxed before but he's big, attractive. I see if he can box. There are no boxing clubs. So I have got to go to the gym and see if he's got talent. I gotta spar him. Maybe he can hit like the devil. Maybe he's got a glass jaw. I don't know.

So the manager has to take him along for about 2, 3 months to get him in shape. He has no record whatsoever. So who am I gonna match him with? If I overmatch him before he has been trained I can ruin a terrific career. So I have to go around and find somebody of equal value for him to fight.

With your commission it would be easy. I would call and ask have you got anybody around the States of equal value who has never fought before? Now I have to go to a promoter, whether I get the truth or not, because he's promoting his fighter and the manager is promoting him. So if my boy is overmatched, it's going to ruin his career.

So that's the possibility. The only way I can do it is to go to the people I know in my 30 years in boxing. That's just what I did. I got on the phone and I yelled, "Help."

Mr. WILLIAMS. Anyone managing a champ today or a potential champ, let's say a potential champion of the world, what would be the roadblocks either from the communications people, television, or a promoter? What would be the roadblocks in getting him a title shot?

Mr. PENSLE. The roadblocks would be if my fighter has a reputation as a boxer or a slugger, I would have to play cute too. The roadblocks would be that no one would want to match him with their fighter that he had a possibility to get beat.

Mr. WILLIAMS. Thank you.

Thank you, Mr. Chairman.

Mr. BEARD. Thank you very much.

Thank you for taking the time to appear before us.

The next witness is Dr. John Washburn.

Is Dr. Washburn here?

Mr. Bernie Manhoff, Veterans Boxing Association, Philadelphia.
Do you have a prepared statement, Mr. Manhoff?

STATEMENT OF BERNIE MANHOFF, PRESIDENT, VETERANS BOXERS ASSOCIATION, PHILADELPHIA

Mr. MANHOFF. Yes, I do, Mr. Beard.

I am with the National Veteran Boxers Association.

I am president of the organization. I am here representing the National Veteran Boxers Association, a group of former boxers united with dedicated enthusiasts from all over the country and Canada. We are a nonprofit group and we give aid to members and ex-boxers and publish a monthly bulletin in which we have sounded off for years the need for a Federal boxing commission.

It is important to us as we do our share as individuals and a group to keep a high image of boxing. We wish it to stay that way. It has gone downhill.

Back in 1965 Congressman Fred Rooney of Lehigh Valley, who is a member of Ring 23 there—our chapters all over the country are called rings so you can understand me—Mr. Rooney presented a bill, I think it is No. 401, proposing a Federal boxing commission. Of course it died. He presented it several times along the way. I believe Senator Javits in 1965 or 1966 presented the same thing. That was the time New York boxing was so bad that there was no way to turn. The boxers were getting ripped off. The fighters were getting hurt.

A fighter got killed so Senator Javits came through. I think it all had to do with Kefauver investigation.

Mr. BEARD. Yes. Senator Kefauver.

Mr. MANHOFF. We're very grateful that you brought this back to the floor. We think it's needed now more than ever before boxing does die.

Boxing should be federally controlled. There are some very bad bouts and there is some very bad management and there is some very bad seconding in the corners. There are very bad cuts that aren't necessary that don't get healed properly.

So we are very grateful to Congress for hearing us out and stating our views and a special thanks to Congressman Beard for taking the initiative and proposing this bill, No. 2726.

The National VBA has mailed several thousand petitions around the country, being signed by interested parties who feel that a Federal commission is the only answer to protect, in fact save the wonderful world of boxing.

The last few days I have at least 40 pages of these back. They are of course all over the country. I think by the end of this month, Mr. Beard, we should have a thousand of these for you, full with names. If it will help the problem any, it's to show that each and every person has a reason why they think a Federal boxing commission is necessary because boxing has gotten out of hand. It is in the hands of a few who are monopolizing the whole game and grabbing all the money. The poor fighters, the preliminary guys, aren't getting a chance because they're not signed up with them.

Some of the states rightly prevent a boxer from participating if they have been knocked out, for 30 days they can't fight. But there's no reason in the world why an unscrupulous manager can't take his fighter across the State or to any State and fight there because the States don't cooperate. You need one national commission to take care of it all or Federal commission, as you prefer. He can even go under an assumed name without any penalties. It's never happened that anybody was ever penalized.

These fellows right here, Mr. Loubet whose statement was very remarkable will confirm that fighters will fight in different States under different names. You need a Federal boxing commission. Young boxers struggle intensively in battling their way to the top, the very reason for their efforts is to fight for the title. They don't get that chance, it's denied them because he or his manager will not join the monopoly group.

Small promoters and handlers, along with future fighting prospects don't stand a chance. In Massachusetts for instance there's a great middleweight who beat everyone in his class. But the title bout, no chance. He's a middleweight. His name is Marvin Hagler.

I believe he's undefeated. He has beaten just about everybody. But he will not get a title shot, his dream for all those years of struggling and then fighting and training in the gymnasium, it's not fair.

Boxing must be corrected. It must go on a merit system. And the merit system is what a National or Federal boxing commission can take care of. Only a Federal boxing commissioner can take care of the conniving because they can handle it with Federal clout. It's the only way to handle it, a Federal commission.

I have other statements. I don't want to drag this out. There are other people who want to talk. These are the main points. I hope I've covered some of the things you wanted to hear, some of the things that are true and important.

I thank you very, very much for giving me this opportunity on behalf of the National Veteran Boxers Association.

Mr. BEARD. Mr. Manhoff, let me say this. First of all I appreciate your testimony and the various individuals that you represent across the Nation.

You mentioned "Marvelous" Marvin Hagler. I can assure you, his manager will appear before this committee. That will be April 3. I think Mr. Petronelli is scheduled to appear.

It's obvious to me and I'm sure to the other members of the committee from the testimony that has been elicited that with the recordkeeping system in its present form, it is very easy to fool the commissioners of boxing in the various States, to claim that you've got 40 fights, 35 wins and 5 losses. There's little or no way of proving it. In the meantime the fighter is booked, and the fight actually comes off, and is seen on television or in a stadium, armory, or whatever.

I think the quality of physical examination a fighter receives is good and bad. I know in some States a fighter receives a poor physical examination. Maybe in other States the quality is a little better and in others, the quality of very good. To me this is the type of thing that concerns me and I hope the committee will be interested.

The intent of this bill is basically to improve the standards, to make sure that a fighter works under decent working standards. It's obvious to me—I've been involved in boxing and I was a former participant—that boxing is in serious trouble if it's allowed to go on the way it is going; where a few control the setup of boxing, and control the destiny of young fighters. Many young fighters are lost in the clubs and the gyms because they don't have managers who are willing to pay off or make the connections in order to climb to the top.

It's obvious that unless you are signed up with certain people and fight through certain organizations, you're not going to make it. I think that that situation seems to be holding true today. That's why I look forward to the testimony of the various witnesses who will testify today, tomorrow, and next Tuesday.

Mr. MANHOFF. Congressman, you hit the nail on the head.

We're very grateful.

Mr. BEARD. Mr. Williams?

Mr. WILLIAMS. Mr. Manhoff, what's the purpose of your association, sir?

Mr. MANHOFF. We're a benevolent organization. We're a group of ex-fighters, joined in with a bunch of genuine boxing enthusiasts throughout the country. Our membership is around several thousand members who are in groups which we call rings, Ring No. 1, Ring No. 2, and so forth. There are 85 rings. They are not all active now and of course a lot of them are dissidents, going in another direction. But we do have 25 or 30 rings active. In 50 percent of those rings we have youth clubs.

Like Mr. Beard said, we're hurting the youngsters and that is who we are really interested in. They give a lot of sweat, a lot of time. They fight awfully hard. It's a tough way to make a living. But they love it. We feel as though they should get every break possible. I think that's what our country's about today, what it's all about is helping our youngsters.

Mr. WILLIAMS. The purpose of your association is very laudatory. Let me ask you, we hear a lot about discarded prizefighters. It seems to me the view of boxing is very emotional. People think it's controlled completely by gangsters or they have these kind of emotional views.

But I'm wondering if the idea of the discarded boxer, the boxer who when you stop and look has nothing to show for all of his efforts, is real. Is that a problem in this country?

Mr. MANHOFF. I'm sorry to say, sir, it's true. It is a problem. You cannot deny it. Some of them make good. There's always exceptions. I would say the majority of them are in bad shape. Fortunately they have incomes. We help quite a few of them out, mainly because they are ill and their doctor bills are above their small incomes.

Today a lot of the fighters are getting old, hitting 65. A lot of them are on Social Security. But mind you, former boxers and boxers, make good citizens. They are good, they're quiet, they're congenial people. They are taken advantage of, both while they're fighting and when they are through fighting they find that they have nothing left and that is why I am so happy to hear that part of your proposal is a pension plan for them.

Mr. WILLIAMS. You're supportive of the pension, retirement portion?

Mr. MANHOFF. One hundred percent. In fact I see a lot of dreams in the Federal commission. I think it will help us rebuild gymnasiums that have been torn down for parking lots and so forth. There's nothing left for the young fellow to come to who wants to be a fighter. There are people who don't understand that, but it's a man's privilege. It's his own life. If he wants to become a fighter, we should allow him that opportunity. We should help him. We should help protect him and teach him correctly. If we do that we're going to have a great, a better country, and we're going to have a better boxing sport all over again.

I think you're on the right track. Now we can go from step to step if you start off correctly with this bill you have on the floor now. I think we'll make it with the cooperation of all the people in boxing.

They won't all do it. There's a few that are out for themselves.

Mr. WILLIAMS. Mr. Manhoff, golfers have what they call "the 19th hole." That's where they go after it's over to relax. Boxers

have never had a 16th round. I think this man might help achieve that.

Mr. BEARD. Thank you very much, Mr. Manhoff.

Mr. MANHOFF. You're welcome.

Mr. BEARD. We also had a communication from Sugar Ray Robinson. Sugar Ray at the present time is in California and could not join us. But he indicated in his communication to me that he supports the thrust of what we're trying to do.

I also spoke with former heavyweight champion of the world Jersey Joe Walcott. Unfortunately with his schedule Mr. Wolcott couldn't possibly be here. But again, like many other fighters across the Nation, he has indicated support for such a thrust, what we are attempting to do here in the Congress.

We will hear tomorrow, and Tuesday from other fighters such as Floyd Patterson; Don King will come in opposition. But we're looking forward to Mr. King's testimony.

Tuesday we have on schedule such former fighters as Rocky Graziano, Tony Zale, Willy Pep, Carmen Basilio and others. We will also hear from promoters, seconds, and present day fighters. I think this mix will give us a balance and hopefully by the time we arrive at the end of the hearing on Tuesday we will have received enough information to convince all my colleagues that the time has come to enact Federal boxing standards. If this is not done, I'm afraid boxing is in severe danger of disappearing.

I know that there are many, many good people in boxing, managers, trainers, promoters; but it remains a fact that fighters have always come up on the short end of things. I think this has to be remedied. We shall do this hopefully through this particular bill.

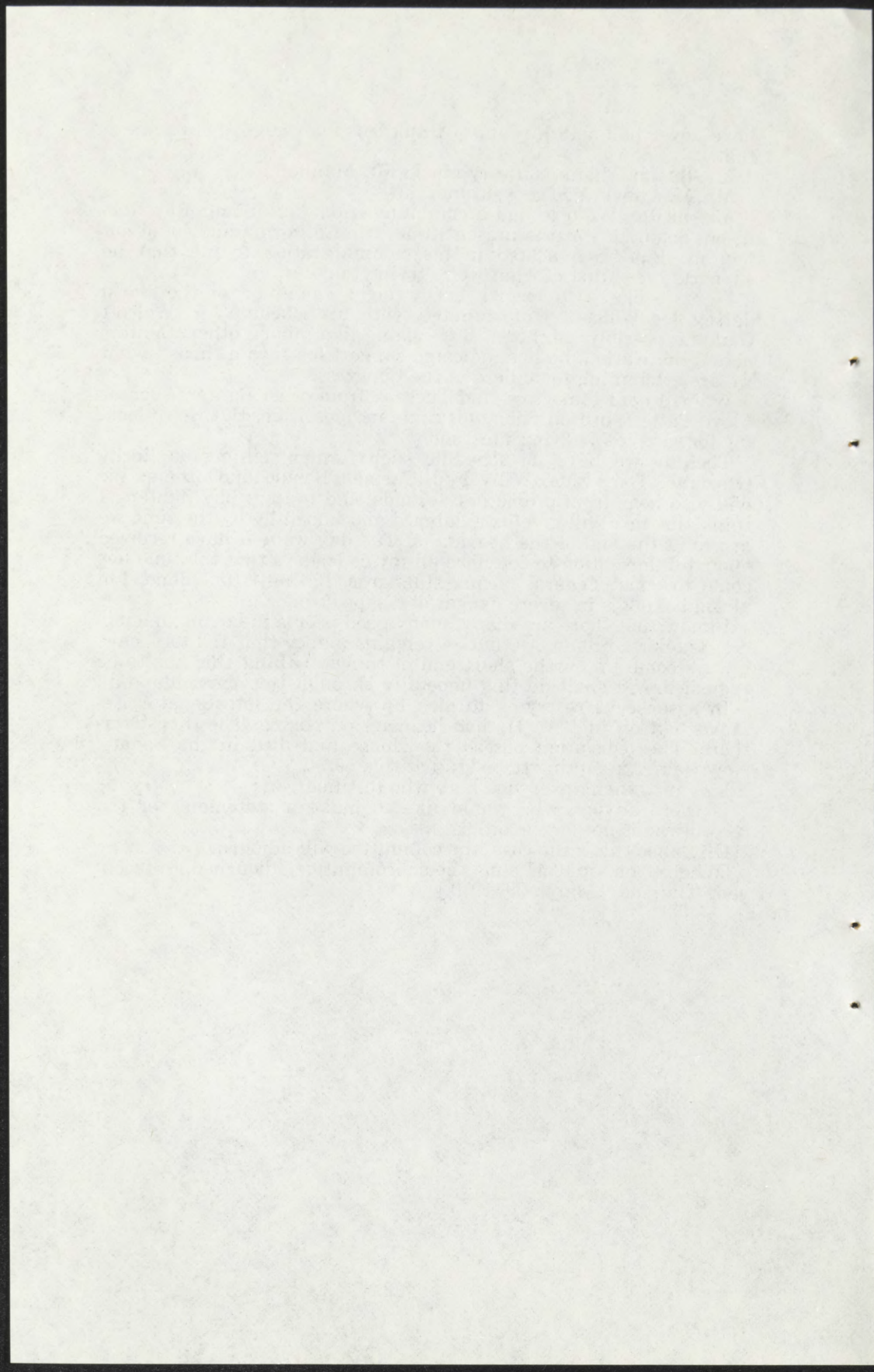
In a sense we're trying to pick up where the late Senator Ke-fauver left off in 1961. He had hearings on boxing. The thrust was there. The legislation passed the House and died in the Senate. Now we're attempting to pick up at this point.

I want to thank everyone here who testified.

Is there anyone who would like to make a statement for the record who is not on the official list?

OK, since that's the case, the committee will adjourn.

[Whereupon, at 10:47 a.m., the subcommittee adjourned, to reconvene Thursday, March 29, 1979.]



HEARINGS ON THE CREATION OF A FEDERAL BOXING BOARD

THURSDAY, MARCH 29, 1979

U.S. HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON LABOR STANDARDS,
COMMITTEE ON EDUCATION AND LABOR,
Washington, D.C.

The subcommittee met, pursuant to notice, at 9:30 a.m., in room 2257, Rayburn House Office Building, Hon. Edward P. Beard (chairman of the subcommittee) presiding.

Members present: Representatives Beard and Williams.

Staff present: Earl Pasbach, counsel; Sharon Leininger, legislative assistant; Carole DiDomenico, staff assistant; Edith Baum, minority labor counsel; and Dorothy Strunk, minority legislative associate.

Mr. BEARD. Good morning, ladies and gentlemen. I am Congressman Beard, chairman of Labor Standards. The hearing on labor standards is underway.

I apologize for the delay, but since we have so many things going on in the Congress, and since many of the Members are on another committee, so it was impossible to immediately obtain a quorum.

We have a list of excellent witnesses who will testify on the pros and cons on the idea of creating a Federal boxing board which I believe will improve the standards of professional boxing.

This is the second of three hearings. Yesterday was the first, today, and the 3rd of April.

We are looking forward to hearing from the various witnesses, the experts, the people who are interested in boxing, former fighters, current fighters and people who have a concern for the sport, and we hope that they will give us some guidelines in the directions that we hope will take us on a course to bring boxing into a greater day to enact standards to protect the fighter and aid him in his welfare and hopefully bring forth a better image to a sport that, in my opinion has been on the decline.

At this time I will go by order of my list. I see some of the members are here and some are not. I will call their names and if they are here will they please come up and present their testimony. We will go down the line.

Is Chris Cline here?

[No response.]

Mr. BEARD. Is Robert Sigholtz here?

[No response.]

Mr. BEARD. Is Bob Arum here? Bob, would you please take the stand?

Bob Arum is the promoter of Top Rank, Inc., of New York City. Bob, welcome to the subcommittee. We look forward to your testimony. We have a copy of your testimony and this will be incorporated into the record, so you can either read from the text, or speak extemporaneously.

[The prepared statement of Mr. Arum follows:]

PREPARED STATEMENT OF ROBERT ARUM, CHAIRMAN OF THE BOARD, TOP RANK, INC.

I am the Chairman of the Board of Top Rank, Inc., a New York corporation. Top Rank, Inc. is engaged worldwide in the promotion of boxing matches, primarily world championship matches in all weight categories.

Last year Top Rank promoted 20 world championship fights, including both of the Ali/Spinks championship matches. This year to date we have promoted six world championship fights and have two more world championships scheduled to be held in April. Of the six championship fights promoted to date three were held in Puerto Rico, two in Italy and one in Salt Lake City, Utah. The two championship fights scheduled to be held in April will be held in New Orleans, Louisiana and Indianapolis, Indiana respectively.

As a major international boxing promoter Top Rank unqualifiedly supports the creation of a Federal Boxing Commission. Bill No. H.R. 2726, which would establish a Federal Boxing Board in the Department of Labor, deserves the support of all who are involved in boxing. However, the Bill should be revised to provide for a far-reaching role for the Federal Boxing Board on the international boxing scene.

As a promoter of international championship boxing I can advise you that boxers from the United States are greatly in need of representation from a Federal Boxing Board. It is only a Federal Boxing Board which will enable United States interests to be protected. Under the current system the two international boxing bodies which control boxing, often neglect basic interests of United States boxers. This is quite understandable since there is no strong national voice speaking up for the interests of our boxers.

Nor is this surprising—just as our founding fathers could not conceive of states like Virginia, Massachusetts or New York representing United States interests in matters of foreign policy, so state commissions cannot adequately represent United States interests on the international boxing scene.

A brief history concerning the formation and organization of the two international boxing organizations might be helpful. The two organizations are the World Boxing Association and the World Boxing Council.

The World Boxing Association is the older of the two organizations and was incorporated in 1920. It elected its first president in 1921. It was then known as the National Boxing Association and was comprised primarily of commissions representing states and municipalities in the United States. In 1962 the name of the organization was changed to the World Boxing Association to reflect the increasing international membership in the organization. From 1921 through 1973 the presidency of the organization was held by a United States citizen—except for two years when Canadians held the post. During this period the World Boxing Association was dominated and controlled by United States interests.

However, in 1974 a Panamanian, Dr. Elias M. Cordova, Jr., was elected President of the WBA. He held that post for three years and was succeeded by the current President who is serving his second one-year term, Fernando Mandry Galindez of Venezuela. It is well recognized that the World Boxing Association is now dominated and controlled by interests outside the United States. The key post in the WBA is the presidency. The President assigns officials for championship contests and his voice largely controls the activities of the organization. The other two key posts in the organization are the Chairman of the Ratings Committee and the Chairman of the Championships Committee. Under the rules of the World Boxing Association a champion may only defend his title against an opponent rated in the top ten. Additionally, a champion other than the heavyweight champion, must defend his title every six months against the number one contender. The heavyweight champion is required to defend his title every year against the number one contender. Obviously then the question of who is rated, and particularly who is made the number one contender, is of great importance with respect to WBA championship matches. The Chairman of the Ratings Committee is Gilberto Mendoza of Venezuela.

The remaining key post in the World Boxing Association is the Chairman of the Championships Committee. That post is currently held by Michael G. Mortimer of Durban, South Africa. The Championships Committee is charged with the task of seeing to it that championship matches are held at required intervals in accordance with WBA rules. The Championships Committee must rule on key questions, such as when a champion is permitted to postpone his obligation to meet the number one contender. The Championships Committee also must determine whether facts and circumstances exist which indicate that a champion should be stripped of his title; the title be declared vacant and a procedure be instituted to find a new champion.

It is not without significance that none of the three major posts in the WBA, the Presidency, the Ratings Committee Chairmanship and the Championships Committee Chairmanship, is now held by a United States citizen.

Voting in the World Boxing Association is by Commission. Since State and municipal commissions were and are each entitled to one vote, regardless of size or number of boxing matches held within its jurisdiction, the dominance of the United States commissions by sheer weight of numbers was readily achieved. However, boxing interests, primarily in Latin America, eventually woke up to the fact that each city, province or what-have-you could have its own commission and each such commission would be entitled to one vote. With countries like Panama, Colombia, Venezuela and others forming a multitude of local commissions the voting strength began to shift, primarily when fewer and fewer state commissioners bothered to attend conventions, to the point where the United States is now easily outvoted at any WBA convention.

The other major world body is the World Boxing Council. The World Boxing Council was organized in 1963 in Mexico City. It was formed largely out of dissatisfaction with the dominant role of the United States in the World Boxing Association. The organization, from its inception, strongly was supported by European boxing interests which felt that they were being short-changed by the United States interests in charge of the World Boxing Association. The World Boxing Council is governed by an Executive Committee. The Executive Committee is composed of two representatives from each of seven supposedly continental federations, three regional vice presidents, a secretary-general and a president, 19 voting members in all.

The seven international federations are: The South American Federation, The Central American and Caribbean Federation, the North American Boxing Federation, the European Boxing Union, The British Board of Boxing Control, The African Boxing Union and the Oriental Boxing Union. On closer examination of the structure of the World Boxing Council it can be seen how the voting pattern is stacked against United States interests. The United States is represented by the North American Boxing Federation. Membership in the North American Boxing Federation is open to state and local commissions in the United States, as well as to Mexican and Canadian commissions. In practice the North American Boxing Federation largely consists of U. S. state commissions, and both representatives to the Executive Committee of the North American Boxing Federation are United States citizens, as is one of the regional vice presidents. This gives the United States three votes on the Executive Committee.

On the other hand, the Europeans have five votes. The European Boxing Union has two, The British Board of Boxing Control, which belongs to the European Boxing Union, has another two votes, and one of the regional vice presidents is also a European, making five votes in all. The African Boxing Union, representing various countries in Africa, has two votes, the Oriental Boxing Union, representing primarily Japan, Thailand and the Philippines, has two votes, and the remaining seven votes are held by Latin Americans—two representatives from the South American Federation, two from the Central American and Caribbean Federation, one regional vice president from Colombia and the secretary-general and the President from Mexico.

Under the rules of the WBC a champion can only defend his title against an opponent rated in the top ten. A champion must also defend his title at least once every 12 months against the number one rated contender in his division.

Ratings are extremely important in the WBC as in the WBA. Particularly important is the designation of a fighter as the number one contender since that fighter is assured a title fight so long as he remains the number one contender. The Chairman of the Ratings Committee in the World Boxing Council is Robert Busse, the President of the North American Boxing Federation. In practice however, the ratings, which come out on a monthly basis, are formulated and issued by the President of the WBC from the office of the organization in Mexico City.

The World Boxing Council also has no championships committee, and the President of the WBC largely runs the organization, after polling members of the Executive Committee on important or controversial matters.

United States boxers do not as a rule get treated very well in the ratings. This I believe is largely due to lack of effective United States representation. Since there is no national body participating in the World Boxing Association or the World Boxing Council it is extremely difficult for United States boxers to compete against Latin Americans, Europeans, Africans, and especially English boxers, in the ratings at least. When given the opportunity U.S. boxers more than hold their own with foreign boxers, and that of course is another part of the problem.

Also, television networks in foreign countries, particularly the BBC and ITV in England, generally strongly support, with rights fee money, a championship match involving a boxer from that country. United States television networks which support the amateur boxing program very well, do not appear particularly concerned about supporting championship matches involving Americans, at least not to the extent which the English do in backing their boxers.

I concentrate on the English because in addition to strong television backing for English fighters the British Board of Boxing Control (because of strong national leadership) has made its impact felt in the World Boxing Council so that British fighters are always prominent in the ratings and are able to fight for world titles more often in proportion to their numbers than United States fighters.

For example: excluding the heavyweight division where England at present has no world class fighters, English fighters will, before the end of this year, be fighting for titles in most of the other weight divisions.

John Conteh of England, a former light heavyweight champion, was the number one contender in 1978 when he fought Mate Parlov of Yugoslavia in June 1978. Conteh lost to Parlov but was continued as the number one contender over Matthew Franklin of Pennsylvania who was the North American Boxing Federation champion and never had the opportunity to fight for a championship.

When Marvin Johnson defeated Parlov in December 1978 in an optional title fight he agreed to fight Franklin for the title. The winner of that fight will be required to fight John Conteh before the end of June.

The middleweight champion is Hugo Corro of Argentina. Most boxing experts consider the top middleweight contender to be Marvin Hagler of Boston. However, Hagler is only rated number two in the WBC. The WBC's number one contender is Alan Minter of Great Britain, whose record or ability is no match for that of Hagler's, and indeed Minter has already lost to an American fighter, Ron Harris of Ohio who is only rated number four in the WBC ratings.

Maurice Hope of Great Britain was the number one contender in the super welterweight or junior middleweight category—a division created between welterweight—147 pounds, and middleweight—160 pounds. As the number one contender Hope was able to fight Mattioli of Italy and won the championship when Mattioli was knocked to the canvas and broke his arm.

The welterweight champion of the WBC is Wilfredo Benitez of Puerto Rico. Number three contender is David Green of Great Britain. Benitez will fight Green in May in Monte Carlo, primarily because Green is a very popular fighter in England and the BBC has offered an exceptionally large rights fee for the television rights to a Benitez/Green fight.

Finally, the lightweight champion was Roberto Duran of Panama, who after not defending his title for over a year decided he could no longer make the weight limit of 135 pounds. The title was declared vacant by the WBC and a match was ordered for the vacant title between the number one and number two contenders. It was then discovered that the number two contender was Jim Watt of England (although his record appears on its face to be rather mediocre). Watt will fight for the lightweight championship in Scotland in April. I truly believe that there are at least half a dozen United States fighters who are far superior to Watt, or for that matter to his opponent, Alfredo Pitalua, of Colombia who resides in Mexico.

On the WBA side similar examples can be shown. Mike Rossman easily defeated Victor Galindez in New Orleans on September 15, 1978, but lo and behold Victor was then rated the number one contender over a whole host of U. S. boxers who have not had a chance to fight for the title, and Rossman is compelled to once again fight Galindez for the title.

It is clear that in any international organization there will be a large amount of national politics. My point is that U.S. state and local boxing commissions are unable to play these politics and the United States boxers desperately need national representation.

Another major area of concern regarding championship matches is the assignment of officials. State commissions are really unable to deal with either of the two world bodies. The cancellation of the Rossman/Galindez fight in February in Nevada is an example. I believe that this inability of a state commission to deal with an international body is where a Federal Commission speaking for the entire nation, would have a much better chance of making its position felt in either of the world bodies.

A federal commission participating in the international arena would be able to press in the WBC for larger representation. This would be based on the number of fighters in the United States, the number of shows, the economic factors, primarily the amount of money invested in international boxing by the United States television networks. Surely the United States should be represented by more than three votes out of 19.

In the World Boxing Association a federal commission would press for a larger role regarding ratings and the conduct of championship matches. A federal commission would also encourage state commissions to attend conventions and might be able to effectively organize a U. S. voting block.

Finally, I believe that a bill forming a Federal Boxing Board should provide the Board with jurisdiction over championship fights where: (1) the fight is held in the United States; (2) a fight is held outside the United States but involves the participation of a U.S. boxer; and (3) the championship fight is held outside the United States and does not involve the participation of a U.S. boxer, but the telecast of the fight is shown in the United States.

I would recommend that the Federal Boxing Board be given the power to sanction championship fights in all such instances. In category 1 where the fight is to be held in the United States—if the Federal Boxing Board refused to sanction the fight the fight could not take place. In the case where a U.S. boxer is participating in a championship match, the lack of a Federal sanction would prevent the boxer from participating in the match. Finally, with regard to a championship fight not involving a U.S. fighter, which is held abroad, and which is telecast into the U.S., the failure of the Federal Boxing Board to grant its sanction should require the U.S. television network telecasting the bout to make 10-second announcements between rounds that the match being viewed by the American public has not been sanctioned by the Federal Boxing Board.

A Federal Boxing Board equipped with such powers would do much to restore the dignity of the United States in international boxing. No longer would U.S. boxers be passed over willy-nilly. Deserving American fighters would get the opportunity to fight for world championships, and given that opportunity, with the large pool of talent in the United States, most of the championships would return to this country.

STATEMENT OF ROBERT ARUM, CHAIRMAN OF THE BOARD, TOP RANK, INC.

Mr. ARUM. Congressman, thank you very much for inviting me to testify today.

I am the chairman of the board of Top Rank, Inc., a New York corporation. Top Rank is engaged in the worldwide promotion of boxing matches, primarily world championship matches in all the various weight categories.

Last year we promoted 20 world championship fights, including both Ali/Spinks championship matches. This year to date we have promoted six world championship fights and have two more scheduled to be held in April.

Of the six championship fights promoted by Top Rank to date, three were held in Puerto Rico, two in Italy and one in Salt Lake City, Utah. The two championship fights scheduled to be held in April will be held in New Orleans, La., and Indianapolis, Ind., respectively.

As a major international boxing promoter Top Rank unqualifiedly supports the creation of a Federal boxing board. Bill No. H.R. 2726, which would establish a Federal boxing board in the Department of Labor, deserves the support of all who are involved in boxing.

However, the bill should be revised, in my opinion, to provide for a far-reaching role for the Federal boxing board on the international boxing scene.

As a promoter of international championship boxing, I can advise you that boxers from the United States are greatly in need of representation from a Federal Boxing Board. It is only a Federal boxing board which will enable U.S. interests to be protected.

Under the current system the two international boxing bodies which control boxing often neglect basic interests of United States boxers. This is quite understandable since there is no strong national voice speaking up for the interests of our boxers.

Nor is this surprising, just as our founding fathers could not conceive of States like Virginia, Massachusetts, Rhode Island, or New York representing U.S. interests in matters of foreign policy, no State commission can adequately represent U.S. interests on the international boxing scene.

A brief history concerning the formation and organization of the two international boxing organizations might be helpful. The two organizations are the World Boxing Association and the World Boxing Council.

The World Boxing Association is the older of the two organizations and was incorporated in 1920. It elected its first president in 1921. It was then known as the National Boxing Association and was comprised primarily of commissions representing states and municipalities in the United States.

In 1962, the name of the organization was changed to the World Boxing Association to reflect the increasing international membership in the organization. From 1921 through 1973 the presidency of the organization was held by a U.S. citizen, except for 2 years when Canadians held the post. During this period the World Boxing Association was dominated and controlled by U.S. interests.

However, in 1975 a Panamanian, Dr. Elias M. Cordova, Jr., was elected president of the WBA. He held that post for 3 years and was succeeded by the current president who is serving his second 1-year term, Fernando Mandry Galindez of Venezuela.

It is well recognized that the World Boxing Association is now dominated and controlled by interests outside the United States.

The key post in the WBA is the presidency. The president assigns officials for championship contests and his voice largely controls the activities of the organization.

The other two key posts in the organization are the chairman of the ratings committee and the chairman of the championships committee.

Under the rules of the World Boxing Association a champion may only defend his title against an opponent rated in the top ten. Additionally, a champion, other than the heavyweight champion must defend his title every 6 months against the No. 1 contender.

The heavyweight champion is required to defend his title every year against the No. 1 contender.

Obviously then, the question of who is rated, and particularly who is made the No. 1 contender, is of great importance with respect to WBA championship matches. The current chairman of the ratings committee of the WBA is Gilberto Mendoza, also of Venezuela.

The remaining key post in the World Boxing Association is the chairman of the championships committee. That post is currently held by Michael G. Mortimer of Durban, South Africa.

The championships committee is charged with the task of seeing to it that the championship matches are held at required intervals in accordance with WBA rules. The championships committee must rule on key questions, such as when a champion is permitted to postpone his obligation to meet the number one contender, when a champion should be stripped of his title, when titles should be declared vacant and procedures to be instituted to find a new champion.

It is not without significance that none of the three major posts in the WBA, the presidency, the chairman of the ratings committee or the chairman of the championships committee, is now held by a U.S. citizen. There are no U.S. citizens in any of the three key posts of the World Boxing Association.

Voting in the World Boxing Association is by commission. Since State and municipal commissions were and are each entitled to one vote, regardless of size or number of matches held within the jurisdiction. The dominance of the U.S. commissions by sheer weight of numbers was readily achieved in the first 50 years of the organization.

However, boxing interests, primarily in Latin America, eventually woke up to the fact that each city, province, or what-have-you could have its own commission and each commission was entitled to one vote.

Countries like Panama, Colombia, and Venezuela formed a multitude of local commissions. The voting strength began to shift, primarily when fewer and fewer U.S. State commissioners bothered to attend conventions. At this point the United States is quite easily outvoted at any WBA convention.

The other world body is the World Boxing Council. The World Boxing Council was organized in 1963 in Mexico City. It was formed largely out of dissatisfaction with the dominant role of the United States in the World Boxing Association.

The World Boxing Council, from its inception, was strongly supported by European boxing interests which felt that they were being shortchanged by the United States in the World Boxing Association.

The World Boxing Council is governed by an executive committee. The executive committee is composed of two representatives from each of seven supposedly continental federations. There are three regional vice presidents, a secretary-general and a president, 19 voting members in all.

The seven international federations are the South American Boxing Federation, the Central American and Caribbean Federation, the North American Boxing Federation, the European Boxing Union, the British Board of Boxing Control, the African Boxing Union, and the Oriental Boxing Union.

On close examination of the structure of the World Boxing Council it is readily apparent that the voting pattern is stacked against the United States. The United States is represented in the World Boxing Council by the North American Boxing Federation.

Membership in the North American Boxing Federation is open to State and local commissions in the United States as well as Mexico and Canada.

In practice, the North American Boxing Federation largely consists of United States State commissions, and both representatives to the executive committee of the WBC from the North American Boxing Federation are citizens, as is one regional vice president. This gives the United States 3 votes on the executive committee out of 19.

On the other hand, the Europeans, who have far fewer boxing matches, have five votes. The European Boxing Union has two, The British Board of Boxing Control, which incidentally belongs to the European Boxing Union, has two other votes, and one of the regional vice presidents is also a European, five votes in all.

The African Boxing Union, which has very few matches, has two votes. The Oriental Boxing Union, primarily representing Japan, Thailand, and the Philippines, has two votes. The remaining seven votes are held by Latin Americans, two from South American, two from Central America and the Caribbean, one regional vice president from Colombia, the secretary-general and the President both from Mexico.

Under the rules of the World Boxing Council a champion can only defend his title against an opponent rated in the top ten. This is the same rule as the WBA. A champion must also defend his title at least once every 12 months against the No. 1 rated contender in his division.

Ratings are extremely important in the WBC as in the WBA. Particularly important is the designation of a fighter as the No. 1 contender, since that fighter is assured a title fight so long as he remains the number one contender.

The chairman of the ratings committee on the World Boxing Council is Robert Busse, from Texas, who is president of the North American Boxing Federation. However, in practice, the ratings, which come out on a monthly basis, are in fact formulated in Mexico and are issued by the president of the World Boxing Council from the office of the WBC in Mexico.

The WBC has no championships committee. The president of the WBC largely runs the organization, after polling members of the executive committee on important or controversial matters.

U.S. boxers do not get treated well in the ratings. This, I believe, is due largely to lack of effective U.S. representation.

Since there is no national body participating in the World Boxing Association or the World Boxing Council it is extremely difficult for U.S. boxers to compete against Latin Americans, Europeans, Africans, and especially English boxers, in the ratings at least.

When given the opportunity U.S. boxers more than hold their own in the ring with foreign boxers. That, of course, is another part of the problem.

Also, television networks in foreign countries, particularly the BBC and ITV in England, generally strongly support, with rights fee money, a championship match involving a boxer from that country.

U.S. television networks, which support our amateur boxing program in the United States very well, do not appear particularly concerned about supporting championship matches involving American fighters, at least not to the extent which the English do in backing their boxers.

I concentrate on the English not because I wish to demean their participation, but because I think the English are an example where strong national leadership can have a significant impact in helping boxers from a particular country. English fighters are in the ratings and are able to fight for world titles more often in proportion to their numbers than United States fighters.

For example, excluding the heavyweight division where England at present has no world class heavyweights, English fighters will before the end of this year be fighting for titles in almost all of the other weight divisions.

For example, John Conteh of England, a former light heavyweight champion run in was the No. 1 contender when he fought Mate Parlov of Yugoslavia in June 1978.

Conteh lost to Parlov but was continued as the number one contender over Matthew Franklin of Pennsylvania who was the North American Boxing Federation champion and never had an opportunity to fight for the championship although Franklin is recognized as one of the greatest light heavyweights in the world.

When Johnson defeated Parlov in December 1978 in an optional title fight he agreed to fight Franklin in Indianapolis. However, the winner of that fight is required to fight John Conteh before the end of June.

The middleweight champion is Hugo Corro of Argentina. Most boxing experts consider the top middleweight contender to be Marvin Hagler of Boston. However, Hagler is only rated No. 2 in the WBC.

The WBC's number one contender is Alan Minter of Great Britain, whose record and ability are no match for that of Hagler's. Indeed, Minter has already lost to an American fighter, Ron Harris of Ohio who is only rated No. 4 in the WBC ratings.

Maurice Hope of England was the No. 1 contender in the super-welterweight championship. He was given the opportunity to fight Rocky Mattioli and won the title in March when Mattioli was knocked to the canvas and broke his arm.

The welterweight champion of the WBC is Wilfredo Benitez of Puerto Rico. The No. 3 contender is David Green of Great Britain. Benitez will fight Green in May in Monte Carlo, because English television money, which has been substantial, is backing that fight.

Finally, the lightweight champion was Roberto Duran of Panama, who after not defending his title for over 1 year decided he could no longer make the weight limit of 135 pounds.

The title was declared vacant by the WBC and a match was ordered for the vacant title between the number one and number two contenders.

It was then discovered that the No. 2 contender was Jim Watt of England, although his record appears on its face to be rather mediocre. Watt will fight for the lightweight championship in Scotland in April.

I truly believe that there are at least a half a dozen U.S. fighters who are far superior to Watt, or for that matter to his opponent, Alfredo Pitalua, of Colombia who resides in Mexico.

On the WBA side, the situation is much the same. Mike Rossman easily defeated Victor Galindez in New Orleans on September 15, 1978. But lo and behold Victor from Argentina was then rated the No. 1 contender over a whole host of U.S. boxers who had never had a chance to fight for the title, and Rossman is compelled once again to fight Galindez for the title.

It is clear that in any international organization there will be a large amount of national politics. My point is that the U.S. State and local commissions are unable to play these politics on an international basis and the U.S. boxers desperately need national representation.

Another major area of concern regarding championship matches is the assignment of officials. State commissions are really unable to deal with either of the two world bodies on an effective basis.

The cancellation of the Rossman/Galindez fight in February in Nevada is an example.

I believe that this inability of a State commission to deal with an international body is where a Federal Commission, speaking for the entire Nation, would have a much better chance of making its position felt in either of the world bodies.

A Federal commission participating in the international arena would be able to press in the WBC for larger representation. This would be based on the number of fighters in the United States, the number of boxing shows, the economic factors, primarily the huge amount of money invested in international boxing by the U.S. television networks. Surely the United States should be represented by more than 3 out of 19 votes.

In the World Boxing Association a Federal commission would press for a larger role regarding ratings and the conduct of championship matches. A Federal commission would also encourage State commissions to attend conventions and might be able to effectively organize a U.S. voting block.

Finally, I believe that a bill forming a Federal boxing board should provide the board with jurisdiction over championship fights in three major instances. One, where the fight is held in the United States. Two, where the fight is held outside the United States but involves the participation of a U.S. boxer. Three, where the championship fight is held outside the United States, does not involve the participation of a U.S. boxer, but the telecast of the fight is shown in the United States.

I would recommend that the Federal Boxing Board be given the power to sanction championship fights in all such instances. In category I where the fight is to be held in the United States, if the Federal Boxing Board refuses to sanction the fight, the fight could not take place.

In the case where a U.S. boxer is participating in a championship match abroad, the lack of a Federal sanction would prevent the boxer from participating in the match.

Finally, with regard to a championship fight not involving a U.S. fighter, which is held abroad, which is telecast into the United States, the failure of the Federal boxing board to grant its sanction

should require the U.S. television network telecasting the bout to make 10-second announcements between rounds that the match being viewed by the American public has not been sanctioned by the Federal boxing board.

A Federal boxing board equipped with such powers would do much to restore the dignity of the United States in international boxing. No longer would U.S. boxers be passed over willy-nilly for less deserving foreign fighters.

Deserving American fighters would get the opportunity to fight for world championships, and given that opportunity, with the large pool of talent in the U.S., most of the championships would return to this country.

I believe, and I do not want to overemotionalize this, that this is a desperate plea for help. If we are going to encourage boxing in the U.S., if we are going to encourage kids from all over the country to participate in boxing, they must be able on a fair and equal basis to get the opportunity to fight for world championships.

The foreign interests have their point. They are defending their national interests. Nobody, but nobody, is effectively defending the interests of U.S. boxers.

Thank you.

Mr. BEARD. Thank you very much for your statement.

I have a few questions and I am sure Mr. Williams of Montana will also have some questions.

First of all, let me explain to you how far we can go. You mentioned the World Boxing Association, you mention other countries rating systems and standards and so on. First of all, as a member of the United States Congress, any type of a commission that is set up or any type of standards that would be set up thereunder through this legislation would be within the United States and the territorial waters of the United States.

The Board would have absolutely no control of and could not tell Europe, England, Ireland, or any other country what they should do.

But what we could do is, if we had a set of standards as set out in H.R. 2726, a bill that creates this board, a Federal boxing board and enacts some basic standards. These standards could act as a guideline for other countries.

Now, as far as the rating system goes, I have to believe, as a boxing fan, removing myself from the chairmanship at this point, that the average person out there who is interested in boxing, doesn't know who to believe.

For example, if Muhammed Ali and Larry Holmes were in this room right now and I asked if the heavyweight champion of the world would stand up you would have two people standing.

If I asked the number one middleweight contender of the world to stand up, Marvin Hagler would be the first on his feet and then someone else would probably stand too.

It is a matter of who you want to believe. In my opinion, and again I am talking as a fight fan, I would prefer to see Marvin Hagler as the number one middleweight contender. I think he has that right. No one could tell me any different. I have followed boxing pretty closely.

So, I am concerned, and I appreciate your support for the concept of what we are trying to do. We are not trying to get into the system of saying that, yes, you should have a point system over a round system. We are not interested in that. I do not think that is our business.

But I think it is our business, for this committee that regulates labor standards, to say that if a fighter is knocked out, and I think it would be very hard to argue this point, it is in his interest to have a little rest. That is why we are going for the 30-day rest period. I hope that that would be accepted by the fighters, the promoters and the managers.

Certainly, it is a point, in my opinion, of good health practices and good labor practices.

I think it is important to have a good recordkeeping system. We do not have that in boxing. If I wanted to know the record of any given fighter, I would have to go to Ring magazine or some other outside agency to find out what that story is.

I think the idea of overmatching is atrocious.

I do not know, for example, and I want to find out, what role television plays in the matching of fighters. Do they just broadcast the match into peoples' homes or are they actually part of the operation of setting up matches?

We sent out invitations to the three networks. They declined. We were declined their input. NBC, CBS, and ABC did not send a representative, on the highest level, to talk about their point of view and give their opinion as to what we are trying to do here. It is very difficult to get such testimony from people who do not want to appear and present their case.

On next Tuesday, Howard Cosell will speak in support of the legislation.

When Mr. King presents his testimony I will read a quote attributed to him. It may not be true because I have been misquoted many times in the newspaper and I am sure he has, but I will ask him about a quote that was in the paper.

I am concerned about an article that appeared in the New York Times and I would like to have your opinion on it. In that article it mentions that two promoters, Bob Arum and Don King, have virtually a stranglehold on most of the major titles. This is the newspapers opinion.

King says, and Mr. King can answer this one when he has a chance to testify, that "The only way a manager can get a fight from under Arum or me is to get his fighter to become the No. 1 contender."

What they are really saying here, or claiming that he said, is that this is a monopoly on championship fights.

From your point of view could you respond to that?

Mr. ARUM. I think Mr. King was probably misquoted. I am sure he did not mean that.

Mr. BEARD. But your name is also mentioned in the article.

Mr. ARUM. I understand that, Congressman.

Congressman, I want to say that I believe, with all respect, that you missed the point. The point is that this is an international business.

King and I are major U.S. promoters who are promoting in the United States and abroad——

Mr. BEARD. Mr. Arum, what you are saying is—I have not missed the point. I asked a question on the article.

Mr. ARUM. All right. Let me just say this. We are competing on the international level. It is not true that either King or Top Rank controls world championships. Most of the world championships are controlled abroad.

We do have certain promotional rights with certain of the champions. It is true that when foreign promoters wish to make a deal with a U.S. television network, rather than go directly to the U.S. television network they will go either to myself or to Mr. King as the two prominent U.S. promoters.

Similarly, if I want to make a deal in Italy with an Italian television network, I will go to an Italian promoter.

But, we do not control the fighters and we do not control the championships. It is true that foreign promoters when wanting to make a deal with the U.S. television networks, while being able to go directly, will come to one of us because I believe they feel that we know the market best.

But I want——

Mr. BEARD. Go ahead, sir.

Mr. ARUM. The message that I want to bring to you today is that everything that we do in the United States, and all of these points about the fighters should have 30 days rest, recordkeeping, it is all wonderful. However, it does not accomplish the purpose, in my opinion, unless, and I think it is easily within the purview of your authority, and I am not saying that you can go and take over the WBA or the WBC or to replace the WBA or the WBC, but as Federal boxing board you will have an impact in these organizations and can——

Mr. BEARD. I agree on that point.

Mr. ARUM. Yes, and can effectively protect the interests of U.S. boxers just the way national commissions in other countries protect very, very well the interests of boxers in those countries.

Mr. BEARD. Let me give you again my perception on this. I think it is important.

I think that if we are successful with this legislation, by setting up an umbrella agency for the entire 50 States, and let me tell you, from someone that has an interest in boxing, and who did a little boxing in Rhode Island, from my observations around the country some of the so-called commissions are a disaster.

Many of them are strictly, and this is one thing I would want to avoid if I have any input at all in this, and I think I would, I would want to avoid, for example, someone being a commissioner who does not know from A to Z about boxing. That is the first thing.

I think if we are going to have a Federal Commission, and I think it is the right course, I think we should support people who have some expertise in the area of boxing, who have some working knowledge of the sport, such as referees, secondmen, people who are qualified.

There are some people who work in corners, who I would not want to touch my eyes if I had a cut. They have little or no expertise at all. There are a handful of good cutmen in the coun-

try. Some of the better ones have passed on to greater things over the years.

There are referees, who at best, cannot make a decision in some cases. I think there should be some kind of criteria of what qualifies a referee, when a fight should be stopped or when the fight should continue.

I think if we can have some basic standards, and I think as far as the international scene goes, if we had a setup in the United States where there were 50 States with some kind of basic standards under a Federal commission, then we would have a greater voice in the world arena of dealing with other fighters.

As far as other fighters coming into the United States are concerned, once they enter the United States, whether it is New York or Rhode Island or California or even in a small city, they would have to conform to the laws that would be set federally and fight according to law and the rules that are set up by the Federal Board in coordination with the State agencies.

We would not, for example, want to go into the State of New York and dictate how they should conduct their physical examinations if New York has an adequate method.

We are looking to New York and to other States for guidance. We will hear from doctors and fighters in that regard.

The physical examination of fighters in some areas is atrocious at best. In other areas they are very good. Some fighters have little or no examination. I have watched certain doctors over the years. There is no way they would examine me.

I observed a doctor say to a fighter, "How do you feel, kid?" The boy said he felt pretty good. OK, he gives him a once over, he is talking to somebody else about another fight, he is probably not even listening to the gadget that he is using to examine this person's heart or his blood pressure.

So it runs from one extreme to another. I want to see the medical examinations upgraded. That is part of our thrust.

I really appreciate your testimony because I was told by the press that your presentation might be against us. I was told that—we are waiting to hear what Mr. King has to say.

But it was also my understanding and again, I have to leave it in that light, that unless you want to get a fight, and want to climb to the top, you must be fighter under your jurisdiction or Mr. King's. If not you cannot make it. That is what the article was more or less implying.

Mr. ARUM. That is what it said, and my point of my comments—

Mr. BEARD. Is that accurate?

Mr. ARUM. It is totally inaccurate, Congressman.

Mr. BEARD. All right.

Mr. ARUM. The point of my comments today is that it is who gets the title shot and who gets to fight for these plums are largely dictated by interests outside the United States. Otherwise I would not make the comments that I made.

Mr. BEARD. I have one last question.

What happened to the Rossman fight, just briefly?

Mr. ARUM. The Rossman/Galindez fight was a so-called mandatory fight. Galindez was the number one contender although he had just recently lost his title, and Rossman was the champion.

In a mandatory fight the World Boxing Association has a rule that three neutral officials, meaning non-American and non-Argentine officials, have to officiate at that fight and that those officials would be appointed, under the rules, by the President of the World Boxing Association.

The Nevada Commission which had gone along for years with the concept of neutral officials appointed by international bodies advised us in February that they would only allow their own officials to officiate.

We attempted to work out a compromise with the President of the World Boxing Association which would enable Nevada to use its officials. It was my understanding that he approved that compromise.

Thursday before the fight in a telephone conversation he informed me that he could not go along with that compromise. There would only be neutral WBA officials who would participate.

We then informed the Nevada Commission. At a meeting the Friday night before the fight the Nevada Commission said absolutely not, only Nevada officials. That impasse could not be broken no matter how much we tried. The Nevada Commission refused to allow the fight to take place.

Mr. BEARD. Mr. Arum, that situation demonstrates every reason why we need what we are looking for here.

To the American public, the American boxing fans, that situation was a shambles.

Mr. ARUM. You are absolutely right. I could not agree with you more.

The Nevada Commission may have been justified at any anger against the WBA, but they had an obligation to the people who came from all over the country to watch that fight and the 20 million or so Americans who canceled their plans for Saturday afternoon so they could be in front of their television sets to watch that fight. I could not agree with you more.

One of the problems, as you say, with these commissions is that the Governors appoint, for political consideration, people who are in other businesses who serve as part time, 1 day a month, visits to the commission office. They appoint executive secretaries at very low compensation and with notable exceptions, such as New York and California, the conduct of the commissions is deplorable.

Mr. BEARD. Thank you very much.

Mr. Williams?

Mr. WILLIAMS. Thank you, Mr. Chairman.

Mr. Arum, it is nice to see you here today. I appreciate hearing your testimony, particularly as it affects your hope for the rights of American boxers on the world scene.

You mention, sir, that you and perhaps Mr. King have promotional rights with most of the champions. Would you describe those rights?

Mr. ARUM. That is not correct that we have promotional rights with most of the champions. I have a contract, for example, with

Mike Rossman, which requires me to promote three of his title fights.

The first fight was promoted in Philadelphia in December of last year. The next fight will be promoted in New Orleans in April. Then there is one additional contract that I have to promote another fight.

I never have promotional rights with any champion which exceed more than three title fights. Generally it is two title fights.

There is a practice in international boxing that where a promoter promotes a title fight the challenger grants to the promoter two options to promote his title defenses should he win the title. That is the practice in general around the world.

I have promotional contracts, other than one fight contracts, with four champions. I have it with Mike Rossman, the WBA light heavyweight champion, with Marvin Johnson, who I have three title defenses I am obligated to put on for him and he is obligated to perform for me, with Hugo Corro, the middleweight champion and with Wilfredo Benitez, the welterweight champion.

Mr. WILLIAMS. Can any of those champions fight outside of their contract with you, sir?

Mr. ARUM. Yes, but not as a title fight. They can fight a nontitle fight outside of their contract with me.

Mr. WILLIAMS. If they are going to defend their title they have to do so meeting the terms of their contract with Top Rank, Inc.?

Mr. ARUM. Yes. The contracts spell out the terms. It puts us to the risk of suffering from time to time substantial losses with regard to promotion. It assures the fighter a purse no matter what the vagaries of television, no matter what the vagaries of a live gate, no matter what the fan interest is.

We are on the hook with the fighter to promote the second or third title defense at particular set dollar amounts.

Mr. WILLIAMS. Is there any third party involved in these contracts? That is to say, is the WBA, the WBC, any boxing administrative structure involved in the negotiations for these contracts?

Mr. ARUM. As a matter of policy, no. As a matter of practice, yes, from time to time.

Mr. WILLIAMS. How is that yes? Would you describe it?

Mr. ARUM. I think that the Presidents of these two organizations do take it upon themselves to sit down with fighters and promoters in order to work out contractual arrangements. That I think is totally improper, but I know it has happened from time to time.

Mr. WILLIAMS. Do you think it is easy, sir, for a young fighter coming in, a young fellow that walked into Floyd Patterson's club up there, to get a start and to come up through the ranks? Let me ask you to compare for us, if you would, how easy it is today for a young fighter to, after a few years if he is pretty good, work himself into being a real contender compared to how easy it was or difficult it was, let us say, 25 or 50 years ago?

Mr. ARUM. For U.S. boxers it is frightfully difficult. Neither Mr. King nor myself nor any other American promoter has control over the ratings. Those ratings are controlled by the international organizations.

Unless a fighter is in the ratings, he cannot even hope to get a title shot. All my contracts and all of Mr. King's contracts are to

no avail, because unless that fighter is a top 10 fighter, he cannot fight in a title fight.

If that fighter is left-handed and has skills and is an American and is black, then his chance of becoming a No. 1 contender is virtually impossible, because there are interests in other countries which rate their fighters as No. 1 contenders and before a champion can be compelled to fight any challenger, that challenger must be a No. 1 contender.

So the answer to your question is that it is frightfully difficult now for U.S. boxers because the United States does not any longer have control of international boxing.

Mr. WILLIAMS. Thank you.

Thank you, Mr. Chairman.

Mr. BEARD. I was in the sixth row of a big stadium in New Orleans with about 70,000 people watching Spinks fight Muhammed Ali. As I recall it, Spinks had 10 fights, that was not many fights for him, but was he ranked?

Mr. ARUM. Yes.

Mr. BEARD. How did he get ranked with 10 fights?

Mr. ARUM. He fought—

Mr. BEARD. I mean, he would be a miracle worker.

Mr. ARUM. No. Spinks was an awfully good fighter and in our opinion he was a great attraction. We arranged for a fight between Spinks and a fighter in the top 10, Alfio Righetti.

You will find, throughout these ratings, fighters in the top 10 from Europe, from Latin America, particularly in the heavyweight division, who, between you and me, do not belong.

We, by offering Righetti a substantial purse and taking a loss on that fight, got Righetti to fight Spinks. So when Spinks beat Righetti, Spinks then took Righetti's place in the ratings, No. 10.

Spinks as No. 10 was then eligible for a title shot. You only could do that in the heavyweight division, because the money was there.

That was a situation, again, where Spinks beat a contender in the top 10, therefore making himself eligible to fight for the title. Ali agreed to fight him.

Mr. BEARD. I do not want to belabor the point, but we had a fellow here yesterday from New England, Ralph Zannelli, a former welterweight world champion, who fought Raymond Fort, Henry Armstrong, and Tony Zale. One thing, maybe it is a lesson to go back in the past, but in the old days you could not get into Madison Square Garden or you could not get into the main event unless you had a record and a half in the amateurs and you had a number of preliminary fights starting with 4 rounders, 6 rounders, 8 rounders, a number of 10 rounders, and if you got lucky you made it to the big time to fight the then-ranking contenders.

You never got a shot at the title unless you had at least 30, 40, maybe 50 fights. I guess things have changed.

Thank you.

Mr. ARUM. Congressman, just let me say that Leon Spinks had an extensive amateur record, particularly during his service in the Marines. He also, let me remind you—

Mr. BEARD. But he was champion on one fight.

Mr. ARUM [continuing]. Won a gold medal in the Olympics. He also fought a number of good fighters on his way to a title shot.

I would also remind you, as Floyd Patterson would remind you, that another Olympic champion in his first professional fight fought Floyd Patterson for the title and I think had Floyd on the deck in the first round.

Mr. BEARD. All right. We are not going to argue about this now, it just seems very strange to me how someone could have seven fights, even one with Floyd Patterson, before fighting for the title.

I think that is the type of thing that is causing problems with the fight fans around the Nation.

I appreciate your testimony and taking the time to come here before us. I appreciate your support for the bill.

Mr. ARUM. Thank you very much, Congressman.

Mr. BEARD. Now, the next witness, who could be a natural right after Mr. Arum, is Mr. King.

Mr. King, would you postpone your testimony for just a second because they are xeroxing your testimony. Maybe I will call someone else.

Mr. KING. All right.

Mr. BEARD.

Is Mr. Bob Sigholtz here to give his testimony?

Mr. SIGHOLTZ. Yes.

Mr. BEARD. Bob, would you testify, please? Would you identify your name and who you represent?

STATEMENT OF ROBERT SIGHOLTZ, GENERAL MANAGER, STARPLEX

Mr. SIGHOLTZ. My name is Bob Sigholtz. I represent Starplex which has two facilities here in the Washington area, the stadium and the Armory.

Mr. BEARD. All right, Mr. Sigholtz, do you have a prepared statement or are you going to speak extemporaneously?

Mr. SIGHOLTZ. I do not have a prepared statement, Mr. Congressman.

Mr. BEARD. All right. You may proceed.

Mr. SIGHOLTZ. Initially, I would like to state that I am in favor of a Federal Board to govern boxing. I have had discussions with individuals with various boxing experience concerning the merits of a Federal Boxing Board and most suggest it may be appropriate that a commissioner be appointed as is the case in professional football. Other knowledgeable people contacted have had mixed emotions about this proposal but most believe that a Federal governing body would serve boxing well.

First of all, I think that, as you previously alluded to briefly, we must better educate the judges and the cornermen about boxing. I know of no place today where training is being conducted outside of the Armed Forces in the various boxing skills. The Armed Forces conduct clinics in all phases of boxing, but I know of no other organization which does.

I think that a national scoring program would assist in improving the conduct of boxing matches and help uniformity. Each State has its own type scoring system, but all are not the same. Some have a ten point must system for the winner of a round, some have five points, and there are other scoring systems. All in all, it is very confusing to the boxers, managers, fans, etc.

I feel that Mr. Arum's remarks on international boxing rules need a brief expansion. International Boxing is further complicated by the manner the judging and scoring of fights is accomplished. These referees and judges give little credit for boxing inside. In fact, a fighter who uses this type of attack might be penalized.

I think a Federal Board, in some degree, can negotiate with States in the United States and international bodies to develop a common method of judging fights.

In the vein of education or training of referees, judges, et cetera, if a half a dozen judges are gathered together and you ask them the basis on which they score a fight, you will find that there is a vast difference attributed to various skills.

In some States the referee does not judge, but three judges outside the ring score the fight. Other States might have a referee and two judges score a fight. The lack of uniformity from State to State further complicates boxing's problems. This situation is further complicated by the two international boxing associations, WBA and WBC, and their relationship with state commissioners. Mr. Arum alluded to the problem between the WBA and the Nevada Boxing Commission which caused the cancelling of the Galindez-Rossman light heavyweight championship fight.

I think there should be specifications for boxing equipment, that is, boxing gloves, protective cups, et cetera. Frequently the gloves used in preliminary boxing matches are not new gloves and they can easily become broken at the knuckles which permits a boxer to deliver more devastating punches. Also, he can injure his knuckles. There is not any national standard for boxing equipment. In mentioning boxing gloves, there is not uniformity in the weight of boxing gloves used in the various weight classes. There should be a standard weight for gloves for the same weight class of the boxer. In 40 years involved in boxing, I have never seen a glove weighed.

Another area in boxing that needs supervision is in the medical field. A boxer might be knocked out in Providence, R.I., one week and the next week he may have a fight scheduled in Utah and if permitted to fight could possibly be seriously hurt because he hadn't completely recovered from the earlier knockout. Because there isn't a central office to maintain such information, a State commission would have difficulty finding this type information and other vital information about a boxer, that is, how many bouts he has had. Most States do not exchange information on boxers. Frequently the prefight physical for a boxer is not sufficiently comprehensive and the well-being of the boxer is not protected.

Another element that has a great influence over boxing is TV. Many years ago, as we recall, and you just touched on it briefly in discussing promoting and matchmaking, some nonranked or low-ranked boxers were matched against boxers far superior in ability.

In that era I refer to about 20 years ago, there were boxers thrown in the ring against boxers with much more experience because they were popular TV attractions. One of the boxers who comes to mind was a very fine boxer, Chico Vejar. Nearly every time you looked at the tube on a Friday night, he was on the tube fighting. This fighter was burned out early and never reached his potential as a boxer.

I strongly believe that to regulate or supervise boxing nationally there must be individuals on the Federal board who had been actively involved in boxing. Today many people in boxing have never participated in boxing in any capacity except as a fan but are self appointed experts and are not aware of the intricacies of boxing. Many are on the State boxing commissions and/or are officials in the WBA and WBC.

That is all I have to say, Congressman, unless you or Mr. Williams have questions.

Mr. BEARD. You mentioned a point that is job related in this profession. I think Mr. Patterson can help us on this when we get to his testimony. This was about the gloves.

Everlast is the first one that comes to my mind. I think of Everlast, which makes good quality equipment for boxing. It is possible, I would imagine, to have other equipment purchased by the various promoters or State commissioners or whoever is in charge of that particular area.

They say the gloves are 8-ounce gloves but who knows if they are 8-ounce gloves? It depends on who makes them, I guess. If the glove breaks down, if it is possible, and again, I will rely on Mr. Patterson's experience on this, the glove could be reduced down to a 6-ounce glove, particularly if the knuckle portion of the glove is cheap.

I think that might be a point that we should consider having some kind of law or regulation where the fighter would get an 8-ounce glove and nothing less. I think that is an important point.

I appreciate your support and acknowledge the experience that you have had over the years in this profession.

Again, the object of this committee at this point is to gather the information and try to determine the best direction to move in other areas not covered in the bill.

Mr. SIGHOLTZ. In that regard, since we mentioned the gloves, I neglected it, I looked at my notes, that is also the wrapping of the hands.

Different commissions permit various wrapping. Part of the educational program, I would think this would be another very important thing for the inspectors to insist upon boxers following the directions.

Mr. BEARD. Mr. Williams?

Mr. WILLIAMS. Thank you, Mr. Chairman.

Mr. Sigholtz, thank you very much for your testimony.

Do you prefer, personally, sir, a boxing board or a boxing czar?

Mr. SIGHOLTZ. I would prefer a board. I would say a three-man board with various experiences in boxing, such as boxer, judge, referee, manager, or promoter, a mix of these various types would be beneficial to a Federal boxing board. The mix of this board should be a meld of the various experiences.

It has been my experience that whenever a person has had one primary experience in an area, he tends to favor it or to go to the other extreme so he will not be criticized.

Mr. WILLIAMS. Thank you very much.

Thank you, Mr. Chairman.

Mr. BEARD. Thank you very much for your testimony, Mr. Sigholtz.

Mr. SIGHOLTZ. I do not want to delay Mr. King, I know he has a busy schedule, he was scheduled for 10:30. Mr. King, you may present your testimony.

Mr. KING. Thank you, Mr. Chairman.

Mr. BEARD. If you have a prepared statement it will be incorporated in the record.

[The prepared statement of Mr. King follows:]

STATEMENT OF DON KING, PRESIDENT OF DON KING PRODUCTIONS, INC.

On Monday, March 26, a front page report in The New York Times began, as follows:

"Declaring that 'it is time we take control of Federal regulations in America,' President Carter today outlined his proposals 'to reduce, to rationalize and to streamline the regulatory burden throughout American life.'"

This is not the first time that the current administration has stated its commitment to untangle the bureaucratic web spun by our Federal government. Against this background, and against the spectre of double-digit inflation and the increasing need for Federal budgetary restraint which has taken a heavy toll upon important social welfare legislation in this country, the Committee on Education and Labor of the United States House of Representatives is considering the Federal Boxing Control Act of 1979. I can conceive of virtually no aspect of American life less demanding of Federal government control or regulation than that of professional prizefighting.

Moreover, to single out boxing as the first or only sport upon which to experiment with Federal regulation is inappropriate for a number of reasons. Prior to addressing myself specifically to the Federal Boxing Control Act of 1979, I think it important to make certain comments with reference to whether or not boxing should, under any circumstances, be controlled at the Federal level.

Surely, most knowledgeable observers will agree that the sport of boxing, like much else in life, has its faults. It is not true, however, that the existence of these faults logically leads to the conclusion that Federal regulation is either necessary or desirable. Professional boxing matches, although they have received increasing attention from the American public, do not occur with nearly the frequency of other professional athletic events. Professional baseball, football and basketball are more popular, attract countless more viewers and are as subject to problems at every level as boxing. We do not, however, see Congress considering a Federal Baseball Control Act, a Federal Basketball Control Act or a Federal Football Control Act. Quite properly, Congress has historically been willing to permit every sport to govern itself, however inefficiently. The fact that team competition lends itself to the structure of leagues does not alter the dynamics of the athlete's employment relationship which the subject bill proposes or purports to regulate. The contractual relationships of a boxer with his manager or a promoter are not materially different than a baseball player's contractual relationships with his agent or his team. Only boxing, which is already subject to the supervision and scrutiny of state athletic commission regulators, is made the object of this bill. That, I respectfully submit, is unfair, unwarranted and may be unconstitutional.

State boxing commissions, of which there are approximately 32, more than adequately perform the functions which the Federal Boxing Board, proposed in the bill under consideration, would perform. One can only wonder, then, why the Federal Boxing Board is necessary. Surely there is no overriding Federal interest in uniformity throughout the United States with reference to the governance and regulation of professional boxing matches. What will result if this bill becomes law is an unnecessary and confusing duplication of the functions currently performed by the state commissions which reflect local interests and concerns. Regulations adopted by those commissions are consistently directed at the protection of the boxer, both physically and contractually. Thus, the maximum compensation which a manager can receive from a boxer and the maximum duration of a contract between boxer and manager are governed by state regulations as are the details of actual bouts regarding safety. The latter typically provide for regular physical examinations, frequency of bouts, nature of equipment and length of bouts. If it is coordination between the requirements of the rules and regulations of the various state commissions that is sought in the bill, the almost three-year-old United States Boxing Association, currently comprised of twenty-four of the state and local athletic commissions, is just beginning to perform that function. The proposed bill would be an

inappropriate interference with the legitimate functions of the States which are already regulating those aspects of the sport which they believe require regulation.

As far as the specific bill currently under consideration by the Committee is concerned, permit me to comment briefly. Sections 5(a) and 5(b) provide for the registration of boxers and matches. Clearly, the proposed Board is given the power to prevent or enjoin a bout which any two of its members - who presumably may have no expertise in boxing—believe to be a mismatch. Keeping in mind the prizefights in which Schmeling could not beat Louis, but did; Spinks could not beat Ali, but did; Ali could not beat Spinks, but did, how does one define a mismatch? Ken Norton knocked out Duane Bobick in 52 seconds in a bout which most boxing fans believed would be a close, hard-fought contest. And, before the heavyweight elimination bout on March 23, 1979, how many people would have believed that Earnie Shavers would knock out Ken Norton in two minutes of the first round? Clearly the ticket-buying and televising public is the ultimate judge of what is a "good" match and the rules of the competitive market place usually serve to avoid contests without merit or interest.

Section 6(a) provides that the Federal Boxing Board scrutinize contracts of boxers, promoters, managers and other participants in the sport. Query: why in this era of multi-million dollar contracts in all aspects of professional sport, should boxing contracts be the only contracts subject to governmental review, at any level? Why should a contract of Larry Holmes, a recognized world heavyweight champion, to defend his heavyweight title be any more subject to scrutiny than Reggie Jackson's to play right field, Julius Erving's to slam-dunk, or O.J. Simpson's to run off tackle? Certainly the Committee cannot believe that a contract between a boxer and a promoter, unlike any other contracts related to sports are adhesion contracts, or that these lucrative arrangements with the participants in the sport are not bargained for by promoters with competent representatives of the participants in the sport. On the contrary, promoters negotiate for a fighter's services with his manager, who is almost always required to be licensed by a State or States and who is generally a person knowledgeable about the sport and the strengths and weaknesses of the boxer he represents. This is as true for a world champion as it is for a boxer still fighting in a preliminary bout. I submit that the contract between a fighter and manager should be no more subject to Federal government scrutiny than one between a baseball player and his agent. Promoters of boxing events hire prizefighters and, like managers, are usually required to be licensed. Moreover, contracts between the promoter and the prizefighter are required by many, if not all, State athletic commissions to be in the form prescribed by State regulations.

Once the initial invasion of the freedom of contract is suffered, where would it stop? Surely, there is no reason to believe that boxing contracts are different than wrestling contracts, football contracts or the contracts of any actor, performer or artist.

The proposed bill refers repeatedly to "the best interests of the public and the best interests of professional boxing." However, nowhere does it attempt to define, to any degree, what the best interests of the public and the best interests of professional boxing are. The bill provides no guidance for the proposed Federal Boxing Board nor a clue as to why it is being promulgated. Neither does it furnish guidance with respect to the Board's administration. Moreover, since only bouts in the United States would be subject to Board jurisdiction, I am concerned that world title fights involving foreign nationals, would be driven overseas.

If I were to rank in order of importance, problems requiring the attention of the Federal government, surely professional sports, including boxing, would rank very close to the bottom of that list. The bill in question would, I believe, result in a waste of Federal tax dollars at a time when other areas of our national life are, of fiscal necessity, being sorely ignored. The bill would, in addition, add another layer of government to a business already being regulated at the State level.

I welcome the Committee's honest and sincere concern in a sport which has been so good to me. Boxing, like other sports must "keep its act clean". It cannot exist without continued public interest and support and with full recognition of that hard fact, the role of coordinating bodies like the United States Boxing Association and existing State regulations, it has made great strides in that direction. I believe it will continue to do so without the necessity of Federal intervention.

STATEMENT OF DON KING, PRESIDENT, DON KING PRODUCTIONS, INC.

Mr. KING. Yes, Mr. Chairman, I do have a prepared statement.

I do not want to seem ambiguous in my statement and what my comment would be. I do feel that we should have some type of overseer to boxing, but I do believe that the states should be comprised of the commissions, the state commissions throughout our nation and the local commissions.

I think that if the Federal Government were to be involved, it should be involved in regulating those state commissions to see that they are up to par. As you have so eloquently stated, some may not be what they should be.

I think this is where the Federal Government should come in.

I am opposed to a Federal Board legislating boxing, I think, because boxing is a very personal service. This is a personal service business. I think that when the Government begins to infringe and encroach upon the rights of life, liberty and the pursuit of happiness, and in that extent I think it becomes fraught with disaster.

I do believe that safety is of the utmost importance to the fighter. I am in total agreement with the concepts that are being spoken of this morning. I think there is a great need for these concepts to be adhered to.

But I think there would be duplication in what the Federal Government would be doing. And what the states should be doing, as many of them are now.

I would be more in favor of a federation of States coming together to form a national board with a blue ribbon committee. The Federal Government could then oversee the actions of the States that are involved in boxing.

Boxing is a very personal business. I think it is the only business that is now left, that is open to free competition.

Naturally you are going to find those that have vested interests who would be able to maneuver and manipulate, but those things would be weeded out as they have been done throughout our nation's history.

Boxing is the only business that will allow anybody to come in. No other business, no other sport, I should say, business or sport, will let anyone come into the sport.

To play basketball, football, baseball, you have got to be a college graduate, you have to have an education in order to get noticed.

Boxing comes down to physical attributes.

You have three different types of fighters. You have a fighter that is endowed physically. You have a fighter that is endowed physically and mentally. Then you have a fighter that is ahead of his time that is endowed physically and intellectually and mentally.

That is a fighter that can think, move and see the whole scenerio and knows how to develop himself into moving and being a great fighter.

You have people that are managers or promoters. They must be able to be sensitive to these types of guys and know when to move and when not to move, which is illustrative of Floyd Patterson fighting Ingemar Johansson or Spinks fighting Muhammed Ali or George Foreman fighting Joe Frazier when he said he was not ready.

You will find many, many fights and examples of what a fighter will do when he is in the ring, if you have a guy that is listening to

the guy and knows his motivation, knows what the fighters aspirations and hopes are and his ability and capability.

I think that being a business like I say here, is something that we should be cognizant of but that within the sport they the boxers are human beings. I think that it is important that we look out for their safety.

I am strongly for an American situation because we try to have national champions. We are the only country of major consequence in the boxing world that does not have a national champion.

We should have a national champion which would be more in line with the sport. You would have a boxing board for the benefit of a U.S. champion. You would go through an elimination process to establish a guy who will represent this country nationally.

Then he really has an opportunity to fight for the world title. But the recognition of a national champion will also give him the right to fight for a world title.

I am for America all the way around. I love this country. I think it is one of the greatest nations of the world. Boxing has been very good to me. I have always tried to contribute something back to boxing.

I think one of my greatest contributions to boxing was not Ali or Foreman versus Joe Frazier versus Ali, but the formation of the concept of a U.S. champion, I was able to then put a program together that got off.

We got into problems with it. We were then going for the broad scope of Americans to give everybody an opportunity to participate and to be a part of the whole. They were giving fame, acclaim and affluence and, they gave the type of opportunity for all the fighters to get paid and to do a job.

It was ill fated because we had many detractors, with those we had problems. Yes, I am the first to recognize that we had problems.

Like any other sport, any other thing that you do, you are going to have problems, but it was our duty to ferret out the problems and weed out those who were the wrongdoers but keep the concept alive because this is what it was about in America.

American fighters have been shortchanged. We have lost all the title holders to foreign interests. That is because of the apathy of our promoters here that did not take care of the resources that we have and the fighters that we have, to help them to develop and to demand a part of the economic fight in putting our fighters into the position so that they could continue to be champions, reflecting some of the greatest, like Sugar Ray Robinson and Joe Louis, Henry Armstrong, et cetera.

I feel that it is necessary for us to have a national champion. I feel that the commissions across this Nation should be looked upon to see that they rise to the criteria that you would expect. But being an individual and looking at the poor, the underprivileged and the downtrodden, those that have the opportunity to escape the ghetto and the plight of poverty through their fists in the sport of boxing, I feel that Federal legislation to them would add a burden to existing burdens.

I do not think they would have the opportunity because once you begin to legislate it just brings more legislation. More legislation

then brings on new amendments. Pretty soon there would be certain criteria in order to be in boxing. If you did not meet these criteria you would not be able to get into the sport.

So you would eliminate, I think, in the process of trying to do good, knowing better for the fighter what is better for him than he knows for himself. That you would be, in effect, hurting the fighter.

I feel that you should observe the people that are supposed to be the commissioners. Legislate them to make certain that they do what they are supposed to do, that rules and regulations, broad and comprehensive, that are already set on the books and that they will be adhered to; and that they will be watched and someone will watch them and make certain that it is done, I think that we will then have a tremendous national boxing board with a Federal overseer.

The participants in the game would be able to deal on a free enterprise system of open competition. I feel that this would give us an opportunity, then, to reestablish ourselves to the preeminent place in the society of boxing that we once held.

Boxing is universal. I think it is the only sport that we have that everybody in all countries of the world have prizefighters, more so than soccer, football or any of the rest of them.

Boxing, to me, is one of the most glamorous sports in the world. It is individual, man to man. There is no time out to send in a substitute. You must be in there. You must be in the best physical and mental condition to be able to deal, to become a champion.

What we must do is protect and help those that are not in the best physical and mental condition to be in the ring to see that they are not there.

I think the commissioners in the posts of the boxing world—those that see the fight as they go to his community, those that know his parents, those who see him coming and going from the heavyweights to the national championships and the Pan American games and then to the Olympics—they would know more about what this fighter is about, how he comes about and what he stands for than anyone that would be sitting in Washington or anywhere else looking through records of input that has come in without knowing the individual.

Boxing is a personal business. You have said that many people in boxing stay in boxing for revenge. After the first year in boxing they say it is no longer the desire to be in boxing to promote boxing for the betterment of boxing, it is to get even.

The business is predicated on lies. It would take a terrific analyst to be able to sort through the stories that you hear everyday in the boxing world, the boxing phenomenon.

Many promoters, if you come into the business, and you being a prize fighter, I am certain you are aware, the venacular of the game is the boxing people. These are the boxers. If you are not a boxing guy, they hate you. If he is a boxing guy you have got a lot of personal jealousy and things so they hate you anyway.

You have got problems here of where you are dealing with people that very rarely tell the truth. Their prevarication is in a search for survival. It is not like they just lie to lie, it is—you have

one coveted award in each particular weight category which is the title.

You have thousands of fighters that are seeking this one coveted award. Now, every enterprising manager must go to the man who is the champion or one that can get him an opportunity to fight for this award. He must go in and, instead of saying that his fighter can beat the guy, he has got to say that this is a pay day for us, you know, he is a good kid, just let him go ahead, you are going to beat him. The other guy has got to think that he has the advantage in order to take the match.

So everybody is playing on each one, and you have to be able to match the styles of the fighters and get the fighters to fight the fight.

Everybody is seeking one thing so you have got to tell whatever story that you think will be conducive or compatible to the person who holds the power, which is the title holder, to get his manager to go along with the fight.

So you are always dealing with a mass of confusion, not that an astute Federal Commission could not decipher and go through this, but I think it would take a lot of years to understand the language of this fight game and what they are doing.

Those that are part of it, that have grown with it at a local level, I think they would be more apt to be able to deal with it with a Federal overseer to make certain that all those things that we are seeking—the health of the fighter, the protection of the public interest, the protection of the fighter, seeing that his contractual rights are not abridged, the fair and free fall of competition and fair play would be adhered to. I think this is what we really need.

Mr. BEARD. Thank you, Mr. King for your statement. I appreciate it and the committee appreciates it.

Let me try to—you said so much and I have so many questions that I could be here all day on this thing, let me try to bring it down to some of the basics.

You mentioned a lot of good reasons why we really should have something more than we have right now. Let me tell you this, and you know this probably better than I do as you are in this business every single day, I am sure, as I mentioned earlier in my presentation, boxing in many States and around the Nation is in a shambles.

At the management level and at the commission level it is atrocious. Many states have no commissions at all. This situation shows why we need a Federal Boxing Board.

That is why Tony Zale is taking time to come from Chicago next Tuesday. He feels that what we are doing is right. Sugar Ray Robinson sent me a letter of support. Muhammed Ali was in Providence 2 weeks ago fighting in an exhibition. He heard what I have outlined and felt that what we are doing is correct.

We are not saying that we want to say to the WBA promoters that you are out of business and that Uncle Sam down here is going to take it over and do everything from this point on.

I do not know how private it is because all of us are disappointed that Rossman who was ready to fight but was not allowed to fight. All of us are disappointed and confused when we have two heavyweight champions of the world.

Without this bill, boxing cannot last. It is screwed up, for lack of

a better word. It is messed up. It is not consistent. The rankings are all over the lot, as was mentioned by many others.

No one can tell me that the physical examinations in all 50 States are adequate. No one can tell me that the seconds in each corner in every fight are qualified and that they know what they are doing. No one can tell me that there have not been mismatches over the years to the point of being ridiculous.

These are the reasons why we need this Federal umbrella.

I am sure that you listened closely when I mentioned the type of people who should be on the Board. I believe I mentioned, that some of the State commissioners may be political appointees with no experience or expertise, I am talking about people who know this business inside and out, people who have experienced the aggravation, the shortchanging.

They know what a fighter should be entitled to. They know the conditions he should work under. I think if we had this type of person it could only be a plus.

Very few people that I have talked to since filing this bill have said that this was not a good idea, that it was not needed.

Various people have made many statements about the television industry. They declined to come here to explain those statements and state whether they think we are doing right, wrong, or indifferent.

I think they should be here, not just the people who are reporting for the television networks, but the executives who have the control.

I would like to know, as a Congressman who is interested in the sport, who is trying to get some regulations for the sport, what involvement does the television industry have in the promotion and organization of fight cards? Do they have any involvement? Is it an accident that they are around to bring the fights into the homes of millions of people around the Nation or do they say that they want a certain combination of certain fighters, it is going to be glamorous, whether they are rank or not ranked, it is going to be a good show and that is what we are looking for.

I think if boxing becomes a show or if boxing becomes a circus, then I think boxing is going to die. It is going to die.

I think what we are trying to do here, I am not just a Congressman who does not know the first or the last thing about a fight. I have been involved. I know that if we have basic standards and we have an umbrella commission and we have some semblance of order, maybe others will respect the sport and maybe the fighter will get a fair shake.

That is really what I am saying. Based on what has been said today, can you see anything wrong, really, with having a commission, duly qualified people, where you know yourself, Mr. King, that many States have no commission at all and it is a shambles at best? Can you see anything really wrong with it?

Mr. KING. No, I do not see anything wrong with that, Mr. Chairman. I think it is a very righteous and noble pursuit that you are pursuing.

I just feel that the priorities are out of order. I feel that the Federal Government should be seeing to it that the commissions that you say are a shambles and that the commissions that are working for the love of the sport, should be the ones that, when

you make the recognition of the board, should be able to deal with these commissions to bring them up to par so that you still have the umbrella effect of the Federal Government as a blue ribbon committee which is the forum that certifies the activities of those who are apart.

I feel that boxing is being used as a scapegoat as it always has been. Boxing is the highest visibility sport. It is one of the highest paid sports, but it is at the bottom rung of the ladder imagewise. Image is so important if you can get the respect, the acceptability and the respectability that is accorded to other sports.

I do feel that if you are going to make a Federal commission for the legislation that rules boxing, then one should be done for football, one should be done for basketball, so that boxing just will not be the little black ugly duckling, you know what I mean, of the sports field.

It is one of the greatest sports of the world, but everyone looks at boxing with all of the negative connotations, you know, the gangster, the racketeers; the fighters going to the tank; the guys sitting around on the corner with their cigars and with their pistols saying if you do not knock him down your mother is going to get killed, the movie with James Cagney and he is blind, his brother is playing Beethoven, Bach, and Brahms in the concert hall and he has got those blinders in his eyes and he is blind, selling newspapers in New York. This is always what it is with boxing.

I do not mind if you have a Federal Board, but if it is going to be fair and equitable then you have to have the same thing for hockey, for basketball, for football, for soccer; and then we can run right into it. All of the other sports are governing themselves.

With an overseer or a czar that would be able to rectify the wrongdoings, I think it is very noble of you to take this type of an effort. I support you wholeheartedly in what you are trying to do.

But, I do not think that we should just skip over the inept and the inadequate commissions across the Nation and just wipe them off and sweep them under the rug as though they are nonexistent and bring in a Federal board. Let us clean house and let us do it properly so that boxing will be accepted and respected.

Mr. BEARD. Let me ask you one thing, is boxing a show or is it a sport?

Mr. KING. Boxing is a sport.

Mr. BEARD. I know boxing is a sport, but I think some people present it as a show.

Mr. KING. No. But I will tell you, boxing is the ability of two men to get into the ring. It is almost like playing a violin. If the man's body is finely tuned he can be able to deal with the dexterity, the agility, the mobility to move in.

It is like fencing, so to speak, the jab, a hook, a shot to the body, move out. He is doing a thing that people can enjoy seeing, plus they can give vent to their frustrations and they can emulate this person that is in the ring and feel that that is them in seeing the nobility of the sport being done.

Boxing, in total, is an entertainment of athletes performing. So it comes under the realm of show business. It is show business. But the sport in itself is just a segment of that particular form of entertainment which we go to see.

It is like the track guys, when he gets through the football play, makes a touchdown, and then he goes and is jumping up and down and reaches up and throws the football down, it is becoming a part of everyday life and whatever you can do.

Mr. BEARD. I have one last question. Try, if you can, to answer it very briefly. It is very interesting, I really could go on with this, but I do not think it is fair to the other witnesses.

Let me ask you one question. When you promote a fight, do you go to the television or do they come to you?

Mr. KING. I go to the television. It is very difficult for me. You must understand that I know the right guy many times in the whole boxing situation. It is only because of a guy like Muhammed Ali that I started at the top.

I never started at the bottom and worked my way up. I cannot state that claim to fame. You know, how rough it was, how difficult. It has become difficult now.

When I started I started out doing world title fights, the biggest in the world.

It is a difficult thing to go and to be able to sell my product. I am the best promoter in the world. I know Arum understands that. But I am a promoter of the people, for the people and by the people. I create excitement. I keep people involved, it is participation.

I have to do a doublehard sell, I have to do a twice as good of a promotion, in order to get accepted for my promotion.

If you noticed, out of the international series that just transpired, I have not had any on yet. So you know how difficult it is for me, being as good as I am, and not being able to get the action that I deserve. It is quite frustrating. I just continue to bust it in.

Mr. BEARD. You are a very colorful witness, if I do say so.

Mr. KING. I like you, Mr. Beard.

Mr. BEARD. Thank you very much.

Mr. Williams?

Mr. WILLIAMS. Thank you, Mr. Chairman.

Mr. King, it is nice to see you here today, sir. I understand that you went right to the top and right to the championship in your first goal, but in boxing today that is not all that unusual, a lot of people go right to the top after just a fight or two, and that is why we are here.

Let me say that I was intrigued by your statement that boxing is one of the few sports left today or one of the few elements, maybe, in American business society where free competition still rules.

Let me ask you, like Mr. Arum, do you have promotional rights on any of the champions?

Mr. KING. The one I have rights on—I do not think I have any now. The one I had the rights on, he was so good and he got a little heavy and he had to move up to another weight category, was Roberto Duran.

Mr. WILLIAMS. When you say that Ali was the reason that you were able to come along, have you ever had promotional rights with Ali?

Mr. KING. No.

Mr. WILLIAMS. Would you describe how you came along with Ali?

Mr. KING. Well, what I did, in 1972 it was a black hospital in Cleveland, Ohio, called Forest City Hospital, that was suffering from financial woes. They could not pay their pharmaceutical bills, it could not pay for the insurance. Many of the people were expressing all types of platitudes about how bad it was, that this hospital was about to close, but no one was doing anything about it.

So I initiated a benefit to focus the plight of this hospital nationwide. I invited Muhammed Ali to be a participant and do an exhibition along with many entertainers like Lou Rawls, the Randy Louis Trio, Jimmy McGriff and his trio, and he came into the Cleveland area to perform.

We did a performance there. Ali boxed four guys. We raised \$82,500 for the plight of the hospital and then our big business began, by coming in and aiding this hospital and keeping the doors open.

So Muhammed, being a smashing performer in boxing, he asked me to go into boxing. He said that we have no blacks acting as promoters in boxing, although the business is visibly black, but we are only the pawns, the gladiators and the bleeders. He said there is no one in the boardroom or no one who has a flair for promotion like you have. He said I would like you to go in and start being a part of the boxing scene.

At that particular time I told him I would consider it. But then I went to Kingston, Jamaica to see George Foreman fight Joe Frazier. He fought Joe Frazier that night. It was a sunshine showdown. When he knocked out Joe Frazier, when he was the underdog, he was the guy that should not have been in the ring with Joe yet, that was what his record was indicative of, and he bounced him off the floor about six times, that is when I said I have got to get into this business.

Then I came back to Ali's camp and signed up a prize fighter named Ray Anderson. I had Ray Anderson. And within four weeks I had Ernie Shavers who was my first prize fighter of any consequence, and a young fellow that was going to turn pro named Larry Holmes.

I started into boxing and I started as a manager. I was managing these fighters until Jerry Quarry knocked out Ernie Shavers on December 14, 1973.

I was sitting in the Statler-Hilton Hotel, the phone rang. It was the 15th of December. Muhammed Ali was on the phone. He said, "Do not quit boxing." He said, "Boxing needs you." He said, "Send your man to my camp and I will teach him how to fight."

I said, "Ali, do you really want to help me." He said, "Yes." I said, "Let me promote you in the biggest fight in the world." He said, "What is that?" I said, "That is you and George Foreman." He said, "I am going to fight Joe Frazier."

He was going to fight Joe Frazier on January 28th. So I started talking to him about how he was going to beat Joe Frazier. Ali got excited and started saying bop-bop-bop, like a butterfly and started dancing.

We started talking. He said, "How much are you going to give me?" I said, "I am going to give you \$5 million apiece." He said, "Nigger, you are crazy."

From that conversation, he said, "Are you really serious?" I said, "Yes." And he took me to his manager. I started working on that fight.

In the meantime, having met George Foreman in Jamaica, I talked to George and got George to fight Kenny Norton in Venezuela. So when we got George in there with Caracas, Venezuela, the next bout would be George and Muhammed Ali.

I worked that out and that is what I go it. The first one was in Caracas and the second one was Africa.

Mr. WILLIAMS. Mr. King, it does seem to me, I appreciate that description of how you got with Ali, but it does seem to me that a couple of corporations represented by two people in this room control the public's access to boxing in this country.

There are a lot of fight fans, including the chairman and myself, and I suppose I speak for some people in this room, who are appalled by that situation.

I come from Montana. Fifty years ago Jack Dempsey fought a fellow named Tommy Gibbons. Gibbons was a little quicker than Dempsey thought and the fight went the distance and they left town and everyone was happy and Dempsey still had the title.

Twenty years ago, in Billings, Mont., Joey Giardello fought Gene Fullmer. Those are the only two championship fights that we have ever had in Montana.

Not only that, but because of the two corporations represented here today, our kids in Montana have to lay down \$10 or \$20 to go to a theater to see a closed circuit if they want to see Muhammed Ali fight, or if they want to see some of these other fellows fight.

Some of us are appalled by that. We are further appalled that you would put in the way of that some argument about states rights, that this nonaccess of the public to boxing would be stopped by something called State's rights or something called the world boxing situation.

There is not anyone in Montana that does not remember the name of a fighter called Joe Louis. They remember his title. It was called the heavyweight champion of the world. That is of the world, mind you.

That was not because we had a world boxing association, but because boxing was not controlled or contained by one or two or three corporations. I do not mean to cast dispersions on your character or Mr. Arum's character or say that you are conspiratorial in this, but the hard fact is that in this situation which you described as freely competitive, the reverse is true.

Mr. KING. I disagree with you, Mr. Williams. I think what you are saying has a highly emotional impact, but it has very little fact.

What we have here in Mr. Arum is an enterprising young man. I myself consider myself an enterprising young man. We have no control over this sport. We are just hard workers.

One thing I have said and I always will say is that what I will respect about the man is that the man works hard and he is out there to get it. You have got to get up in the morning to go get it.

It is like the farmer with a crop. You have to plant the seed, cultivate the crop, you have got to be able to weed it and nurse it during the evening time in order to have a good crop.

Mr. WILLIAMS. What about the fighter that comes along and does all of those things for ten years and he gets good, but instead of getting a championship crack, a fighter who got in the Olympics, one professional fight, and bam, he gets the championship crack?

Mr. KING. You may attribute that to the enterprise of someone, but if you check my records I promoted more championship fights in a shorter time than anybody in the history of boxing, I paid more money to private fighters than anybody in the history of boxing, I have revolutionized—

Mr. WILLIAMS. What about that kind I am talking about. You are talking about how through hard work and staying at it you make it in this game.

Mr. KING. No, but I am also talking about giving these people an opportunity and a chance. You are giving all of the guys a chance. I am the guy that went out and started taking fighters to these boxing tournaments, to let all the fighters get opportunities.

When I came to town I could not get into Madison Square Garden either. I had a fighter that I took to Madison Square Garden, and as soon as he got knocked out, the next day I went in, and I asked how do I revise my fighter. He said, who is your fighter? I said, my fighter is Ernie. He said, Ernie who? I said, Ernie Shavers. I said the people of New York love him. That is what he had told me the week prior to his fight. He said, "That was yesterday. They do not love him today, get out of here."

That is what made me go into the promotion end of boxing. So you cannot tell me about what it is when you are talking about fighters. I work with all of the kids all across this nation to bring better fights, to give them more fair treatment, to pay them more money than it ever was before.

I just brought a new tune to town. There was only one tune in town, if you did not dance to his music, you did not dance. I just brought a little different, where he had the Bach and the Brahms, I brought rythmn and blues to give them an opportunity to go in another direction.

It is still the only business in the world that will let anybody come in.

Mr. BEARD. Mr. Williams, there is a question that I feel I should have asked Mr. King.

Mr. King, I want to read a quote. It is the New York Times, Wednesday, March 23.

"King says the only way a man can get out from under Arum or me is to get his fighter to become the number one contender." Is that true?

Mr. KING. No; that is not true. That is an erroneous quote. What it is, I was trying to explain to the young man who took that, I think his name was Michael Katz. He was asking me about the same type of controls that would exist in the boxing world with option policies and decrees by the World Boxing Association and the World Boxing Council.

I said that the way that a manager or a fighter can get around any promotional agreement is to become number one contender, then he gets what that same organization decrees, a mandatory defense.

On a mandatory defense he does not have to give up any options. If he is good enough to win the fight, he wins the fight, he owes no obligation to no promoter unless he so desires that he wants a promoter to promote him.

The No. 1 contender has optional defenses. He has a mandatory coming, which means that the champion cannot avoid meeting him. His position dictates that he should be the one that meets the next title defense.

When you have a mandatory defense you have to deal with no options on that defense. When you win the title and you have got the title free and clear.

But each person plays his part. Promoters are necessary in boxing just as there will be agents or promoters with the stars and entainers. You must have somebody that will help to stimulate and create excitement so the fans will come and know that something is going on.

It is necessary that you have them. So even if the guy becomes the champion, as Muhammed was, Muhammed Ali was a champion without anybody having any ties on him whatsoever. He would fight for whoever he wanted to fight for anytime that you could go and give him a proposition. That is a way a lot of the other guys could get if they win their mandatory defense.

Mr. BEARD. Thank you very much.

Mr. Williams?

Mr. WILLIAMS. Mr. Chairman, I claim my time just to thank Mr. King for his testimony and to apologize to you, Mr. Chairman, because I am going to have to leave the hearing. I have another hearing that is underway now.

I want to make a point to one of my sports heros, Floyd Patterson, that I am sorry I am going to leave, sir, before your testimony because I was looking forward to hearing it. I want to assure you that I will read the record to get every word of your testimony.

I want to say, Mr. Chairman, if it is appropriate, before I leave, that one of the people in boxing who did as much for it as anybody in my lifetime was Floyd Patterson.

Along with a marvelous skill and a knockout punch and quickness of speed and hands, sir, you brought gentleness and kindness and an intellect to the game that really aroused peoples' interests in boxing and taught people that it could be a rough but in a way a gentle science.

I remember that marvelous picture of you flattening whoever it was and then bending over and picking him up, sir. I think that that photo and that moment of you bending over to pick somebody up, because that was your instinct, was one of the best things that ever happened to boxing next to your left hook.

Thank you, Mr. Chairman.

Mr. BEARD. Thank you very much.

Thank you very much, Mr. King.

The next witness will be Dr. Palumbo.

Dr. Palumbo? If you have a prepared statement it will be inserted in the record.

Dr. PALUMBO. I just have a few comments and then maybe I can answer any questions that you may have.

Mr. BEARD. All right. You may proceed.

After Dr. Palumbo, we will have Floyd Patterson and the people who came from New York with Mr. Patterson.

Let me say this, Doctor, before you proceed, we may have a quorum call at any moment. If we do we will just suspend for the time it takes us to go to the quorum and come back and proceed.

You may go ahead, sir.

STATEMENT OF P. M. PALUMBO, ORTHOPEDIC SURGEON

Mr. PALUMBO. Congressman, it is a pleasure and a privilege to appear before this subcommittee today to express my views concerning the Federal Boxing Control Act of 1979.

I am an orthopedic surgeon involved in sports medicine for the past 16 years. I was a former college boxer. Boxing in that capacity was very good to me in that it allowed me to attend college. I probably would not have been able to attend otherwise. So I have an affection for boxing as well as an interest in the medical sense.

I have been exposed to professional sports, having been 5 years with the National Football League team in town. Presently, I am involved in the professional hockey injuries.

It is my strong belief, as well as that of many of my medical peers, that the medical concerns of fighters, as well as the future health of professional boxing as a sport, desperately needs Federal standardization of supervision and control.

A Federal Boxing Board should look at the N.Y. Medical Advisory Board as an example of what proper establishment and maintenance of quality medical standards can do to protect the safety and well-being of the professional boxer and improvement of the sport as a whole.

From 1946 to 1951 seven fighters died in N.Y. State rings. This led to the formation of the medical advisory board appointed by Governor Dewey under the auspices of the N.Y. State Athletic Commission.

Following the formation of this board, not one fighter died in the past 15 years in N.Y. State. This is indicative of what proper medical supervision can do to the well-being of the fighter as well as the sport as a whole.

The problem is this is one exemplary State. Throughout the country, however, there are various standards, various requirements, set up by different boards and commissions in different jurisdictions.

At this time each State has its own standards and requirements regarding the physical condition and the safety of the professional fighter. There does not exist a central pooling or registration of the professional boxer, their records, or their medical histories.

A fighter who presently sustains a knockout in one state can fight in another State before the safe 30-day period passes if the knowledge of this knockout is not available to the new jurisdiction.

Federal supervision of professional boxing to maintain a central registry, including the medical history of the boxer, would prevent this from occurring.

Now, how would establishment of a Federal boxing board help the safety or the well-being of the boxer? We must realize that the well-being of the sport can only be as good as the well-being of the fighter himself.

By establishment of a National Medical Advisory Board, whose responsibility would be to set and maintain standards of safety for the professional boxers, we can do the following: We can set Federal minimal standards for boxing, in terms of, A, essential registry to determine the boxer's condition, his physical condition, whether he should be allowed to continue to fight that month or at all in the future.

You could educate physicians who would be at ringside, specially trained in what to look for in particular types of injuries. He could help to educate referees.

A good example is when does a referee stop a fight? We have all seen on the tube fighters just taking merciless poundings and you wonder what is going on to the brain.

If we had a Federal board that would educate referees, sort of like the paramedics do when they arrive at the scene of an accident. They should know some of the basic fundamentals of levels of unconsciousness and an idea of what the brain could take before the danger of irreversible damage sets in.

If you educate the referees along these lines, and the referees work hand-in-hand along with the physicians, that again are supervised by a Federal board whose standards are national, not varying from state to state, I think you will have less danger in the rings as far as the permanent injuries to the fighter is concerned.

Education is a very important aspect of a Federal board that would be controlled. That is education of a physician looking for specific neurologic damage, specific real damage, those injuries that are peculiar to the sport of boxing itself.

This is so the physician at ringside does not happen to be a pediatrician who is appointed by some commission whose brother may be the physician in fact, but physicians that are trained specifically in this area to work hand-in-hand with the referees and probably would be subordinate to the medical decision as to when a fight should be stopped.

I am not so sure in all cases the referee knows when to stop a fight, when the fighter has had enough medically. Perhaps he could lean to the physician to get some signal from him.

There should be annual examinations. This should be set up by a Federal board to be nationalized. The physical examination should be a very serious one. It should be focused primarily on the neurological examination. There should be an electroencephalogram, an electrocardiogram, X-rays to determine lung and heart size, urinalysis, blood examination, particularly look at the eyes.

Recently a fighter died, collapsed, in the past few months, and died. As I recall, the cause of his death was acute cardiac failure. Well, a 20 year old man dying of acute cardiac failure is really inexcusable.

If they take chest X-rays and see an enlarged heart, that would give them suspicion to look further into this man's cardio-vascular status and perhaps that death might be prevented.

There should be pre and post fight physical examinations. There should be an examination prior to the fight and after the fight.

This would serve multiple purposes. A fighter might not be ready to fight in that particular fight, either due to a cracked rib or a broken hand or a generalized infection and want to fight and hide

it. On the other hand, he might not want to fight for his own personal reasons or financial reasons, perhaps, and say I cannot fight, I have a torn rotator cuff in my shoulder and I cannot fight. Well, the federally appointed physicians specialized in this area could prevent that from occurring.

The fight would go on if the fighter was indeed physically capable, or it would not go on if he was not capable.

The postfight physical is extremely important. If the patient sustains a knockout he should have an electroencephalogram following the knockout so you will know whether he has had severe damage to the brain or whether it is just indeed a concussion that would resolve itself completely.

Mr. BEARD. Doctor, excuse me. Would you concur with the 30 days suspension at that point?

Mr. PALUMBO. Yes, sir. Absolutely. I am getting to that.

I think the maintenance and the enforcement of the 30 day rule is extremely important.

I opened my statement by saying that a fighter today can go from one state to another and fight in spite of knockouts. This is not only in terms of the short-term aspects of this injury, but in terms of the long-term look at it.

If a fighter has three consecutive knockouts, he should probably retire. His brain is not capable of sustaining the blows to the head without the risk of serious damage. So a fighter with three consecutive knockouts, most of us in the medical field concur that he should probably retire.

If a fighter has a long stream of less than 50 percent wins, he probably ought to consider retiring. If a fighter is winning one out of every five fights, he is losing four out of five fights, he should probably retire. Again, there should be medical supervision. Look at this fighter. What does his eyes look like. What does his neurological examination look like. What is his speech like.

A Federal board with Federal standards, and they would be spelled out, would not allow this to happen.

Six consecutive losses, for example, just as an arbitrary rule, would have the board consider discussing the retirement of this fighter, and perhaps enforcing it if his physical condition warranted it.

A Federal medical advisory board would also set standards for equipment. For example, in years past with a felt pad on the floor and an unconscious fighter whose head struck the pins, it would not strike it once. It isn't the knockout blow from the other fighter that causes the damage, very often it is the head hitting the canvas, not the first time, but the second time. That is the brain bouncing off one wall and back off the other wall as it hit from the rapid acceleration and deceleration phenomenon as the head hits the canvas on the old felt pad.

Some of the States have adopted a new pad which absorbs the shocks so that the head does not bounce, where we feel that a great deal of the true brain damage is done rather than at the time of the impact of the opponent's fist.

Eight-ounce gloves, we feel, should be enforced, versus the 6-ounce gloves, possibly with the exception of championship fights.

The hokie-pokie that sometimes goes on in professional fighting as far as wrapping the fist are concerned, we all know the old jokes in the old days about putting dry plaster of Paris in the gauze as the hands were wrapped so that the fighter's hands would swell and the sweat would cause a hardening of the plaster and give the fighter somewhat of an advantage of having a hard surface over his knuckles.

Now, how true that is and how prevalent it is is difficult to ascertain. But it is certainly something to think about in terms of wrapping. There should be uniform wrapping of the knuckles.

We all know that many fighters will take their gloves and create a valley in the glove over the knuckles so that there is very little padding, pushing the padding both proximally and distally so that the knuckles will be bare.

This type of thing would come under medical supervision on a national basis and standardized, equalized for everyone.

Equipment on the sideline, on the ringside, for example, resuscitation equipment. Many ringsides do not have resuscitation equipment. A fighter hits the canvas hard and undergoes a state of unconsciousness, swallows his tongue, has a cardiac arrest, without a resuscitator you are at a tremendous disadvantage.

So that standardization, again, requirement for essential equipment, such as resuscitation equipment and oxygen would eliminate another danger that is present in many ringsides unnecessarily.

The standardization of fitting of mouthpieces is another area.

Mr. BEARD. Let me mention, a point to illustrate. Last night I was in Baltimore for the Staley fights. Staley was knocked out. It was a very clearcut knockout. He was on the floor for at least two minutes.

But there were two sounds that I can recall. The first one was on his jaw and the second one was on the canvas. They more or less were waiting around for him to come to.

Again, medically, I do not know, but I would surmise that if there was anything else happening I could not see it. There was no oxygen or equipment of that kind.

Dr. PALUMBO. That is exactly my point, Mr. Beard. A medical advisory board would make it a requirement that this equipment and people familiar with the use of this equipment be there.

You know, what we are speaking of today reminds me of the old days in the NFL. Even as recently as 5 years ago when I came in the NFL, several teams did not have suction equipment and some of the more sophisticated resuscitation equipment.

But it took a death on the field, as many of us will recall in the Detroit Lions game, for all of us to stop and think that all you need is one catastrophe like that to realize that perhaps you better get moving.

I think the time is now that we have got to get moving as far as medical supervision and surveillance in boxing on a Federal level to improve standards.

Mr. BEARD. We should consider that as well.

Dr. PALUMBO. Another important aspect of medical surveillance on a national level would be the repeated examination of the boxer, particularly the boxer that has had a significant exposure to trauma, in looking for chronic traumatic encephalotomy, that is

chronic brain damage from the repetitive blows, chronic renal damage. I mentioned urinalysis, for example, earlier.

In many States urinalyses are not taken. You do not know whether there is kidney damage or not. If there is damage repeatedly, the fighter should be retired.

This should be demonstrated by repeated physical examinations to include a urinalysis to determine whether there are red blood cells in the urine.

I am only giving you a few. There are many examples. I would be here all day if I were to design a series.

So, I want to close, Mr. Beard, by suggesting that another advantage of a Federal Board is that they could look into a very much needed retirement pension fund for fighters that have been fighting for a certain number of years, very similar to what professional football and professional hockey have.

You know many fighters are out on the street today washing dishes and what have you. I think perhaps, particularly fighters that are disabled after a number of years of fighting, that some consideration could be given to them.

I want to finally say that, Mr. Beard, I think you are to be commended. You have my deepest respect as well as that of my colleagues for proposing this legislation because I think the very future, life and existence of boxing, the very well-being and the safety of every fighter that participates depends on improving the medical quality of the boxing world and what it holds. I think this is long overdue.

Mr. BEARD. Doctor, your medical testimony today is certainly very valuable. I think this testimony is very essential because it is hard for us, the laymen, to talk about how severe a blow may be and what the repercussions may be if a fighter is not physically in tune, I think it is extremely important to hear the medical pros and the cons of what can happen.

I appreciate your taking the time to come before this Committee and present your testimony. Thank you very much, sir.

Dr. PALUMBO. Thank you.

Mr. BEARD. The next witness is Floyd Patterson. Floyd of course, I think Mr. Williams said it well, is in my opinion and Mr. Williams' opinion and in the opinion many others around the country, one of the most respected former heavyweight champions of the world.

Floyd Patterson is a man of dignity. He has conducted himself during and after his career both with the highest standards. It is a honor, a real honor, and as an old fan, to welcome Floyd Patterson.

We are looking forward to hearing from Floyd Patterson. Floyd, would you bring the others who have come along from New York and introduce them as part of the group that will testify.

Floyd is here as Floyd Patterson, a former fighter, but also as a member of the New York State Athletic Commission.

Mr. Patterson will open the discussion and proceed.

STATEMENT OF FLOYD PATTERSON, FORMER HEAVYWEIGHT CHAMPION AND MEMBER OF THE NEW YORK STATE ATHLETIC COMMISSION, ACCOMPANIED BY JOHN M. PRENDERVILLE, BOXING COMMISSIONER, NEW YORK; AND MARVIN KOHN, DEPUTY COMMISSIONER, NEW YORK STATE ATHLETIC COMMISSION, AND SECRETARY-TREASURER, NATIONAL BOXING WRITERS ASSOCIATION

Mr. PATTERSON. First of all I would like to thank you for inviting myself along with Jack, Chairman. Jack will read the prepared notes, however, I have made some notes based on his notes.

I would like to get one of the things straight. I did fight an amateur fighter by the name of Pete Rademacher. He did knock me down.

Is Bob Arum still here?

Anyway, he did knock me down, but I got up right away. I knocked him down. He did not get up.

Mr. PRENDERVILLE. Mr. Chairman, just for the record——

Mr. BEARD. Would you identify yourself, sir?

Mr. PRENDERVILLE. I am Jack Prenderville. I am chairman of the New York State Athletic Commission.

Just for the record, as I was listening to the previous testimony there were several statements that I just would like the record to note that we do have and continue to conduct clinics for both referees and judges within New York State.

We have weighed gloves prior to fights from time to time to make sure that the gloves are of a proper weight.

And to the prior witness, Dr. Palumbo, we have—I thought he was reading from the New York State Athletic Medical Book, which has all of the things that he mentioned, that we do have in practice today.

I would like to read this statement and then, of course, Floyd and I will be available for any questions that you might have.

It is the unanimous opinion of the New York State Athletic Commission that some form of Federal input is necessary for the regulation and control of boxing within the United States.

Because of this strong belief of our Commission, we are here today at your invitation to share with you the reasons why we feel this is necessary.

In our research to provide this testimony, we have found that almost every previous legislative hearing, or report, whether on a State level or a Federal level, called for a Federal role in boxing within the United States.

Our own New York State Legislative Committee Investigation of Professional Boxing recommended in its report of March 15, 1963, and I quote:

The committee recommends that the Congress of the United States be memorialized to take immediate steps to enact Federal legislation relating to uniform rules and regulations, licensing and promotion of boxing matches, uniform scoring system and the institution of a file for the purpose of checking records of applicants for licensing as boxers.

All the witnesses who have appeared before that commission were all experts in the field of boxing. And again, I must emphasize that it is the unanimous opinion of the commission that we

would be happy, further, to furnish you with that research and you would find the same results.

The areas which our commission feel are most wanting are the following: We are calling for a standardization of rules and regulations. We are calling for reciprocity of suspensions and revocations for good reasons among other State commissions.

We are calling for computerization of boxers' records and a national rating system, the investigation into television as to their role in the sport; the purpose of which is to clarify if, in fact, they are acting as managers and/or promoters.

We are calling for a national standards for medical examinations and medical updating of boxers' records, also to be computerized.

The purpose of this all would be to help us to initiate a nationwide comprehensive insurance plan for all fighters, promoters, and managers.

We also feel that there is a desperate need to foster Federal and State aid and programs to upgrade the facilities that are now available for young boxers coming into the sport so that we could be sure that these facilities are adequate and the coaching expertise is available.

Our own State, by the way, is putting in a law now that would require certain minimum standards for trainers to participate in any athletic event within the state of New York.

The New York State Athletic Commission is sincerely appreciative of the opportunity to be heard by this committee. It is our contention that boxing in the United States is surely taking a back seat to other boxing organizations in the world picture.

Boxing, as the world knows it today, was fostered and promulgated by the United States. We, the New York State Athletic Commission, feel an obligation that this country should seek to retain its once lofty position in the world of boxing. This position came about through the efforts of our fighters, our promoters, managers. We should not turn our backs on them now.

In closing, Mr. Chairman, permit me to quote from an article by Mr. Michael Katz of the New York Times and a statement by yourself, to wit:

In some ways boxing is on its deathbed. We have a chance now to do something constructive and set some standards by which it can continue to live.

The New York State Athletic Commission strongly supports that statement.

Thank you.

Mr. BEARD. Thank you very much. Your written statement shall be inserted into the record.

[The statement referred to above follows:]

PREPARED TESTIMONY OF JOHN M. PRENDERVILLE, CHAIRMAN

Mr. Chairman, It is the unanimous opinion of the New York State Athletic Commission that some form of Federal input is necessary for the regulation and control of boxing within the United States. Because of this strong belief of our Commission, we are here today at your invitation to share with you the reasons why we feel this is necessary.

In our research to provide this testimony, we have found that almost every previous legislative hearing, or report, whether on a State level or Federal level called for a Federal role in boxing within the United States.

Our own New York State Legislative Committee Investigation of Professional Boxing recommended in its report of March 15, 1963, and I quote:

"The Committee recommends that the Congress of the United States be memorialized to take immediate steps to enact Federal legislation relating to uniform rules and regulations, licensing and promotion of boxing matches, uniform scoring system and the institution of a file for the purpose of checking records of applicants for licensing as boxers."

All witnesses who appeared before this Committee have indicated that they would unanimously support the enactment of a statute for Federal control of boxing.

I might add, Mr. Chairman, that the witnesses mentioned in the previous quote were of outstanding ability and authority in the sport of professional boxing.

We would be happy to furnish the Committee with a copy of this report.

Further, I think too if you were to research the findings of the Kefauver Committee, you would find that this Committee, as well, recommended Federal intervention in the sport of boxing.

The areas which our Commission feel are most wanting are the following:

1. We are calling for a standardization of rules and regulations.
2. A reciprocity of suspensions and revocations for good reasons among the other State Commissions.
3. Computerization of boxers' records.
4. A National Rating System.
5. The investigation into Television as to their roll in the sport; the purpose of which is to clarify if, in fact, they are acting as managers, and/or promoters.
6. A national standard for medical examinations and medical updating of boxers' records, also to be computerized.
7. For the purpose of trying to initiate a nationwide comprehensive Insurance Plan for All Boxers.

8. There is a desperate need to foster Federal and State programs to upgrade the facilities available for young boxers coming into the sport to be able to obtain adequate and safe training facilities, and coaching expertise.

The New York State Athletic Commission is sincerely appreciative of the opportunity to be heard by this Committee. It is our contention that boxing in the United States is surely taking a back-seat to other boxing organizations in the world picture. Boxing, as the world knows it today, was fostered and promulgated by the United States. We, the New York State Athletic Commission, feel an obligation that this country should seek to retain its once lofty position in the world of boxing. This position came about through the efforts of our fighters, promoters, and managers. We should not turn our backs on them now.

In closing, permit me to quote from an article by Mr. Michael Katz of the New York Times, of Wednesday, March 21, 1979, a statement by Chairman Beard, to wit, "In some ways boxing is on its deathbed. We have a chance now to do something constructive and set some standards by which it can continue to live."

The New York State Athletic Commission strongly supports that statement.

Mr. BEARD. Mr. Patterson, do you have anything else?

Mr. PATTERSON. No, Jack covered it.

Do you have any questions?

Mr. BEARD. Yes.

Mr. Patterson, what is your opinion about the possibility of brandname boxing gloves breaking down, where the glove goes from 8-ounces to less?

Mr. PATTERSON. I have seen this happen. In fact, in the last year, in another state, not New York State, where one fighter was wearing 6-ounce gloves and the other fighter was wearing 8-ounce gloves. I will not say where.

Mr. BEARD. Let me ask you this. I note that fighters in New York are well protected, due to the standards established there, and I highly commend the State's Boxing Commission for its work.

But have you recognized a tremendous difference in how other states operate their boxing commissions, and how adequate the boxing standards are in these states? What is your opinion of the uniformity as it is right now?

Mr. PATTERSON. I am all for uniformity. In fact, I do not recall any other state that works like New York State. I have fought in other states like in Chicago, Illinois, California, many places, and the rules seem to vary in every State.

I think uniformity of rules would be just what we need.

Mr. BEARD. Mr. Patterson, do you think, if we, in the Congress, set up national standards that this would be healthy for the sport of boxing?

Mr. PATTERSON. Definitely. In fact, we have been talking about this now for the past couple of weeks. The WBA, I believe, has such a system. As Jack told you earlier, we are trying to get one very similar to that.

Mr. BEARD. Do you think it is tougher today for a young fighter to come out of Philadelphia, New York, Providence, Rhode Island, or wherever, to make it to the top?

Mr. PATTERSON. Today, yes. I would say more so today than yesterday, simply because there is not that much competition around to begin with and television is only interested in using well-known fighters.

So if you do not get a chance to be exposed on television, you do not get a chance to become well known. Many of the promoters, as Don and Bob were telling you, the fighters that are well known, they are usually all tied up. So it does not give the upcoming fighter a chance to be exposed.

In some cases, the upcoming fighter could beat very easily the rated fighter with the reputation, but unless they become well known, television is not interested.

Mr. BEARD. On balance what would you suggest for this type of thing? What would be a remedy for this type of thing, for a fighter who has the qualifications, has abilities, to get an equal chance to arrive at the top?

Mr. PATTERSON. First of all, television would not be interested in him because he does not have a reputation. I would say there should be more clubs opening up giving a kid like this a chance to be exposed by gaining a reputation by fighting all fighters.

Sometimes you may have a well-known fighter, who is good, but then you have another fighter who is not wellknown but very, very good and he could more than likely beat the well-known fighter. His chance of ever getting a bout with the wellknown fighter is very, very slim.

Mr. BEARD. Mr. Prenderville, would you like to respond to that?

Mr. PRENDERVILLE. Yes, Mr. Chairman. I just would like to add, because we have called for a national rating system, part of that system would entail a completely different body than those comprising the State commissions who would do the rating. For example, it could be the Boxing Rating Association of the United States.

That would be so that no one, in effect, connected with the day to day operation of boxing would be on this rating body so that a kid coming from Philadelphia on merit alone, we hope, would be considered and be rated within this concept, which is the other idea that we are proposing as well.

Mr. BEARD. Well, do you think that the establishment of a Federal commission would help to alleviate this problem, if it were properly set up?

Mr. PRENDERVILLE. Let me give you another illustration of the frustration that we meet on the State level on a day to day basis.

For example, if a promoter were to bring us a contract for any kind of a fight, but that we felt that this fight was badly mismatched and that the one fighter should not be fighting the other, now if we do not allow that fight to take place in New York State, there is no way in the world that that promoter cannot say, "Thanks a lot, pal, we will see you. We are going out to some other State to promote that fight."

Now, unless the other states are going to look at the same reasoning that we gave for not allowing that fight, and having some uniformity in the reciprocity of suspension, we are going to be in deep trouble.

This is why our boxing continues to exist in a slipshod way, because we do not have certain uniform things.

Mr. BEARD. Let me ask you this question. Do you agree or disagree with what Mr. King stated in his testimony that boxing is a private business?

Mr. PRENDERVILLE. Yes, I do. I think with a national rating system that we can even open boxing more, to a more competitive system and a more competitive rating system. For example, if we are going to have a complete independent body rate fighters, and then that body would say, suggest matches—we have not really thought this through very thoroughly, but our thought is to put it out for bidding as you do any state or Federal contract, so that the promoters coming to you can bid the fight, they would then control that fight in terms of promoting it and then go to television and try to sell it to television rather than television coming to us, in some instance, and telling us who will fight when, where and at what time.

Mr. BEARD. What about television, for example, my legal staff has mentioned a point, and I think it is a good point.

Let us say a fight is being broadcast from overseas and it is a classic case of a mismatch. Do you think that that type of bout should be shown in the United States?

Mr. PATTERSON. What can you do about it? You cannot do anything about that. If a fight is mismatched in another country and through satellite is televised over here, what can you do about it? You cannot prevent the television stations from buy it or showing it.

Mr. PRENDERVILLE. I think you are getting into a violation of the first amendment with that.

Mr. BEARD. That is why I am just feeling around.

Do you think that television is in the business of making matches? It seems to me that was always the promoter's job. I wish I had the benefit of the executives of the three major networks. They were invited but they did not show up.

Mr. PATTERSON. That is pretty hard to say. Do you mean television is working as a promoter or a matchmaker?

Mr. BEARD. Yes, in a roundabout way.

Mr. PATTERSON. As I said earlier, television is only interested in using the wellknown fighters, like Sugar Ray Leonard. I think no matter who he fights, they will use him because he is very, very popular.

Whether or not he would have to talk to Don King or Bob Arum to arrange that, I could not really say.

Mr. BEARD. Thank you very much, Mr. Patterson and thank you, Mr. Prenderville.

Next I would like to introduce John Condon.

Mr. Condon, welcome to the committee of this Congress. Mr. Condon is from Madison Square Garden. We appreciate your taking the time to come here and appear.

Do you have a prepared statement, sir?

Mr. CONDON. Yes, I do.

Mr. BEARD. Your statement will be submitted and accepted in the record.

[The prepared statement of Mr. Condon follows:]

TESTIMONY OF JOHN CONDON BEFORE HOUSE SUBCOMMITTEE ON LABOR STANDARDS, MARCH 29, 1979

It is a privilege and pleasure to appear before this Subcommittee today to express my views concerning the proposed Federal Boxing Control Act of 1979. I am accompanied today by Richard Zahnd, Vice President and General Counsel of Madison Square Garden Corporation.

I have been actively engaged in the professional boxing promotion business for the past 19 years and have, for approximately 5 years, served as a Vice President of Madison Square Garden Boxing, Inc. Our company has participated in the promotion and presentation of hundreds of boxing matches throughout the world over the course of the years, involving such legendary champions as Muhammad Ali, Joe Frazier, Roberto Duran, Floyd Patterson, Emille Griffith, "Sugar Ray" Robinson and Gene Fullmer. More importantly, perhaps, our facilities have served as "training grounds" for scores of young fighters who wished to pursue boxing careers on either a temporary or permanent basis. I therefore feel qualified to appear before you and appreciate the opportunity to express my opinions.

Although I commend this Subcommittee in its efforts to correct many of the blatant inadequacies of the boxing world today, I am concerned that the creation of a Federal Boxing Commission might well aggravate, rather than alleviate, the bureaucratic complexities and inconsistencies which often work against the best interests of the most vital elements of our unique business—the fighters and the fans. An administrative body regulating boxing, whether on a Federal, state or local level, must, in my view, be flexible in character in order to deal effectively and expeditiously with the volatile and idiosyncratic scenarios that develop as the rule, rather than the exception, in our business. A bureaucratic jungle of red tape could, for example, destroy boxing at the small "club" level—the foundation of our sport. Over-regulation of boxing by Federal, state and local authorities could ultimately eliminate all but the very few financially dominant forces of the promotion element of our business—resulting in no more than a handful of major entrepreneurs controlling the destinies of virtually every young fighter in this nation. Such a development would be terribly unhealthy for both the business of boxing—and, more importantly, the sport of boxing.¹

Having limited myself up to this point to general reflections about our industry, I would now like to address a few specific provisions of the proposed Federal Boxing Control Act of 1979. Following that analysis, I will, with your permission, touch upon alternative courses which might be considered to combat some of the more serious abuses in our sport today.

With respect to Section 2 of the Bill, I enthusiastically endorse the concept of promoting uniform minimum standards relating to compensation, working conditions, health and related areas of common concern. One of the major problems in boxing today arises from the absence of uniformity with respect to the boxing rules and regulations of the various states. There is often an absence of consistency between the states resulting from the failure to communicate information as basic as the name, age, general physical condition and recent-competition data of professional boxers. Consequently, a fighter may be prohibited from participating in a bout in one state, but free to do so in another. Many states have adopted no

¹ Moreover, it should be noted that our business is, to a great extent, international in character. Federal regulation will, therefore, face obvious limitations with respect to its overall scope.

meaningful standards whatsoever with respect to the promotion and presentation of boxing within their boundaries, while others have created a tangled web of complicated rules and regulations which often obstruct, rather than promote, the best interests of the sport.

This general problem might be rectified in any one of a number of ways, other than strict Federal regulation. The creation of a standardized boxing "Certificate of Condition" might be considered. Such a Certificate would enjoy reciprocal recognition by each of the respective state bodies governing the sport and would contain current information with respect to critical data, including a boxer's general physical condition and the results of his most recent bout. It is my understanding that a comparable system is employed in the horse racing industry with considerable success, and I can see no reason why it should not work in our business assuming consistent cooperation between state governmental units. I note, in passing, that Commissioner John Prenderville of the New York State Athletic Commission has recently attempted to promote the free exchange of current information between the states. I heartily support those efforts.

A further step in this "right" direction would involve the drafting and ultimate adoption by each of the states of a "Uniform Boxing Control Act," prescribing consistent standards for the promotion and presentation of boxing bouts throughout the nation. Such a concept would in theory promote uniformity, while, at the same time, reserve for state control considerations which are basically local in character. Needless to say, these alternatives would not require the creation of a cumbersome and costly Federal administrative body.

Assuming, however, that a Federal Boxing Board is ultimately created, I have specific thoughts concerning its character and operation. Those thoughts relate, for the most part, to remaining provisions of the Bill.

Section 4 of the Bill would limit the Federal Boxing Board to only one member with active participatory experience in the boxing field. Our business is unquestionably unique. As such, the necessity for expertise is vital. I therefore recommend the deletion of this limitation on the background of the constituents of the Board.

The registration requirements of the Bill should, in my opinion, be broadened to insure that all promoters, matchmakers, managers and sanctioning bodies, as well as boxers, will file necessary documentation relating to their respective operations. In particular, the Board should be sensitive to inherent conflict situations, where, for instance, a promoter holds a managerial interest in one of the participants in a bout.

The strict noncancellation provisions of Section 5 may be impractical, as well as inequitable, in that cancellations are often prompted by factors beyond the reasonable control of a promoter. A perfect example of such a situation may be observed in the recent cancellation of the Light Heavyweight Championship Bout in Las Vegas, Nevada between Michael Rossman and Victor Galindez. To the best of my knowledge, the cancellation of this bout resulted from a political dispute between boxing officials of the State of Nevada and representatives of the World Boxing Association. The promoter of the bout may have been powerless to avoid a cancellation—the matter effectively resting within the control of state governmental officials and a foreign sanctioning body.

Absent special circumstances, it seems to me that a cancelled bout should be rescheduled whenever possible, consistent with the past practices of the industry and the best interests of the sport and the public. The private action contemplated by Section 5 of the Bill will not only encourage litigation and discourage productive compromise, but may, in fact, limit, rather than broaden, the legal rights of a boxer involved in an unjustified cancellation. His actual contractual damages may, under certain circumstances, exceed one-third of his training expenses—even factoring in punitive damages as an additional element of recovery. It should be noted that promoters, matchmakers, and managers may be adversely affected by a cancellation, as well as fighters. Consequently, a private right of action (if included in the Bill) should be available to any party prejudiced by a cancellation, rather than boxers alone.

With respect to the requirement that all states send copies of pertinent information to the Department of Labor, we endorse the concept of creating a common "clearing house" for the distribution and interchange of current boxing data. We believe, however, that this goal can be most effectively and economically achieved in the first instance by cooperation between the states through the implementation of a "Certificate of Condition," as described earlier in my presentation.

Section 6 of the Bill assumes that all agreements relating to the promotion and presentation of boxing bouts will be filed with the Board for inspection purposes. I am concerned that such a procedure will result in needless bureaucratic "overkill"

and mountains of paperwork for small promoters who are ill equipped (administratively and financially) to satisfy such record-keeping responsibilities. Madison Square Garden Boxing, Inc. can readily avail itself of the services of attorneys, accountants and such other personnel as might be needed to satisfy such a requirement. The small boxing "club" is totally unprepared to do so. In passing, I would strongly encourage this Subcommittee to solicit the views of small "club" promoters, who will be most materially affected by the new requirements envisaged by the Bill, including the minimum compensation standards described in Section 8.

I agree with the overall need for investigative efforts in our field, as alluded to in Section 9 of the Bill. In the final analysis, I believe that such efforts might well prove to be the most positive element of Federal intervention on a long-term basis. Madison Square Garden Boxing, Inc. applauds such inquiries and will obviously cooperate with them to the fullest extent.

Section 15 of the Bill appears to recognize the inherent jurisdiction of the states in this area of governmental regulation. I am in agreement with this view and suggest that the Federal Government can best achieve positive results by promoting uniformity of state rules, regulations and procedures affecting the boxing industry, rather than by creating an additional layer of administrative prescriptions. Duplication of effort should be avoided whenever possible—from the standpoint of the Government as well as private interests.

The Federal Government might also consider a role in the exchange of relevant boxing information with foreign governments on an up-to-date basis. This is particularly vital in view of the demonstrated inadequacies of non-governmental sanctioning bodies to develop a unified and consistent recordkeeping and rating system applicable to all world boxers.

Finally, I would like to focus the attention of this Subcommittee on an alternative course of action for the Federal Government in rectifying one of the major abuses in professional boxing today. Multibout contractual commitments of fighters to major promoting entities have become commonplace in our business. These contractual commitments have resulted in a situation whereby most of the major world champions today are tied exclusively to one promoter for extended periods of time. The successful boxer is therefore often unable to sell his services to the highest bidder on a fight-by-fight basis under ordinary market conditions. This scenario is unhealthy for the boxers so restricted—and unhealthy for boxing in general. In my view, new legislation is not required to rectify this inequity. What may be required is a careful examination of this phenomenon by appropriate governmental units delegated with the authority of enforcing the antitrust laws of the United States. Madison Square Garden Boxing, Inc. would welcome such a review with enthusiasm.

In summary, I believe that coordination between the states, rather than active intervention of the Federal Government, may be the key to eliminating many of the abuses plaguing professional boxing today. A Federal Board, if created, can best serve the needs of our sport by actively promoting uniformity between the states and the free interchange of vital data on a current basis through a uniform licensing procedure, supplemented by a common "clearing house" device which could be international in character. This role might be coupled with a "watchdog" function, including active investigatory powers directed towards current abuses, such as the multibout phenomenon. A viable alternative course would result in the creation of a Federal Study Commission charged with the responsibility of making specific recommendations after review of the industry over a reasonable period of time.

Mr. Zahnd is familiar with the legal ramifications of many of the points which I have touched upon today. He and I will be pleased to respond to any comments or questions which may be raised by members of this Subcommittee relating to my presentation.

I appreciate your attention and again thank you for the opportunity to appear before you today.

STATEMENT OF JOHN CONDON, MADISON SQUARE GARDEN, ACCOMPANIED BY RICHARD ZAHND, VICE PRESIDENT AND GENERAL COUNSEL OF MADISON SQUARE GARDEN CORP.

Mr. CONDON. Thank you very much. Good morning. It is a privilege subcommittee today to express my views concerning the proposed Federal Boxing Control Act of 1979.

I am accompanied today by Mr. Richard Zahnd. He is the vice president and general counsel of Madison Square Garden Corp.

I have been actively engaged in the professional boxing promotion business for the past 19 years and have, for approximately 5 years, served as vice president of Madison Square Garden Boxing, Inc.

Our company has participated in the promotion and presentation of hundreds of boxing matches throughout the world over the course of the years, involving such legendary champions as Muhammad Ali, Joe Frazier, Roberto Duran, Floyd Patterson, Emile Griffith, Sugar Ray Robinson, Gene Fullmer, and many others.

More importantly, perhaps, our facilities have served as a training grounds for scores of young fighters who wished to pursue boxing careers on either a temporary or a permanent basis. I therefore feel qualified to appear before you and appreciate the opportunity to express my opinions.

Although I commend this subcommittee in its efforts to correct many of the blatant inadequacies of the boxing world today, I am concerned that the creation of a Federal boxing commission might well aggravate, rather than alleviate, the bureaucratic complexities and the inconsistencies which often work against the best interests of the most vital elements of our unique business, the fighters and the fans.

An administrative body, regulating boxing, whether on a Federal, State, or local level, must, in my view, be flexible in character in order to deal effectively and expeditiously with the volatile and idiosyncratic scenarios that develop as the rule, rather than the exception, in our business.

A bureaucratic jungle of redtape could, for example, destroy boxing at the small "club" level, the foundation of our sport.

Over-regulation of boxing by Federal, State and local authorities could ultimately eliminate all but the very few financially dominant forces of the promotion element of our business, resulting in no more than a handful of major entrepreneurs controlling the destinies of virtually every young fighter in this Nation. Such a development would be terribly unhealthy for both the business of boxing, and, more importantly, the sport of boxing.

Moreover, it should be noted that our business is, to a great extent, international in character. Federal regulation will, therefore, face obvious limitations with respect to its overall scope.

Having limited myself up to this point to general reflections about our industry, I would now like to address a few specific provisions of the proposed Federal Boxing Control Act of 1979.

Following that analysis, I will, with your permission, touch upon alternative courses which might be considered to combat some of the more serious abuses in our sport today.

With respect to section 2 of the bill, I enthusiastically endorse the concept of promoting uniform minimum standards relating to compensation, working conditions, health and related areas of common concern.

One of the major problems in boxing today arises from the absence of uniformity with respect to the boxing rules and regulations of the various states.

There is often an absence of consistency between the states resulting from the failure to communicate information as basic as the name, age, general physical condition, and recent competition data of professional boxers.

Consequently, a fighter may be prohibited from participating in a bout in one state, but free to do so in another.

Many States have adopted no meaningful standards whatsoever with respect to the promotion and presentation of boxing within their boundaries, while others have created a tangled web of complicated rules and regulations which often obstruct, rather than promote, the best interests of the sport.

This general problem might be rectified in any one of a number of ways, other than strict Federal regulation. The creation of a standardized boxing "certificate of condition" might be considered.

Such a certificate would enjoy reciprocal recognition by each of the respective State bodies governing the sport and would contain current information with respect to critical data, including a boxer's general physical condition and the results of his most recent bout.

It is my understanding that a comparable system is employed in the horse racing industry with considerable success. I can see no reason why it should not work in our business, assuming consistent cooperation between State governmental units.

I note, in passing, that Commissioner John Prenderville of the New York State Athletic Commission has recently attempted to promote the free exchange of current information between the States. I heartily support those efforts.

A further step in this right direction would involve the drafting and ultimate adoption by each of the States of a "uniform boxing control act," prescribing consistent standards for the promotion and presentation of boxing bouts throughout the Nation.

Such a concept would in theory promote uniformity, while, at the same time, reserve for State control considerations which are basically local in character. Needless to say, these alternatives would not require the creation of a cumbersome and costly Federal administrative body.

Assuming, however, that a Federal boxing board is ultimately created, I have specific thoughts concerning its character and operation. These thoughts relate, for the most part, to remaining provisions of the bill.

Section 4 of the bill would limit the Federal Boxing Board to only one member with active participatory experience in the boxing field. Our business is unquestionably unique. As such, the necessity for expertise is vital. I therefore recommend the deletion of this limitation on the background of the constituents of the board.

The registration requirements of the bill should, in my opinion, be broadened to insure that all promoters, matchmakers, managers, and sanctioning bodies, as well as boxers, will file necessary documentation relating to their respective operations.

In particular, the board should be sensitive to inherent conflict situations, where, for instance, a promoter holds a managerial interest in one of the participants in a bout.

The strict noncancellation provisions of section 5 may be impractical, as well as inequitable, in that cancellations are often prompted by factors beyond the reasonable control of a promoter.

A perfect example of such a situation may be observed in the recent cancellation of the light heavyweight championship bout in Las Vegas, Nev., between Michael Rossman and Victor Galindez.

To the best of my knowledge, the cancellation of this bout resulted from a political dispute between the boxing officials of the State of Nevada and representatives of the World Boxing Association.

The promoter of the bout may have been powerless to avoid a cancellation, the matter effectively resting within the control of State governmental officials and a foreign sanctioning body.

Absent special circumstances, it seems to me that a cancelled bout should be rescheduled whenever possible, consistent with the past practices of the industry and the best interests of the sport and the public.

The private action contemplated by Section 5 of the Bill will not only encourage litigation and discourage productive compromise, but may, in fact, limit, rather than broaden, the legal rights of a boxer involved in an unjustified cancellation.

His actual contractual damages may, under certain circumstances, exceed one-third of his training expenses, even factoring in punitive damages as an additional element of recovery.

It should be noted that promoters, matchmakers, and managers may be adversely affected by a cancellation, as well as fighters.

Consequently, a private right of action if included in the bill should be available to any party prejudiced by a cancellation, rather than boxers alone.

With respect to the requirement that all states send copies of pertinent information to the Department of Labor, we endorse the concept of creating a common clearinghouse for the distribution and interchange of current boxing data.

We believe, however, that this goal can be most effectively and economically achieved in the first instance by cooperation between the States through the implementation of a certificate of condition, as described earlier in my presentation.

Section 6 of the bill assumes that all agreements relating to the promotion and presentation of boxing bouts will be filed with the board for inspection purposes. I am concerned that such a procedure will result in needless bureaucratic overkill and mountains of paperwork for small promoters who are ill equipped, administratively and financially, to satisfy such recordkeeping responsibilities.

Madison Square Garden Boxing, Inc., can readily avail itself of the services of attorneys, accountants, and such other personnel as might be needed to satisfy such a requirement. The small boxing club is totally unprepared to do so.

In passing, I would strongly encourage this Subcommittee to solicit the views of small club promoters, who will be most materially affected by the new requirements envisaged by the bill, including the minimum compensation standards described in section 8.

I agree with the overall need for investigative efforts in our field, as alluded to in section 9 of the bill. In the final analysis, I believe

that such efforts might well prove to be the most positive element of Federal intervention on a long-term basis.

Madison Square Garden Boxing, Inc., applauds such inquiries and will obviously cooperate with them to the fullest extent.

Section 15 of the bill appears to recognize the inherent jurisdiction of the States in this area of governmental regulation. I am in agreement with this view and suggest that the Federal Government can best achieve positive results by promoting uniformity of State rules, regulations, and procedures affecting the boxing industry, rather than by creating an additional layer of administrative prescriptions.

Duplication of effort should be avoided whenever possible, from the standpoint of the Government as well as the private interests.

The Federal Government might also consider a role in the exchange of relevant boxing information with foreign governments on an up-to-date basis. This is particularly vital in view of the demonstrated inadequacies of nongovernmental sanctioning bodies to develop a unified and consistent recordkeeping and rating system applicable to all world boxers.

Finally, gentlemen, and I would please request very respectfully that you pay strict attention and please try to absorb what I am about to say.

Finally, I would like to focus the attention of this subcommittee on an alternative course of action for the Federal Government in rectifying one of the major abuses in professional boxing today.

Multibout contractual commitments of fighters to major promoting entities have become commonplace in our business. These contractual commitments have resulted in a situation whereby most of the major world champions today are tied exclusively to one promoter for an extended period of time.

The successful boxer is therefore often unable to sell his services to the highest bidder on a fight-by-fight basis under the ordinary market conditions. This scenario is unhealthy for the boxers so restricted, and unhealthy for boxing in general.

In my view, new legislation is not required to rectify this inequity. What may be required is a careful examination of this phenomenon by appropriate governmental units delegated with the authority of enforcing the antitrust laws of the United States.

Madison Square Garden Boxing, Inc., would welcome such a review with enthusiasm.

In summary, I believe that the coordination between the States, rather than active intervention of the Federal Government, may be the key to eliminating many of the abuses plaguing professional boxing today.

A Federal board, if created, can best serve the needs of our sport by actively promoting uniformity between the States and the free interchange of vital data on a current basis through a uniform licensing procedure, supplemented by a common clearinghouse device which could be international in character.

This role might be coupled with a watchdog function, including active investigatory powers directed toward current abuses, such as the multibout phenomenon.

A viable alternative course would result in the creation of a Federal study commission charged with the responsibility of

making specific recommendations after review of the industry over a reasonable period of time.

Mr. Zahnd is familiar with the legal ramifications of many of the points which I have touched upon today, gentlemen. He and I will be pleased to respond to any comments or questions which may be raised by members of this subcommittee relating to my presentation.

I appreciate your attention and thank you for the opportunity to appear before you today.

There are a number of other things that I would like to say before I would like to ask you for questions if you have any.

With regard to the Federal study commission, I have had some experience on that with the Pan American Games of 1975, and the Olympics of 1976. I was the press chief of the American Olympics Committee, and during both of those events they had a Federal study commission, and the result was wonderful.

Amateur sports, and the Olympics particularly, benefitted greatly from the Federal Study Commission on Amateur Sports. It might be a very good idea in this case also.

For the record, there has been some money tossed around here today, how much money was paid, the most money ever paid for a fight. I believe Mr. King said that this was one of his feats. It doesn't matter, and it is not important to this committee, but I would like to set the record straight, if I may.

The most money ever paid to Muhammad Ali, or any other person for a fight, was \$6 million, which we paid to Muhammad Ali to fight Ken Norton in Yankee Stadium, and I believe that this is still a record.

If the Federal boxing board is formed, gentlemen, I am not asking you, I am begging you not to appoint anybody who is not familiar with the sport. Do not appoint anybody who does not know the sport, and does not know the people in the sport.

I think, also, that you should set a standard, and the State should set a standard, or whatever body is going to cover boxing should set a standard that if there is a State in which no Commission exists, I don't believe boxing should be allowed to be held in that State.

Jack Prenderville and I discussed this last night in the conversation that we had with regard to State commissions unifying, getting together and working as a unit. We thought it might be a good idea. The more I think of it, I think it is an excellent idea for the chairman of the various commissions to appoint their own head, a chairman, who would serve a period of time, 1, 2, or 3 years, whatever it may be. Then he would be relieved of office, and another member of that group would step into that office, voted in by that group.

Television has taken a few left jabs at this meeting. I have sat here and I have listened to them. I would like to go on record as saying, as far as I know, and I have been pretty close to television, and as far as I am concerned, it has never made a match. They have never come to Madison Square Garden. I don't believe that they have ever gone to anybody else, and said: "We want to make this match." The promoter goes to the television people, and they propose a match.

It does not mean that television is going to take it. They may turn down a match. But they are not matchmakers, and they do not make fights.

Finally, Mr. Beard, you made a remark earlier today that with all the things that are going on in boxing, how long will boxing last. Well, boxing has been going on, I think, since Cain and Abel, and I think it will go on for time immemorial.

The reason you made that remark is that there were some inadequate people in boxing, trainers, and handlers, and so forth, and so on. That may be true. I am sure that it is, to a small extent, but it is certainly not confined to boxing.

I think on the football field, and I think Dr. Palumbo will verify this, I have seen many, many times where a man limps off the field, or limps around the field, and the trainer goes out and sprays some kind of juice on his leg, and he goes back and plays. Who is to know that that ankle may not be broken, or badly damaged.

My point is, if there are bad handlers, and bad trainers in boxing, it is certainly not confined to boxing alone. It exists in every sport.

Thank you, and I will entertain any questions that you may have.

Mr. BEARD. It will have to be very brief because I have a few more witnesses, and we are being pressed by time because of a vote on the floor.

Your testimony was excellent, and I accept your criticism certainly. It is a very open forum here. We are trying to get some guidance as to what direction we should take. I sense from your testimony that you have support for some of the things, and a lack of support for others.

I do believe that we have a very difficult time at best, without this type of a set up, to get the States together because of the reason you cited—economics.

I think what they do need is some kind of general standard that will not take a lot of money, and that will make sense. I think that we can arrive at that. I believe that the Federal standards would be the incentive.

Certainly, we are going to examine your remarks very closely. You have raised some very good points of criticism. I really appreciate your taking time out of your schedule to come here.

Mr. CONDON. Thank you very much.

Do you have any questions of Mr. Zahnd?

Mr. BEARD. We will have to have the opportunity to examine this matter closely as we go along. At this point we are not at the stage of marking up the bill. We are at the point of doing what I feel is correct: Listening, picking up the information, considering the pros and the cons.

The next witness will be Colonel Granara of Massachusetts. But we will have to suspend for a few minutes, so that I will have an opportunity to vote. Then I will come back, and then we will finish with Mr. Donald Brennan, president of the United States Boxing Association.

[Recess.]

Mr. BEARD. The subcommittee will come to order.

Our next witness will be Mr. Ralph Granara, Security, Boston, Mass., a former fighter.

STATEMENT OF RALPH GRANARA, SECURITY, BOSTON, MASS.

Colonel GRANARA. Mr. Chairman, I appreciate you inviting me here to say what little I have to say. But I think that there has been a gross neglect of controlling in one particular instance—in international boxing.

At first, yesterday, I listened to men talking about registration of boxers, and their records. In front of me here, I have a 1926 Everlast boxing record. Some of the names in it are: Jack Dempsey, Harry Wills, Gene Tunney, George Godfrey, Jack Sharkey, Tom Heeney, Max Schmeling, Max Baer, Ernie Schaff, Tommy Gibbons, and Jimmy Braddock. Under each and every one of those names there is a complete list of the fighters they fought, where they fought them, and what the result of the fight was. So it was not such a difficult task to accomplish something like that even back in those days.

The thing that worries me, Mr. Chairman, is this: I would like somebody to tell me, or inform me, if they possibly can, where the members of the World Boxing Council, or the members and the president of the World Boxing Association acquired their power and their authority to rule and to dictate boxing on an international scale. Were they voted in by the Members of the Parliament of England; were they voted in officially by the Members of the Assembly of France; were they voted in by any State legislature, or any State senate in the United States that has a boxing commission, to give them the authority to walk into a city like Las Vegas only recently, and overrule a boxing commission duly appointed by the Governor of that State, and to dictate to those men who was going to be the officials in the Rossman versus Galindez fight, and by doing so, depriving 20 million TV viewers of a chance to see a good fight, not considering the cost and expenses that were put into that fight, and lost by the last minute withdrawal of Victor Galindez against Mike Rossman who was already in the ring.

To me, in my estimation, in my research—I was an aide to Senator Kefauver when he first filed this type of bill, and I have watched the operations of both of these organizations. To me they are just cigar smoking carpetbagger dictators in the boxing world. They have no more right to come into the United States, and tell the Boxing Commission of New York, the Boxing Commission of Massachusetts, of Pennsylvania, or any of the other States in the United States, how to run their matches, who to match, who is to fight who, and how much money they should get.

There is a question here. Who pays their expenses, Mr. Chairman? Where do the funds come from to run those two organizations? They live high on the hog. Their traveling expenses are astronomically high. Who pays them?

So as far as the United States is concerned, in my opinion, before they do any more business here, this committee should ask the U.S. Attorney General, Griffin Bell, or the U.S. Department of Justice, to have the FBI make an indepth investigation of the personal lives of these men, their associations and their connections worldwide, and how they came, by what manner or means, or whatever way,

to eventually control the awesome power of controlling professional boxing all over the world, and especially in the United States.

When you look at a list of fighters like this, Mr. Chairman, and we look at the state of the boxing game, the heavyweight fighters that I just named, if you close your eyes, and you bring back the scene of last Friday night in Las Vegas, where Larry Holmes and the fighter from Puerto Rico, and you take Shaver and Norton, and if you know anything about the fighting game at all, or if you know anything about professional boxing at all, you can keep these men in your mind. My statement is, Mr. Chairman, that as far as the Dempsey, the Harry Wills, a Tunney, a Godfrey, a Sharkey, a Joe Lewis, or Max Schmeling, those types of guys, not one of the four of them would have made a good sparring partner for the heavyweights I just named.

I think that this is the trouble with the boxing game. A small, compact group of men, no matter what they have said here at this table today, if I had a heavyweight, and he was of championship caliber, and I wanted to get him a title shot, or to get him on TV in a title shot, you can guarantee that I would have to give up 50 percent of him, and cut it up among several people to get that title shot for him.

Mr. BEARD. I very much appreciate your frankness, and professional knowledge. What do you think of the idea of setting up a commission?

Colonel GRANARA. I think that it is the finest thing in the world for the boxing game, for the men who participate in it, for the smaller men, the small fish in the boxing world. They will get a much fairer shake of the dice. They will get better opportunities. They will box under better conditions.

There is no reason why there should be any opposition to a body of this kind, a board or several boards of boxing commission, to control boxing. What is wrong with it?

If they say that they do not want it. Why don't they want it; what are they afraid of? That is what I want to ask them. What are they afraid of.

Mr. BEARD. Thank you very much, Colonel Granara, for your testimony.

The next gentleman on our list is Mr. Donald Brennan.

STATEMENT OF DONALD BRENNAN, PRESIDENT, UNITED STATES BOXING ASSOCIATION

Mr. BRENNAN. I am Don Brennan, better known as Bill Brennan. I am president of the United States Boxing Association. I was two-term president of the World Boxing Association. I handled the championships for 6 years, six terms.

I am here today as a representative of the United States Boxing Association, which is composed of State and city boxing commissions in the various parts of the United States.

Mr. BEARD. Mr. Brennan, we will accept your statement as part of the record. If it is possible, would you highlight it in your own words.

Mr. BRENNAN. For a long time, I have advocated a Federal boxing commission. I appeared on three different bills that were in Congress in favor of it. I am not too opposed to this bill, except for

some parts of it, which I believe would be bad for boxing. I think that they could be ironed out.

Take, for instance, page 7, lines 3 through 5, it states there that, "No boxing match may be registered more than 365 days, or less than 7 days before the date on which the registered boxing match takes place."

I submit, sir, that this does not give the promoters enough time to prepare and arrange preliminary bouts on any boxing show, especially a small boxing show. It does not allow for substitutions in the preliminary bouts within 7 days of the scheduled date of the boxing show, and that would make it almost impossible for small promoters to operate, because we know that in the four to six round bouts, it is a constant substitution, even right on up, sometimes, to the day of the fight.

Mr. BEARD. Let me ask you this. How much time do you think would be necessary to accomplish what we have in mind?

Mr. BRENNAN. I would like to see that changed. I can understand main event fighters, which are a dime a dozen. But it is the preliminary boys down below, who have to work for a living, and who have a job, who have to get off from their job to go to fight. They don't make the kind of money that the bigger boys make, and it would create a terrific hardship on these fellows. It should be done within 1 day, or 24 hours.

I have seen shows, many, many times, in various locations, where at the last minute, two, three and sometimes even four of your preliminary bouts had substitutions in them, 1 day, or 2 days before the scheduled bouts.

Mr. BEARD. What about 3 days, would that be all right?

Mr. BRENNAN. That should do it. I would think that this would be enough time.

In section 5(e), page 8, there is another part of this bill that I believe should be changed, or altered. The bill states: "The Board shall fix a collective fee for the registration of boxing matches and boxers."

I realize that no agency can exist without funds. However, I don't believe that we should impose another financial burden on the boxers. They come into a location. They are submitted to a rigid physical examination. In some places, they have to pay for it themselves. They take out a license, and in our area, they are fingerprinted and photographed, and other means of identification.

Mr. BEARD. Let me say something on this. This would be set by regulation, or by regulation of the commissions. This is a very flexible area as to what will be charged.

Mr. BRENNAN. On page 9, lines 4 through 7, this section gives the board broad powers in setting forth fair labor standards, which I don't quite understand.

It is inconceivable to me that a Federal agency could rightfully establish fair labor standards for boxers. Possibly in the higher ranks, but not in the lower ranks. All boxing people know that fighters are worth what they can draw at the gate, more or less.

Mr. BEARD. Labor standards are the conditions of performance, safety, and health.

Mr. BRENNAN. That is what this has to do with, and not with monetary reward?

Mr. BEARD. No. We set standards for the various industry that are job related.

Mr. BRENNAN. Am I to understand, then, sir, that this has nothing to do with pay.

Mr. BEARD. I would take into consideration a set fee based on the minimum wage.

Mr. BRENNAN. I believe it says in there a minimum fee, if I am not mistaken.

Mr. BEARD. A minimum fee which would be established uniformly across the Nation by the commission.

Mr. BRENNAN. Well, sir, you and I both know that some fighters are worth more than others because they can draw more people. How would you set a standard there?

Mr. BEARD. For example, in a preliminary, a four-rounder. I can recall that 20 years ago, a four-rounder went around \$75. I don't know what the fee is today.

Mr. BRENNAN. I have fought a few 10-rounders for that much, too.

Mr. BEARD. I am talking about a four-rounder. When you get into the main event, of course, it is negotiable.

Mr. BRENNAN. Yes, sir.

Mr. BEARD. But there should be at least a basic fee, no lower than \$25.

Mr. BRENNAN. Do you mean \$25 a round?

Mr. BEARD. I am saying that 20 years ago, we paid \$75 for a four-rounder. This was the going figure in Rhode Island for four rounds.

Mr. BRENNAN. It is about right now, in some areas. It has not improved a bit.

Then, section 8 which deals with the regulations of the commission, which are generally in effect right now in most State athletic commissions. I realize, sir, that we do have State athletic commissions that are not up to par. I understand that.

We have a program in the United States Boxing Association just off the ground, 2 weeks ago, where we are trying to standardize rules which will be acceptable to all commissions, to the boxers and to the public. We are also working on a system of identification, a passport type system, for all boxers who will carry this passport with them anywhere they go within their own State, or in other States, with photo and certification of records by local commissions.

In other words, you go into my State tonight, and you are boxing so-and-so. It says: "One loss, TKO," or whatever, and initialed by the commission.

We also have another program better than this, which we have checked with the WBC. I think Floyd Patterson said that it was the WBA. It is the WBC in Mexico City. In this program, we can insure the validity and credibility of a fighter's record through an elaborate system, really, of computers. This has been mentioned before, and this, I think, would be a must if we are going to deal in safety and the welfare of each boxer.

This way, you could put a name in a computer, and within minutes, you would have his complete record as of that date. Of course, this is going to take a lot of work, and it is going to cost a little money, but it can be worked out.

We also have a program of indoctrination, and a course of seminars for the States that have little boxing, and do not have knowledgeable boxing officials, whereby we can go into one of those States, and conduct an all-day or 2-day seminar, and bring the current rules up to date in the minds of those officials, and then have them take an examination on them.

We are doing this in my State right now, and it is working very well because when we assign an official to officiate a boxing bout, we check his card, and if it is not consistent with what it should be, then we have that man before our group, and make him go through this entire thing again, and if he cannot learn it, we have to take his license.

Mr. BEARD. Mr. Brennan, the very thing that you highlight, the registration, the basic standards, this is what we are attempting to establish here nationwide.

Mr. BRENNAN. I felt for a while, Mr. Beard, that this certain incident that happened in Las Vegas 3, 4 weeks ago—I think that it was the 24th or the 26th of February—triggered the submission of this bill.

Mr. BEARD. That is not correct. This bill was drafted last year.

Mr. BRENNAN. I understand that.

Mr. BEARD. I waited until this year to introduce it because I wanted to be sure that we had the time to hold these hearings, and put everything in place.

Mr. BRENNAN. I congratulate you, sir. This was the opportune time to do it.

Mr. BEARD. As a matter of fact, Chris Cline, a promoter in this area, was probably most responsible for the idea and some of the input for this type of legislation.

Mr. BRENNAN. I cannot help but believe that all that did happen in Las Vegas should not have happened, had the promoter done his homework properly, and got all his matters straightened a week, 2 weeks, or 3 weeks before the fight. Had this been done, I don't believe that the public would have suffered the loss of looking at a good fight. I don't wish to criticize anybody. That is my own personal opinion.

I commend the State Athletic Commission of Nevada for not yielding to the mandate of a foreign entity. As I said, I was the president of this same organization twice. We had no such problems then, and there is no reason why they should have them now. I believe that somebody dropped the ball along the line, or took something for granted, and the Nevada Commission said: "No, you are not going to come in here and tell us what to do." I think that they should be commended for it.

I would not criticize any commission. As I said, there are a lot of commissions around the country that need help. I believe you stated, or somebody stated that commissioners are generally political appointees, who, by and large, have little knowledge of the boxing world. This should not be. It is just like putting a man in a job that he has no knowledge of. It is like trying to come back from some place where you have not been. It is almost impossible.

I am not completely opposed to this bill. I think that it has some good parts, but I believe it should be doctored up a little bit, and

studied a little bit more, and some of the objectionable things properly ironed out.

Mr. BEARD. I want to thank you for taking the time to come here today, and give us your views.

The committee stands adjourned until Tuesday at 1 o'clock.

[Whereupon, at 12:35 p.m., the subcommittee adjourned, to reconvene at 1 p.m., Tuesday, April 3, 1979.]

HEARINGS ON THE CREATION OF A FEDERAL BOXING BOARD

TUESDAY, APRIL 3, 1979

HOUSE OF REPRESENTATIVES,
COMMITTEE ON EDUCATION AND LABOR,
SUBCOMMITTEE ON LABOR STANDARDS,
Washington, D.C.

The subcommittee met at 1 p.m., pursuant to recess, in room 2257, Rayburn House Office Building, Hon. Edward P. Beard (chairman of the subcommittee) presiding.

Members present: Representatives Beard and Williams.

Staff present: Earl Pasbach, counsel; John Smollins, special assistant; Carole DiDomenico, staff assistant; Edith Baum, minority legal counsel; and Dorothy Strunk, minority legislative associate.

Mr. BEARD. The Subcommittee on Labor Standards will now proceed.

First of all, I want to welcome all of you. I apologize for this delay. We have had some problems with flights. The former featherweight champion of the world will be a little late because of fog and plane problems. He will be here shortly. Also, the witness list will be scrambled up a little bit. Howard Cosell is also scheduled to appear. He will be a little late.

The first witness I would like to call is Congressman Zeferetti. Is Congressman Zeferetti here?

[No response.]

Mr. BEARD. Mr. Roy Tennison, the Boxing Commissioner of the State of Nevada.

Mr. Tennison, do you have a prepared statement?

Mr. TENNISON. No, sir. I just have notes to operate from.

Mr. BEARD. You may proceed.

STATEMENT OF ROY TENNISON, BOXING COMMISSIONER, STATE OF NEVADA

Mr. TENNISON. I am Roy Tennison, executive secretary of the Nevada State Athletic Commission. I am also the executive secretary of the North American Boxing Federation. I am representing the States of Texas, California, Indiana, and the City Commission for Portland, Oreg., at this hearing.

These organizations and the States that I have mentioned are opposed to your legislation for various reasons. Namely, that they feel that it is taking over the duties of the States involved.

On page 6, line 11 to line 16, the approval of bouts should be left up to the State authorities where they have delegated commissions, legislated commissions.

On line 22, the registration and the dates of the contests: It is practically an impossibility to regulate something like that. Those bouts are postponed at the last minute because of some sickness of the main event's boxers, the boxers who are involved. If the bouts fall out, they have to cancel, or postpone for 2 or 3 nights or a week, in several cases.

Page 7, line 11: The States that I am mentioning now send out the results of the boxing contests within that State to national organizations, other States, the State commissions. Possibly, there should be a central clearinghouse on something like that. That could be done.

Contracts: There is the standard boxer-manager form of contract in effect now, and there is the standard form of contract between the clubs and the boxers and their managers for their bouts.

Boxers are considered as independent contractors, and negotiate for their appearance with the clubs using their services.

On line 9(c).

Mr. BEARD. What page?

Mr. TENNISON. In relation to doctors, there is a doctor in attendance at all boxing contests. If a boxer is injured at that contest, the doctor follows up on the injury. If hospitalization is needed, he is placed in a hospital. If he breaks a hand, it is followed up. The doctor takes care of it.

If he goes back to his own jurisdiction, if he is from out of State, he can go to his own doctor, a doctor of his choice, and have the injury taken care of.

That is about the extent of my statement, sir.

Mr. BEARD. OK. First of all, let me say this: We are not trying, through this legislation, to usurp States' rights by dictating their procedures. What we are trying to do is to give States that have inadequate boxing standards, or States that have politically appointed commissions an objective Federal standard to use as a point of reference.

Let me consider some points that you mention. You mention the doctor being at the ringside. That is true. In most cases, the doctor will be at the ringside, but we had Dr. Palumbo before this committee at yesterday's hearing * * * and he mentioned that necessary medical equipment is not always required to be present at ringside. I know from my own experience, being around boxing for a good 20, 25 years, that many States do not have the proper respirators and the proper equipment at ringside. Many of the seconds, more commonly known as "cut men," are not properly trained. I would not want them to attend to me. There are very few well-trained cut men that we could name in the country.

With respect to many of these people, the fighter's eyesight is in jeopardy because they have not been properly trained.

Many of the referees are political appointees, and are not aware of the situation. They do not know what to look for. Many fighters go far beyond what punishment they should have absorbed in any given fight before the fight is halted.

The second thing is the examination. The examination could run to just a quick checkup of the fellow's heart. How do you know how good the fellow's condition is? The fellow may be looking good, and appear to be in good shape. How is the physician going to do a thorough

checkup? The examinations vary from State to State. In some States, the examinations are very good. In other states, they have little or no examinations, little or no checking.

For example, the 30-day suspension upon a knockout is one requirement we should have across the United States. I think the worst thing that could happen is the situation where a fellow gets knocked out in the State of Rhode Island, for example, or somewhere else, and is allowed to fight the next week in another part of the country. Many times this could result in serious injury. So I cannot understand how anyone could be against setting up general basic standards for the fighters across the Nation, and in setting up a recordkeeping system.

In some States, it is difficult to get a record of a fighter. For example, if I want to know the record of Carmen Basilio, or Joe Walcott, I have to go to a magazine, or some other inadequate record system, and I would be lucky to find that it was accurate; it may be accurate, and it may not be accurate.

I do know that if the 50 States had an accurate recordkeeping system, and every fighter was registered, and the registered fighter had to carry his records and sign up in each State where he fights, and those records were in the commission, then I would know that there would not be a fighter who would come and say: "I have had 40 fights. I have won 35 fights, and lost 5." We have now, no way of proving that.

You talk about cancellations, and putting substitutes in. We talked about that last week. Maybe 3 days would be sufficient in many States. The substitute may not be in good shape. Maybe there is someone who is the friend of a friend who needs someone at the last minute. The end result is that the substitute gets hurt. So I think that the substitute idea of a way to effect a change is a good idea. We are trying to change it.

I can say this: if I were to take a percentage of the people * * * who have testified, at this point, who have come before me, fighters, trainers, people interested in boxing, 90 percent of these people see the merits of what we are doing.

Don King testified, basically, against this, although if you listened to his testimony, he was against it initially, but then he rather leaned a little toward it.

Arum was for it, as are most of the fighters who have had experience related to many of the conditions that the young fighter faces today.

The fact is that I think there is another point, too, that should be addressed, and which we are going to address. It is: How do fighters get paid off? Is it in cash? Who accounts for the cash? You know, what guarantee does the fighter have if he has spent money in training camps, and his fight is canceled? How is he reimbursed? Is there any kind of pension for the fighter who has fought for many years? All of these things are possible, very possible.

The way the boxing situation stands today, is that boxing is dead. Boxing is dead without this legislation.

You have got certain States that have fairly good standards. I mention New York. I repeat, some States are a disaster.

I do not know about your State. I cannot talk about your State, but I do know that this is a worthy cause.

This morning I talked to Senator Javits. He is very interested in what we are doing here. We are going to get some help.

I just do not understand how you can take that position, if you have been around boxing for any length of time, to deny the need for general standards, but again, that is your prerogative.

I do appreciate your statements.

Mr. Williams.

Mr. WILLIAMS. I have no questions of this witness.

Mr. BEARD. Do you have a response?

Mr. TENNISON. Yes, sir. I would like to respond, if I may.

In Nevada, and I can say in California because I was there for 23 years with the boxing commission, the boxers are paid by check in the presence of the commission employee. They are given their good check. They sign for it.

We have 30 days of suspension for knockouts, or TKO's with no contract training for 15 days of that period.

If the injury is worse, the doctor can recommend further suspension on the boxer.

We do send out, as I indicated before, the results on all of our boxing contests. When these results go out, we indicate on there where the boxer is, whether the boxer was knocked out, whether he is off on a 30-day suspension.

Mr. BEARD. You would have no objection to seeing that in effect in the 50 States? Would you like to see that in the 50 States, the suspension requirement?

Mr. TENNISON. I think that a clearing house, or something like that, would certainly make my job easier on approving fights, or out-of-State boxers.

Mr. BEARD. Really, that is all we are trying to do through this kind of legislation.

Coming back to standards, there should be basic standards to give the fighter some protection, to give the fan who pays to watch the fight some quality.

One of the worst things that could happen that really hurts boxing is bad matching, when a fighter gets into the ring who is out of condition, a fighter who is not properly matched, or the fighter is overclassed. That's what hurts boxing.

Mr. TENNISON. I can agree with that. It is difficult to, at times, get the record of a boxer. I spend quite a bit of time checking on an out-of-State boxer, calling for an out-of-State boxer. I have to call Ring magazine or the ring Record Book, as you indicated, to get the record on the boxer, and that is not always accurate.

Mr. BEARD. Let me make one last statement. I think you mentioned something about cash. Do you think that is commendable? Do you pay in cash?

Mr. TENNISON. As I stated earlier, the boxers are paid by check in the presence of the commission employee.

Mr. BEARD. I will mention Ralph Zannelli. Ralph said that most of his fights, if not all of his fights, were paid in cash.

There are two dangers there. One: The manager gives him his share. He says: "This is what you earned." How does he know?

Maybe the manager told him it was 25 percent, or 50 percent. He has no way of telling.

Sometimes they wind up with the shortest amount, not that much money, and we do know that. I think that paying in cash is a dangerous system.

Then there is another point. Cash payment is not the best system because no one knows the facts. I think that these records should be public records to make sure that everyone gets a fair share.

And another thing: It is possible for States without commissions to meet with States with commissions to discuss joint problems over boxing?

Mr. TENNISON. If they don't have a State commission, it is difficult to get together with them.

I think that Oklahoma, as I can recall, is the only State that does not have a commission at the present time. I take that back. There are city commissions. Oklahoma does not have a commission of any kind: city or State.

Mr. BEARD. What we witnessed recently on television, the Rossman disaster, Rossman and Galindez. That boxing match is the classic example of why we need some kind of organization, or Federal oversight, because, again, without some input, without some coordination of the 50 States, boxing is in serious, serious trouble.

Thank you very much.

Mr. TENNISON. Thank you.

Mr. BEARD. The next witness will be Mr. Howard Cosell.

Mr. Cosell.

[No response.]

Mr. BEARD. Mr. Cosell will be here shortly.

The next witness will be Carmen Basilio, former middleweight champion of the world and, if I do say so, one of the toughest guys who ever fought in the ring. Carmen, do you have a prepared statement?

Mr. BASILIO. Not really. I am going to speak off the cuff.

Mr. BEARD. Fine.

STATEMENT OF CARMEN BASILIO, FORMER MIDDLEWEIGHT CHAMPION, CHITTENANGO, N.Y.

Mr. BASILIO. I am for uniform rules, and I am for a national commissioner.

This way you run into the situation you ran into in Nevada a few weeks ago. You cannot be two champions in one division.

Now, you have the WBC and WBA, everybody fighting, and you got other States that do not belong to them, and recognize different rules. This causes a lot of confusion unless all States join one organization and they have uniform rules. OK. But you cannot have the WBC, and you cannot have the WBA, and you cannot have individual, independent boxing commissions. They should all be unified and organized. And I think that this is the way to do this, through a national commissioner.

I think that through this way, you could set up pensions for boxers. Of course, you just could not say that every boxer would qualify. They would have to have a certain amount of fights, and earn a certain amount of money during their career. I do not say:

just get the pension. They would have to contract a certain amount of their pay of every fight into this pension, and you would have to have someone running this pension fund that is highly reliable for proper investments.

Now, you mentioned something about suspensions, 60-day suspensions after getting knocked out.

Mr. BEARD. Thirty.

Mr. BASILIO. Thirty days. I think a lot of States have it. I think New York State has 60 or 90 days after a knockout, and after that, they also have to have the GEG test, the brain wave test, and a cardiogram in order to be reinstated.

Now, again, a lot of the States do not have this rule. I think it is a very good rule, and it should be through a national boxing commission. The same set of rules would be that way. I think this is a very good thing to have.

Somebody mentioned something about incompetent officials. This is another thing: We have to have referees who should be given exams, and referees who have passed that exam, and that have been approved.

I think that is about all I have got to say unless you have got something to say that would enlighten me.

Mr. BEARD. Mr. Basilio, in the course of your career, would you say it is true that many times, the seconds, known as cut men in the corner, are not properly qualified?

Mr. BASILIO. Well, I have been very fortunate. I had, you know, Angelo Dundee. I spotted him right off the bat in 1952 down in Miami. He was working with me. I liked him. I also had a couple of bad ones early in my career that did not last very long in the game, but there are, I would say there are cut men, there are seconds that do not know a left jab from the kick in the pants that should not be there. They should be qualified by examinations. And the same goes for the cut men. Well, seconds should be cut men, and they should be trained properly.

Angelo Dundee is probably one of the best.

Mr. BEARD. What about the boxing physicals, the various examinations you have had in the different cities and towns in which you have been fighting?

Mr. BASILIO. Well, I have fought in most of the States that have, you know, very strict boxing commissions, and they required, like California, Illinois, New York, Pennsylvania, and they have strict examinations, as far as physical examinations go, and you know, the EG test and the electrocardiograms.

Some of the lesser States that do not have boxing that much, like, let's say, down in the South and the Midwest where you do not hear much of boxing, well, they do not have the boxing commissions, and so naturally, there, you are not going to get the strict physical that is required for a well-conditioned athlete to find out whether he is well-conditioned, and some guy goes in and passes him anyway just so he will run the show. It should not be.

Mr. BEARD. It is my belief that if we had a national commission similar to what we have in New York with fairly good standards in all of the 50 States, that would not happen. That is what we are aiming to accomplish with this bill. I really think it would help to have a Federal boxing board, to insure high standards, like New

York, in the 50 States, and it would give the fighter a better chance to avoid injuries.

Mr. BASILIO. The rule should be the same all over the 50 States.

WBA and WBC is going to dispute this because they are not only in the United States, they are in different countries, too.

I do not know what WBA is like here. The leader is out in Mexico. Anyway, I cannot think of his name right now, whether he is the head of WBC or WBA. I do not know. I am not in that kind of stuff. I do not pay attention to it.

Mr. BEARD. What do you think of the idea of a uniform record-keeping system?

Mr. BASILIO. I think that is fine. That would be the best thing. All you have to do is contact the Federal Commission, and get the records on every individual performer. That is accurate.

Mr. BEARD. Mr. Williams.

Mr. WILLIAMS. Thank you, Mr. Chairman.

Mr. Basilio, in your view, sir, how good is the quality, or what is the quality of boxing officials today, the referees and the judges?

Mr. BASILIO. Well, what we see on television, naturally, that is topnotch because these are all experienced gentlemen that are acting as officials, but then again, you get down into the smaller cities where the people in the smaller cities and towns do not see boxing on TV, and the greenhorns are appointed, and some of them * * * it is not so much that. Everybody has to start off as a greenhorn. You have to start someplace. I do not object to this * * * but some of them are just appointed. They have never refereed a fight, or judged a fight before. There is a fine line. This is life. This is not right.

Mr. WILLIAMS. How important to you was that second? Now, obviously, the judges are always important to every fighter, but how important was that third fellow in the ring to you? Was it important that he come up to a certain standard in order to not only provide the folks with a better fight, but to provide you with adequate protection?

Mr. BASILIO. It is important for the referee to be competent enough during his, you know, officiating of a fight, to know when one opponent, one fighter is hurt enough that he should stop the fight before he gets seriously injured.

I have seen this happen: when the referee was a little slow on the trigger, not that the opponent, or the fighters were seriously injured, but the possibility was there, and eventually, he did stop the fight. He may have waited a minute or two too long, or a round too long, or something, but eventually, finally, he got to stop it anyway. He would have done him a favor, and he would have done everybody a favor if he had stopped the fight a minute or two, or a round or two before.

Mr. WILLIAMS. Would you be in favor of some national standards of competency for our boxing officials?

Mr. BASILIO. Definitely. I would be.

Mr. WILLIAMS. Thank you, Mr. Chairman. I have no more questions.

Mr. BEARD. Thank you very much, Mr. Basilio.

Mr. BEARD. Our next witness is Tony Zale, former middleweight champion from Chicago, Ill.

With Mr. Zale is his wife, Mrs. Zale, who will also take the stand with him.

Let me just say before Tony presents his testimony that Mr. Williams and I are very honored to have some of the greatest boxers here today to give us the benefit of their testimony and experience.

This day is a special occasion for me, for I have been given the opportunity to be with some of the heroes of my childhood: Joseph Walcott, Carmen Basilio, and you, Tony.

Do you have a prepared statement?

STATEMENT OF TONY ZALE, FORMER MIDDLEWEIGHT CHAMPION, CHICAGO, ILL.

Mr. ZALE. I can say this: I am for the program. In my background, as former two-time middleweight champion of the world all I can say is that I had 200 amateur fights, and half of them were knockouts before I turned professional, before I turned big, before I won my first professional fight.

And I was talking to a fellow, a trainer, I thought he was trustworthy. I thought he was trustworthy because he tried to do the right thing, for a while, anyway.

When I turned professional, I won my first eight fights. I had had four or five knockouts. You know, I was coming off very well, but the main trouble was the fact of training, training, overtraining, which was much, too much overtraining. Now, in my work with the Chicago Park district boxing program, the coaches, I tell them what the score is in that regard. In my own experience, what I would do myself in training, and I try to instill in them the fact that they should not over work a fighter, too much; anyone, no matter who he is if he wants to be successful, if he wants to stay on, go on, and to stop the fellow from trying to overdo, which is natural, and those kind of boys need to cut down. So it is important to have knowledgeable coaches, trainers, managers, et cetera.

You know, I used to train, work out, and trained too much. I trained too hard. I did not realize it then, of course, but I figured I was in good shape. I would fight the fights. You know, box the first two rounds and do very well. Then what happens? I would have no reserve. I did not build up a reserve, which I could have used. I could have used a reserve which I did not have by overdoing and overtraining, and a good trainer, a good manager will see very well what the score is in that regard. He will cut the boy down. Now, it comes through my experience, too, of course.

When I turned professional, I boxed for a couple of years, 2½. I got hurt. I was pushing it too soon. I did not get enough rest, you know, so forth, and I did get hurt. So I tried again after about 2 months. I thought that if I rest up for it, I would be all right. That's why it's important to have a certified doctor involved at all levels and should be recorded.

I had a fight with a fellow who was a tough boy. I had the fighter beat in the first three rounds. The fourth round—I had a bad side, and I barely finished the round. I lost the fifth round unanimously, and the judge called it a draw; I am hurting all over—like I went out altogether for a good while, anyway, which I did. I quit for 2 ½ years.

During the interim, I kept working myself, taking my exercise, working on my different timings, so forth and so on, you know, and I got ready. I made a comeback. My side held up. Everything was fine, and I am knocking boys out all over again. Then I have to fight former Olympic Champion Jimmy Clark, the bell rang and I got caught in the first round. I was knocked down three or four times. I got up too late and then, of course, came back the old memory of what I should do, and how I should do it. I got ready again, for a return fight, with the same fellow, and I knocked him out in about eight rounds. He was on the canvas in the first round three or four times, and the fight was stopped in the eighth round.

Then, of course, in the meantime, I got new management, the right kind of trainer who was interested in me, a trainer who was interested in what I could do, how I could do the best I could do, and I was coming back again with this fellow for a short match.

Mr. BEARD. Let me ask you a question. How did you find the referees during the fights you were fighting?

Mr. ZALE. I found them fair with me, always fair with me. No complaints whatsoever. This is not always true especially these days, and their were exception in my case too.

Mr. BEARD. Do you think it would be healthy for the fight game to have a training program for referees, seconds and cut men?

Mr. ZALE. Yes, it would be.

I will tell you about a referee of a fight I was in. Of course, I will not mention his name. I was boxing in Seattle, Wash., and, of course, I had to box with this fellow in my first fight so I had a match for the title.

Naturally, they knew I would whip him, and they had a referee who could possibly help him. So he and I would get in a clinch. The referee stepped up, and pushed me back. He did that two or three times in a row.

Well, I figured, if you do it that way, push me back, I told him to make sure he was between me and the opponent, and I knocked the fellow out for title after title.

I was given credit because I outsmarted the fighter. I outsmarted the referee, and he thought I was a smart fighter, but after all, you cannot always get the breaks.

You have to get the right kind of people, honest people, and it is not too easy to do. Basically, it seems to be very, very important. Very much.

Mr. BEARD. Let me ask you about the recordkeeping system, Mr. Zale. Do you think it would be in the best interests of boxing if there were a uniform recordkeeping system for all fighters in all 50 States.

Mr. ZALE. I think it would be very beneficial all the way around for the fighters and the promoters as well as the public, generally. Nevertheless, I am much in favor of the creation of a Federal boxing board to eliminate the so-called leeches which have been and I am sure are still formed very much around the sport. Knowledgeability comes with experience, and only those who are well versed that way should be allowed to be connected with the sport, as managers, trainers, and of course, the fighters.

Mr. BEARD. Mrs. Zale, I know that you want to say something.

STATEMENT OF MRS. TONY ZALE

Mrs. ZALE. Yes, sir.

I would like to digress and not bring in all of the technicalities, such as you, Congressman Beard, spoke about because the gentlemen you have interviewed so far are knowledgeable. But as I travel with my husband—and I am a former athlete myself—I think that this idea to form an umbrella, to over see professional boxing, is a very necessary thing; from what I see and what I have watched, both in the amateur and on the professional scale.

This is very important; that every American boy has the opportunity to discover for himself the skill of boxing which is a natural sport.

As I have been quoted once and many times before, I would like to say this to you: That whenever a male child comes forth from the mother's womb, it does not have a tennis racket, a golf club, a football, or anything else in its hand, only his tiny fist, and that fist is a natural sport that belongs to every male around the world, and even us women, too. It is the first sport and only sport that is natural. And every boy should know and discover what that is for himself.

He should recognize that it is a skill like fencing, or any other sport. He should have the opportunity to discover himself and his confidence, to build, his physical strength, to face himself in the battle of life, through experience.

In the ring, the young man is exposed to everyone. When he fails, he fails in front of everyone. Boxing skills teach him to think on his feet. Every good leader has to learn to think while he is in battle, and the first battle is always fought within, fear.

I think that boxing would help every young American male to conquer his fears. In order to have the opportunity he should have and that opportunity would be given equally; with these rules and regulations that Congressman Beard is trying to pass through this bill. I think that every American underprivileged boy would gear up. He could see hope. He could see fairness for himself and others. Every middle class boy who wasn't into team sports might decide that boxing skills is a better opportunity. That the money would be spread around more, and know that there was some authority really concerned about them, and not just opportunity for a few special people out there making the whole thing, going the whole way.

I think it is a crime that so many American people should watch television, and watch and see such asinine boxing in the professional field, being passed off as the greatest boxers of all time.

Thank God, there is Rossman around who really knows how to persist with the game and demonstrate the skill in the ring.

Unfortunately, we have many others whom we have watched on the screen who have not been capable and never should even have been in the ring in the first place.

If I have said too much, please turn me off. Thank you.

Mr. BEARD. Mr. Williams.

Mr. WILLIAMS. Thank you, Mr. Chairman.

Mr. Zale, it is nice to see you here today.

I guess for fights in the past there were no such standards by which all boxers will be matched for a fight.

Mrs. Zale, you know about that. You sat at the ringside and watched Tony fight, did you not?

Mrs. ZALE. No. Unfortunately, I did not. I was busy having a professional athletic career myself. I have only been married to Tony for 9 years, but I am willing to fight for boxing and everything that this decent man has given his entire life to.

Mr. WILLIAMS. We have seen some of Tony's fights.

Mrs. ZALE. I would like you to know that everybody claims those greatest fights between Tony and Rocky had to be the toughest Tony ever had * * * Oh, No! Tony's toughest fight was at our house last Saturday when he didn't throw out the garbage. [Laughter.]

Mr. WILLIAMS. Tony, the question I was going to ask was if there have been any tougher fights in the Zale house than there were in the ring. [Laughter.]

Mr. WILLIAMS. Let me ask you this, Mrs. Zale. You said that some of the fights today that you see on television do not measure up.

Mrs. ZALE. No, they do not.

Mr. WILLIAMS. But you think that they do not measure up at all.

Mrs. ZALE. That is right.

Mr. WILLIAMS. How tough do you think it is * * * or you, Tony * * * for a young fighter coming along to get a TV fight?

Mrs. ZALE. Terrible.

Mr. WILLIAMS. How terrible?

Mrs. ZALE. I think it is terrible. From what I have heard and seen in certain areas, people who are supporting a lot of boxing cannot get a foothold into television, a chance to get in. They cannot get a piece of the action. There are boys who have it, and if they are not in the right place at the right time with the right people, they are not going to make it.

I hope you do not mind my being this open, but it needs to be said, and I think it is time that there should be a pension.

I have watched fighters of the past go around groping. There were too few opportunities in the boxing field, as well, outside world. Why should they have to be on welfare. All of the other sports have gone to college, and they have been accepted by the colleges. Boxing is the only one that has not gone to college. It is going to the sewer. It was in the gutter. Now it is going to the sewer.

There are hopes. There have been hopes lately. We have watched that. Tony and I have been participating in amateur boxing programs in the past 9 years. We have watched men like my husband who have been involved in boxing, and have had a hand in the small club.

When the movie, Rocky, became such a big hit with the young people, there was a rebirth of some kind in boxing. It was ready, and it was ripe, and I think this is ripe, and I think this is ready, and I think it is time that it happens to have a voice of authority in boxing.

Unfortunately, there are those who want to stop it. Well, California and Las Vegas do have something going. That is true. But that is not the rest of the country. That is not the rest of the States, and the people who have the ability are not finding themselves enter-

ing into the world of boxing unless they think they can make a quick buck. We do not want that. We want somebody in authority who loves the skill, who wants to participate and to bring something to it, and see that the boys get correctly refereed, correctly judged, and that justice in the sport of boxing, comes forth.

Mr. WILLIAMS. Thank you very much.

Thank you, Mr. Chairman.

Mr. BEARD. Thank you very much, Mr. and Mrs. Zale.

The next witness will be the former heavyweight champion, Mr. Jersey Joe Walcott. Also with Mr. Walcott is Mr. Lee, the Commissioner.

Mr. Walcott, do you have a prepared statement?

**STATEMENT OF JERSEY JOE WALCOTT, FORMER
HEAVYWEIGHT CHAMPION, MERCHANTVILLE, N.J.**

Mr. WALCOTT. Yes. We have a statement, but I prefer trying to reminisce a bit about my career, my personal activity in boxing.

I came here today in regard to testifying to the sport and the profession that I dearly love, that I have been active in boxing, one way or the other, all my life.

I had my first professional fight at the age of 15. I boxed for 23 years. I have been a trainer of fighters. I have managed a few fighters. I have promoted a few fights, and now I am the Athletic Commissioner of the State of New Jersey.

I would like to say that coming here is like when I was a youngster reading about a man named Frederick Douglas who was invited to come to go into somewhere in New England to speak to a group of people in New England in regard to the Independence Day, and his opening statement was that how could they invite him * * * he happened to be a black man * * * to come and speak on Independence Day when his people were still enslaved, and he worked and freed himself, coming here as a former fighter and a lover of boxing, knowing what boxing has meant not only to me but to hundreds of thousands of other minority groups, knowing the advantages, the help, and the great success it offers all people.

Boxing is one of the oldest sport professions, and it has survived down through the years. It has had its ups and downs, and it has had its problems like all of our other professions, and in all respect to this committee and your high honor, I cannot conceive why this committee feels, of all the other professions, all the other sports, why it singles out boxing to need a Federal commission.

I am now the Athletic Commissioner of New Jersey. I am a member of the USBA. I think it would serve the sports world if, in place of a Federal commission, if the USBA, the WBA and the WBC could unite together and set up an organization where one set of rules would govern the whole country as far as boxing is concerned.

There are a lot of things, I am sure, that have been said here, that a lot of people perhaps really do not know that much about boxing. A lot of things have been said; that it sounds good. It is rhetoric * * * as far as people who are involved in boxing and know boxing and love boxing * * * they can sit here with the flowery words, and make a long speech, but in the basics, they do not know anything about what they are talking about, or really

appreciate something about boxing. You will have to have been there.

You have a lot of former champions here. You do not have one preliminary fighter here. You do not have any local promoters here. They are the ones who should be here testifying in regard to whether you should have the Federal commission.

We, as former fighters and former athletes, we can only explain to you and tell you what has happened. We cannot tell you what a fighter this day and time goes through.

If you want a Federal commission, do not single out boxing. Make a Federal commission for all sports. Just do not pick boxing as a whipping boy.

Boxing is one of the greatest professions any young man can enter, and we have tremendous commissions. Sure, we perhaps need one set of rules. We need a pension plan, but we do not need a Federal commission to set this up.

If the USBA and the WBA and the WBC would get together, sit down, and make a blanket set of rules and set up a pension plan and an organization where it comes in under one umbrella, this would answer all the problems. That is what we need in boxing.

Boxing is a great profession. I love boxing. I did it all my life, and the only regret I have is that I do not have another life to live so that I can go back, and do the same thing.

Boxing is the greatest sport in the world, and I was in boxing practically all my life, and I never heard, I have never known of any corruption, and I have never been approached in anything other than winning a fight. I have won, and I have lost, but I won them and lost them because I was just beat, but as far as being approached about taking a dime of this or that, never anything of the like ever happened.

So I think it is wonderful that you are having this meeting, and I think it would do a lot of good, but I am one who firmly believes that there are so many other things that could be done that would be of much better usefulness to boxing than would be a Federal commission.

Mr. BEARD. Mr. Walcott.

Mr. WALCOTT. Yes, sir.

Mr. BEARD. Let me assure you I love the sport, too.

Mr. WALCOTT. Yes, but you love the sport, you love it from sitting behind a desk.

Mr. BEARD. No.

Mr. WALCOTT. Yes.

Mr. BEARD. Let me explain.

Mr. WALCOTT. All right. I am listening.

Mr. BEARD. I did a little boxing.

Mr. WALCOTT. That is the problem. You did a lot of light boxing. I did a lot of boxing.

Mr. BEARD. I know. [Laughter.]

Mr. WALCOTT. OK.

Mr. BEARD. The point that you mention, about WBA and the various boxing commissions coming together. That is fine, but they are not doing it.

You mention something about the club fighters, the promoters of fights, having them testify before this committee. We did invite a

club fighter, and we invited Mike Rossman. He could not make it. He was in a training program. He is training at this time for a light heavyweight title fight.

We want to get a balance between the retirees and the current fighters. It is not my fault that they did not show up.

Mr. WALCOTT. Yes, but you still named topnotch fighters: four rounders, six rounders. How about the little club managers, the club that draws 1,000 people, or 500 people, who love boxing, who promote boxing because they love boxing, not for what monetary things they gain out of it, but because they love the game; they keep the game alive.

And that commission, the way it would be set up with this bill that you present, would destroy boxing. It will destroy boxing before long.

Everyone here is making remarks about boxing being down, that boxing is as low as boxing can go.

Boxing is thriving in New Jersey. We are now having more shows in New Jersey than they have in the last 40 years. Every night we are having amateur shows. We have professional shows all over the State of New Jersey now.

Mr. BEARD. There is only one difference. When you were the heavyweight boxing champion of the world, you were sustained as the heavyweight boxing champion. But the difference today is that there are two champions: There is Holmes and there is Ali. And, you know, it is a matter of who you want to believe is the champion.

Mr. WALCOTT. Well, you see, you continue reciting one or two various incidents. You make a big issue out of Rossman and Galindez, about what happened in Nevada. And I think it is a very poor example. You grab: like you selected a drowning man grabbing a straw. That is one incident over a period of years, but you grab onto one.

Mr. BEARD. Mr. Walcott, what is wrong with having a uniform set of standards across the nation: a 30-day suspension for knock-outs?

Mr. WALCOTT. We had that.

Mr. BEARD. Maybe in New Jersey, but we do not have that across the States.

Mr. WALCOTT. In most States, they have that. In most States, they have that 30-day suspension that when a fighter who gets knocked out has to be suspended for 30 days.

Mr. BEARD. The recordkeeping system in boxing is atrocious.

Mr. WALCOTT. That needs some adjustment, but we do not need a Federal commission to do it.

Mr. BEARD. The system you have right now is not doing anything about it. They are not getting together. The WBA is going one way, and the U.S. Boxing Commission is going another way.

Boxing right now * * * is all over the lot. Marvin Hagler is a good example, the number one middleweight contender who is trying to get the title.

Boxing is shot. Boxing is in the hands of a very, very few people.

Mr. WALCOTT. But, you see, this is what I am trying to say. You see, some of our knowledge is limited to the game.

If you have 10 Federal commissioners, you cannot force a smart manager who has his fighter who is going to protect his title and his future if he sees that he is not going to make it, he is not going to fight a guy if he feels that he cannot, somehow or another, go a round, if this fighter is a difficult problem for him, to fight when he can fight four or five other fighters and protect the title that his fighter struggled so hard to get, and you must recognize that, and give the manager the benefit of his doubt.

No commissioner can make a guy do that. You can lead a horse to the trough, but you cannot make him drink.

If I have a fighter and you have your fighter and I feel, within my heart, that your fighter is a difficult problem for my fighter to get over and if I can bypass you, I am going to do that. This is common sense, and no Federal commission can force this.

Mr. BEARD. The way it is right now, many fighters have been passed over.

Mr. WALCOTT. That is going to always be. That is management.

That is what was my problem. That is why it took me 21 years before I won the title, before I got the chance. I fought over 15 years before I got a chance to fight in Madison Square Garden, and when I fought in Madison Square Garden, my manager and I had to guarantee another fighter \$30,000 to get a chance to fight in Madison Square Garden.

Now Madison Square Garden and the Commissioner of New York are making a big hullabaloo about the boxing game because at one time, New York and Madison Square Garden was the czar of boxing because it was the mecca of boxing, but today it is no more the mecca. So naturally, they are going to come out and holler: "Father, help us." They want a commission because they no longer hold that rein on the game.

Boxing is thriving everywhere but in New York City, so there is no question but that they are going to come to you because they want help.

Mr. BEARD. At the present time, Mr. Walcott, in some States, as you said yourself, and maybe some States have a restriction on the knockout situation, but some States have better examinations than others.

New York's examination is very good. I am sure that the examination in New Jersey must be pretty good.

Mr. WALCOTT. Definitely. It is very good. Now, we have a 5-day physical examination. We have weighing. We have a strenuous examination. And if a fighter is knocked out, he is suspended for 30 days, and if he is beaten bad, we reserve the right that he does not fight until we give him the examination, until our athletic doctor gives him an examination before it is OK to fight again.

Mr. BEARD. That is fine. But that is not the case in every State.

Mr. WALCOTT. What I am suggesting is that the WBA has just come into its rightful place in boxing, and we just had a meeting, and the things that you are recommending are being done on a voluntary basis. We are doing this.

We just had a meeting just 3 weeks or a month ago, March 3, USB A and us. The things that you are proposing are the things that we are volunteering to do.

Mr. BEARD. Mr. Williams.

Mr. WILLIAMS. Thank you, Mr. Chairman.

Mr. Walcott, it seems to me that you and the sponsor of this legislation and those who are in favor of this legislation really see things a great deal in the same way. You both want to set up an umbrella over boxing. You want to have some standardization of recordkeeping. You want to have appropriate medical examinations for the fighters. I assume that you would want to set minimum standards under which those examinations cannot fall, and I know that both you and the people who are in favor of this legislation have boxing at heart inasmuch as you want to see this single umbrella, and you would like to see these various groups such as the WBC and the WBA come together.

Mr. WALCOTT. Yes. But with one exception.

Mr. WILLIAMS. Tell me how you would do it.

Mr. WALCOTT. With the exception of destroying the boxing profession.

Mr. WILLIAMS. All right.

Mr. WALCOTT. The most important participants in the boxing profession.

Mr. WILLIAMS. Tell me.

Mr. WALCOTT. The four-rounds, the six-rounds fighter, the promoter who has a club and draws 5 to 600 people, who, week after week, in most cases, loses his money, but he continues promoting because he loves the game of boxing.

This is one of the biggest handicaps, or the drawback. There is the little guy who is keeping boxing alive. Boxing hangs on to it: It is the guy who has a small club with the local kid, and the kid has a chance to develop into being a good fighter. Without him, boxing is going to die.

If you take this away, if you have a Federal commission, the little promoter is out of business, completely out, washed, and the result for the four-rounds fighter or the six-rounds fighter will be that you will destroy, absolutely destroy him.

The promoter cannot survive with the rules that you have in this bill where if a fighter, if a promoter has a fight and 3 or 4 days before the fight something happens to one of the preliminary fighters, then he has to go through a whole lot of procedure to make a rematch. The man cannot survive. Boxing cannot live under this kind of conditions.

Mr. WILLIAMS. All right. Mr. Walcott tell us: If you got to write the bill, how would you do it? How would you bring the various elements of boxing together?

Mr. WALCOTT. Well, this is what I am talking about. This is where, with all respects to all of you gentlemen, you are missing the boat. You see, you should, before you propose something, or a bill of this kind for a profession that has been so good to so many, you should call. Instead of waiting to propose a bill, you should grab guys like Tony Zale, Carmen Basilio, Willie Pep, Joe Walcott, and then get us together, and sit down, and discuss it, and get the four-rounds fighter, the local promoters, the little guy, and sit down and get their thoughts, get their thinking along the lines of what is good, what can we do to help boxing, to do something constructive for boxing, not wait to propose a bill with a whole lot of things in it that will eventually destroy the profession.

Mr. WILLIAMS. Joe, you have to understand that there was an attempt that is 20 years old now, and it began just the way you asked that it should start, by bringing together a lot of people interested in boxing and interested in the welfare of boxing as long ago as 20 years ago, and the writing of this bill has gone through several Congresses. Senator Kefauver had it.

Mr. WALCOTT. Obviously, it has not been written right. It has not been approached right. If it had been, it would not have been 20 years getting it passed.

Mr. WILLIAMS. That may be. The point is that we have taken a lot of time. We had a lot of people. We asked Jersey Joe Walcott to show us how to do it. All they said: "Just do not do it that way."

Mr. WALCOTT. When did you call Joe Walcott: after you got the bill.

You did not call guys like these men back here, hear these people who have been involved in boxing all their lives, who know boxing from the word "go". You should bring us in, and sit down with us, and discuss it.

Mr. BEARD. Let me interrupt this.

Joe, this is what we are doing in these hearings. We are not drafting the final bill. We are listening to testimony. We are trying to find out the good points and the bad points in this particular bill, but what I do know right now * * * and you can talk from now to doomsday but I believe boxing across the Nation is not organized.

Rocky Marciano came here 10 years ago, and Joe Louis, who was in better condition 10 years ago, sponsored Federal legislation. We tried to have the club fighters testify. We are trying. We have local talent here. We have local managers.

Mr. WALCOTT. You can say that Rocky Marciano was here because he cannot come here now.

Mr. BEARD. He was here.

Mr. WALCOTT. You can say that Joe Louis was here because he cannot come here.

It has been said that I wrote a letter, or that I was for it, that I was sitting here in this committee meeting, and that I replied that I was for a Federal commission. I have never said no such thing.

Someone here has been saying that I was for a Federal commissioner, and I have never, I have never indicated that. I have never said it. I have never thought about it.

The only conversation we have had is where I said that I will try to come down. That is as far as the extent of our conversation is, but it has been said here.

Mr. BEARD. It is obvious that you are for having standards, but under a private commission, not a Federal commission.

Mr. WALCOTT. Beg pardon.

Mr. BEARD. You say that you are for having standards, but that the boxing profession is trying to get together without a Federal commission.

Mr. WALCOTT. Yes. I am for a uniform set of rules, but I would suggest this: that it is done under a voluntary basis.

I do not feel, too, that the Federal Government should be involved with one sport, one profession.

If you want a Federal commission, then I think you should take a blanket, and federalize all sports: basketball, baseball, football, hockey, tennis, under one umbrella.

Mr. WILLIAMS. Mr. Chairman, may I reclaim my time?

Mr. BEARD. Yes.

Mr. WILLIAMS. Joe, under whatever system, or plan, or legislation that you may be able to help us write, would you have this umbrella agency if that is what you are in favor of? Would you have that be private rather than a public agency?

Mr. WALCOTT. I do not follow you. You mean to have meetings, or discussions?

Mr. WILLIAMS. You are for standardization, and you say that the WBC and the WBA, and all the rest, should come together in one agency.

Mr. WALCOTT. Yes.

Mr. WILLIAMS. Would you have that as a private agency rather than a public agency?

Mr. WALCOTT. I would rather that I see the WBA, the WBC and the USBA come together, and set up the rules and regulations under one set of rules for the whole boxing world.

Mr. WILLIAMS. Are you willing to wait another 20 years for that to happen?

Mr. WALCOTT. I am willing to wait another 20 years for that.

Mr. WILLIAMS. You are willing to wait another 20 years for that to happen.

Mr. WALCOTT. You see, I, perhaps, am one of approximately 26 men who has been blessed from the heavens above, who was fortunate enough to be able to be the heavyweight champion under the same conditions that you are claiming to eliminate. So if it was good enough for me, and I was able to survive, and I was able to do it in the most forceful way, in a most difficult way, and a most hardship time, then I do not see why, at this late date, that the Federal Government has to come in now, and say: "We need to straighten out boxing. We need to do this, or that, or the other for the betterment of boxing." I just cannot conceive. It is inconceivable to me, a member of a minority group who went through, and who lived through hell and tarnation to be successful in my chosen profession, and if I can do it under some of these harsh conditions that you are indicating, then I cannot see, for the life of me, why no other American, no other human being in this world cannot achieve the same goals.

Mr. WILLIAMS. All right, Joe.

I want to say, Mr. Chairman, if you will continue to be a little generous with the time, that I want to just make here a personal observation before Jersey Joe Walcott leaves the witness table.

It is very important to America that we have heroes. There is something in our culture that requires us to have heroes.

The chairman alluded earlier to the fact that some of his boyhood heroes were out there.

Joe, you may not agree totally with this bill, but I want you to know that you were my boyhood hero. You were the hero of my boyhood when you first kayoed Phil Johnson. You had two fights with Louis, and two with Charles, and then on July 18, in 1951 in

Pittsburgh, I remember the seventh round when you won the heavyweight championship.

I mention that not for enjoyment or personal recognition but rather, to say that maybe now, as only a few other times in America's history, we need a sport hero like Jersey Joe Walcott who, despite all of the odds, despite what all the wise guys were saying, kept climbing back in there until he became the champ, and sometimes, lately, America seems to be down, and we wonder if we can hold our own, and another Jersey Joe Walcott will appear in our midst. It would do us a lot of good.

It is great to see you here, Joe.

Mr. WALCOTT. Thank you. Thank you. [Clapping of hands.]

Mr. BEARD. Next, we will hear from Mr. Robert B. Lee, the Deputy Athletic Commissioner for the State of New Jersey.

STATEMENT OF ROBERT B. LEE, DEPUTY ATHLETIC COMMISSIONER, STATE OF NEW JERSEY

Mr. LEE. My name is Robert B. Lee. I am the Deputy Athletic Commissioner for the State of New Jersey, and an assistant to Jersey Joe Walcott.

There are only very few remarks that I would like to make from a commissioner's point of view and the administrative end of it, not as much from the boxing end, but the problems that I experience in my capacity as the Deputy Athletic Commissioner, and that a number of other commissioners experience, the problems that they experience, the single most difficult area that we find is uniformity of records.

Back in early March, I think it was March 3 or 4, we had a meeting at Miami, which was the Convention of the U.S. Boxing Association.

At that time, the president, Bill Brennan, charged me to look into the possibility of a computerization of boxers' records.

I spoke to our systems analyst and our division in the State of New Jersey, and he indicated to me that for what we want, to set it up, to get it off the ground, it would probably cost in the neighborhood of \$200,000.

Now, what I would like to ask this commission, the Federal Government to do is: Instead of creating a federal Boxing Board, give strong consideration to the granting of \$200,000 to get the USBA off the ground in conjunction with the North American Boxing Federation, to pull together the computerized recordkeeping system.

And I think it should not only go to the federal government. It should also go to the three major networks: * * * ABC, NBC, CBS * * * of television because they are the ones who will also profit by boxing and by the good, accurate records that are kept so that if the Federal Government, the television media as well as the local newspapers get behind a voluntary program, I am sure that it could survive.

Now, in the days when we are talking about the taxpayers' revolt, to create another Federal commission that would oversee boxing would be real difficult for the taxpayers to swallow. And we are not only talking about three people, a board of three, we are talking about the board plus all of the trimmings, and that means

the executive secretary and several of his secretaries and office staff, and other machinery and equipment that goes together with putting together a Federal Boxing Board.

Now, I think the idea that we have put together on voluntarily doing it would be the thing that would work the best. And if we were able to do it with some of your assistance, that might be fine.

One other area that I find great difficulty with in the bill is the three people who are to be selected as the board members.

It is my understanding, in reading that bill, that only one of those people would be connected with boxing, having been a former boxer, manager, referee, sparring partner, or whatever. The other two could very easily be a farmer, or they could be a lumberjack, you know. And it only takes a quorum of two to make a decision.

Now, that would, or could result in that the two could very easily be the lumberjack, or the farmer to decide on something dealing with boxing. You know, I do not think that that would get too far.

Let's turn that around just a little bit. Suppose we had the same thing in the Federal Securities and Exchange Commission where you have one guy who is familiar with securities and one who is a boxer, and one who is a wrestler and, for some reason, the securities and exchange man was caught in the subway and could not get to Wall Street, and any decisions would have to be made by the boxer and the wrestler. You know, I do not think the stockholders would like that too well, and conversely, I do not think that the people in boxing who have to deal with it on a day-to-day basis, such as myself and the commissioner from Nevada, would find it easy to deal with. We would find it very difficult, administratively, to deal with.

Finally, I would like to say that in addition to what you have stated and some of the things that you propounded to the other witnesses here, in New Jersey, we also have * * * as Jersey Joe spoke about * * * the 5-day physical, but we have similar standards for the referees and the judges.

It does not take, really, a Federal commission, a State commission, or anyone to recognize that we have shortcomings in the areas of the corner men, the cut men, judges and referees.

Jersey Joe has indicated that he will, if a referee or a judge makes a decision that is blatantly wrong, reverse the decision right on the spot. He has made that clear to all of our referees and judges.

We feel that we have a very good grade of referees and judges.

We have feeding systems that come through AAU, the Amateur Athletic Union, but we have a feeder system through which we are able to get experienced referees and experienced judges, and then the commissioner has them go over three fights at his side, right at the table. Then he determines whether he feels they are ready to go, to proceed, and it is quite a while before they work on a professional bout.

We have a fair system. There is no reason why it could not be done on that very same basis throughout the United States.

Mr. BEARD. Again, I thank you for your testimony.

But there is one point. There was one question that I asked the former champion, Jersey Joe Walcott, as to when does he think voluntary standards would happen. The answer was not coming.

Mr. LEE. May I address the question.

Mr. BEARD. Surely.

Mr. LEE. As you know, we had a meeting early this month. I have been charged with a portion of responsibility.

The vice president, present here, has been charged with looking into the pension aspect of it.

It is our expectation that we will have an executive meeting in Louisiana, and I believe it is to come off in September * * * is that right I do not think he heard me * * * But I think it is September that we are going to have the executive meeting.

By that time, we should have all of our plans in for what we would like to see happen with respect to boxing in the U.S. World Boxing Association and the World Boxing Council. They are national.

But we feel that we have some good quality fighters in the United States, and we would like to bring them along.

Mr. BEARD. Mr. Williams.

Mr. WILLIAMS. When we were kids, Mr. Lee, and we wanted to be a witness to a heavyweight champion fight, of course, we could not get there. We did not have the money.

What we did was: We turned on the radio, and listened to the fight of Joe Louis and the fight of Jersey Joe Walcott. Now, little kids in Montana turn on the knob, and there is a soap opera. They can go to the TV and turn that on, and there are cartoons, or a western, and they say: "Dad, how do I see Ali fight?" And he will say then: "Well, you have to get \$25, and you have to stand in line, and try to get into the theater."

And Don King has put a lock on that because that is the only way you can see your heavyweight champion of the world, and you cannot hear it on the radio any more.

What are you going to do about that in your State?

Mr. LEE. We do have televised bouts in the State of New Jersey. They come out of New York, being piped into New Jersey.

I do not know that they have a lock on television. They may well have a lock. I just do not know that to be factual, but I do know that this little promoter has a very difficult time in making ends meet, and when he is fortunate enough to make ends meet, it sometimes takes the television industry to come in to underwrite his promotion.

Of course, that is a reality, whether you have Don King or Bob Arum, or whoever you may have. If they do not have the assistance of television and do not have an arena that is located in the proper spot, it is going to be pretty difficult for them to see anyone on television.

Mr. WILLIAMS. Does it not strike you as counterproductive to the profession, though, for a group of champions and a large group of contenders to be under the thumb of two promoters in this country, and the only way they can come along and get a title shot is to negotiate certain agreements with those promoters?

Mr. LEE. It does not strike me as being counterproductive as much as it strikes me as being two guys who had a bit of foresight, and they probably went ahead and signed these guys up as boxers, and it paid off.

There are many managers that sign guys up as fighters, and now eventually, it pays off, but I do not know how many fighters Don King owns, nor do I know that for Bob Arum, or the connection that they have with the television industry.

They have never come into New Jersey, but we do have promoters who are working in the television industry in New Jersey, and they have had fighters, but they are not championship fighters. They are not national fighters. State champions: Yes.

Mr. WILLIAMS. I want to commend you and Jersey Joe Walcott for the work you have done in New Jersey. If every State would come up to the standards that you have set up there, boxing would be in better shape than it is today.

I look forward, as I am sure the chairman does, to having your help in writing a bill that would be good for boxing.

Mr. BEARD. I also want to thank you personally, and also Joe Walcott, for taking the time to come here. Even though we have disagreements on certain points, I am sure that we are in full agreement with respect to the standards.

Mr. WILLIAMS. Jersey Joe was one of the best. No question about it.

Mr. WALCOTT. Thank you very much.

Mr. LEE. Thank you.

Mr. BEARD. Our next witness will be Mr. Willie Pep, the former featherweight champion.

Mr. Pep, do you have a prepared statement?

STATEMENT OF WILLIE PEP, FORMER FEATHERWEIGHT CHAMPION, WETHERSFIELD, CONN.

Mr. PEP. Congressman Beard, I do not have a prepared statement. I am willing to answer questions.

Mr. BEARD. I want to say that Willie Pep was the featherweight champion of the world for 9 years. He had 241 professional fights, more than anyone in modern boxing history.

Mr. PEP. Thanks. I am all right until I hear a bell. Do not ring any bells. [Laughter.]

Mr. BEARD. Well, you could do much. There could be dialogue back and forth on "Private Standards versus the Federal Government Standards".

My argument for the bill for the creation of a Federal commission is based on the fact that boxing is not coordinated. The fact that we have two heavyweight champions of the world. We do have various conditions from State to State. New York is good, that is obvious. New Jersey is good, I'm sure it is. However, in some States, the commissions are politically appointed.

There was some concern that the Federal commission would be comprised of people who are not qualified.

I can assure you that if this bill is passed, there will be people appointed who would know boxing.

I also have a love for boxing. I would not want to see a commissioner appointed on political basis, as in some States; a person who knows very little about boxing. That would be the worst thing that could happen. That is not going to happen in this case, but I would like to have your views.

First of all, do you think that we should have a training program in the 50 States for referees, for the corner men, the second men, and so on?

Mr. PEP. Well, you know, Congressman Beard, I do not. Up to now, every State is an individual State. They train their own and, as a rule, most of the States do have pretty good officials, but some States are run very poorly, as you said.

The fellow that drove some congressman around became the boxing commissioner. He did not know a thing about boxing.

Boxing is the easiest sport in the world to get into. Anybody can be a manager. Anybody can be a trainer. All they have to do is go out and get a license. It is legitimate. People can get the license very easily.

So I think they should have some sort of, I mean, some kind of schooling to be a manager, or a trainer * * * especially a trainer. I think there should be a school of some kind for people to learn to be good trainers and, of course, the officials, they vary all over the country, but they usually make pretty good rules.

Mr. BEARD. If we had a Federal Boxing Commission created, we would look for qualified people. That is certainly what we will be considering.

With a set of uniform standards for the 50 States, do you think that that would help the present state of boxing?

Mr. PEP. I would say it would help an awful lot if you had the same rules all over the country.

Mr. BEARD. I think that when the previous witness, Mr. Walcott, stated that if the private organizations, the WBA and the various boxing agencies: The U.S. Boxing Commission, could do exactly what we suggested today, it would be fine, but I think it would be another 20 to 40 years before it would ever happen.

And as I previously stated, 10 years ago, or so, when Senator Kefauver had committee hearings, the late Rocky Marciano thought then that there should be a Federal Boxing Commission, or some kind of oversight over the 50 States and, at that time, I do know, from reading the testimony that Joe Louis testified in regard to such a program.

Senator Javits, at one time, introduced a bill to create Federal standards for boxing, but to no avail. It has come and gone in many of these congresses, and nothing has been done.

Do you think that, in your own personal experience as a fighter, the medical examinations vary? Do the medical examinations vary from State to State?

Mr. PEP. They do. They vary from State to State. I worked for the Connecticut Boxing Commission, and we have a very fine examination for the fighter the day of the fight, and they get an EEG test before. It is pretty well done in our State, but other States: they do not do it the same all over the country. It varies.

Mr. BEARD. Let me ask you this: In the near future, with respect to these various national and international associations like the World Boxing Association, the U.S. Boxing Association, and all of these agencies, could you visualize these agencies pulling the 50 States together, and coming up with these standards?

Mr. PEP. Never. Never. They have meetings all over the country, and not every boxing commission is there. There are only a certain

few at those meetings. The other commissions do not know what is going on.

Boxing is great, the World Boxing Association, but the United States of America is the greatest boxing country in the world. We started it. We perfected it. We did everything in the line of boxing. This is our thing: boxing.

Mr. BEARD. Willie, I believe that there are many small clubs. Some of the commissions and promoters would probably come to the front line if we could have the whole United States participate, and because of their interest in boxing, they would probably say: "I cannot afford to have the proper facilities, or the medical equipment at the ringside."

But it seems to me that that such an attitude shortchanges the fighter. When you do not have special equipment, or good physical examinations, or well-trained referees, or well-trained seconds, or cut men because someone does not want to pay for the extra equipment, or expert personnel the fighter is shortchanged.

I think you realize this from your explanation of this bill. You know what we are really trying to do. We are not trying to tell a State that has a good program to forget it. What we are trying to do is to look to the model States like New Jersey and like New York, and some other States, and obtain the best of what they have, and make sure that in cases where cities and towns do not have commissions or in cases where the cities and towns appoint political people who do not know a boxing glove from a boxing shoe that such standards will exist. We want standards, we want to be sure that a doctor is going to examine the fighters. We want to have a set of standards so that every fighter has a chance, and also that the fan gets his money's worth. I think that that is really what we are trying to do; no more and no less.

Mr. PEP. Sounds all right to me.

Mr. BEARD. Mr. Williams.

Mr. WILLIAMS. Mr. Pep, how was it for you to get a start, and to come along?

Mr. PEP. I was very fortunate. I had a very, very professional fellow as a manager. He was a very good manager. He knew the boxing business. He had, you know, done boxing a little himself before he became a manager, and I also had a very great trainer, the late Bill Gore, and they helped me an awful lot in my boxing career, and all I did was follow the rules.

You have got to train faithfully. Fortunately, the Lord took care of me.

Mr. WILLIAMS. You are, obviously, still close to boxing.

Mr. PEP. I love it, you know.

Mr. WILLIAMS. How difficult is it today for a young fellow with a little talent?

Mr. PEP. If a fellow has the talent and has the proper guidance, he is going to be all right because, you know, I boxed for 20 years, I never made a million for a fight.

Mr. WILLIAMS. It is, indeed.

Do you ever see any mismatches on national television?

Mr. PEP. That happens. That happens. Mismatches happen all over the country, all over the world, I guess, but in television, they

are not supposed to show mismatches. It is supposed to be the right thing, but people make mistakes.

Mr. WILLIAMS. How many fights did you have before you became champion?

Mr. PEP. I was very, very fortunate, Mr. Williams. I won 54 straight fights, and in the 55th fight, I think, I won the championship of the world. I am very fortunate. The good Lord took care of me.

Mr. WILLIAMS. You were fortunate in those days.

We have fighters who come out of the Olympics. And in the first or second professional fight, they are a heavyweight champion. They have won the heavyweight championship. Does that concern the people who struggled all those years?

Mr. PEP. Fighters do mature a lot quicker nowadays. Look at the great fighter, Sugar Ray Leonard.

I had 15 or 18 fights. I had 15 six-rounders before I boxed a main bout of 10, but Ray a good boxer. He is carrying the ball.

They are maturing a lot quicker nowadays: Let's put it that way. I guess they can fight for the championship after 10 or 12 fights if they can deliver the goods up to the boxing commission, to make sure whether they can deliver the goods or not. If he is ready to fight for the title after 15 fights, or after 18 fights, he can fight.

Mr. WILLIAMS. Do you think boxing is healthy today, Willie?

Mr. PEP. Well, I don't know. For boxing, I will do anything for boxing. It is healthy in certain parts. It is drawing more people. People are getting more money now than ever in the history of boxing.

Mr. WILLIAMS. There seems to be some concern among some of the witnesses today and one witness of a few days ago that the public, through the Federal Government which, after all, is the representative of the public, would want to set up a commission, or set up an umbrella which would define the standards under which boxers would perform.

Are you bothered by a public commission of that type?

Mr. PEP. I would like to go along with anything that would help boxing. If that is going to help boxing, if it is going to help, great, because, you know, boxing needs a little help, but it doesn't, and it does.

Mr. WILLIAMS. Okay.

Mr. PEP. Thanks.

Mr. WILLIAMS. You had the same kind of footwork in the ring, as I remember. [Laughter.]

Mr. WILLIAMS. I do not think we laid a glove on him, Mr. Chairman. Thank you.

Mr. BEARD. Pat Reed. Watch, Willie. He is going to be the greatest dancer.

Mr. PEP. I know that in my boxing career, I was very fortunate, as I told you.

I had one motto in my career, one motto: He who hits and runs away lives to fight another day. Thank you. [Laughter.]

Mr. BEARD. Thank you very much.

The next witness is Chuck Davey.

You may proceed, sir. Do you have a prepared statement?

[The prepared statement of Mr. Davey follows:]

STATE OF MICHIGAN,
DEPARTMENT OF LICENSING AND REGULATION
ATHLETIC BOARD OF CONTROL
Troy, Mich., April 3, 1979.

To: Committee on Education and Labor, U.S. House of Representatives.
From: Charles P. Davey, Chairman, Michigan Athletic Board of Control, Vice President, World Boxing Association, Past President, United States Boxing Association.

Re HR 2726, Federal Boxing Control Act of 1979.

Charles P. (Chuck) Davey Boxing Background:
1943-1949—Four-time NCAA boxing champion. Member 1948 Olympic team.
1949-1955—Professional boxer (49 fights—42 wins, 5 losses, 2 draws). Fought and beat four former and future world champions. Lost to Kid Gavilan for World Welterweight Championship, 1953.
1963-Present—Member of Michigan Athletic Board of Control.
1965-Present—Chairman of Michigan Athletic Board of Control.

STATEMENT TO SUBCOMMITTEE ON LABOR STANDARDS CHAIRED BY CONGRESSMAN
EDWARD P. BEARD

Before making my statement concerning the Bill to create a Federal Boxing Control Board, I think it is important that you gentlemen know my credentials. I have 28 active years in boxing - 12 years as a boxer (6 years amateur and 6 years pro). I have served 16 years on the Michigan Athletic Board of Control, 14 as Chairman. As Chairman I am Chief Executive Officer of the Boxing Commission. I have had an opportunity to see from several different vantage points the professional fight business. The last 14 years as Michigan's Boxing Chairman has afforded me an excellent chance to work with boxing commissioners throughout the Country and all over the world.

I have seen fighters stripped of titles, deserving fighters avoided by champions, and crisis situations too numerous to mention that would have never arisen with the proper supervision of the sport.

I want to congratulate Congressman Edward Beard for proposing legislation that could provide Federal supervision for boxing in this country.

After 14 years of working with fellow commissioners in the World Boxing Association and, in the last couple of years, the United States Boxing Association, I am firmly convinced that the best way to supervise the sport of boxing in this country is through Federal legislation. Because we are talking about interstate commerce, and for that matter international commerce, it has been proven time and again that the state commissions cannot adequately supervise this sport. We have tried through volunteer associations as long as I can remember, and it just has not - and I am convinced will not - prove successful. I along with many other commissioners will continue to try to make it work, unless and until some Federal legislation is passed.

With the recent popularity of boxing on television - both amateur and professional - I think the public is becoming more and more aware of the importance that boxing plays in our American culture. Even before the recent popularity in this country, boxing has been popular and growing even more popular throughout the World. In spite of Muhammad Ali's great charisma and fighting ability, he would not be the World's best known athlete if boxing were not the single professional sport recognized almost any place in the World.

In spite of the resurgence of boxing activity in this country, there are states that are "sunsetting" their commissions as part of their cost reduction of government. Colorado has done it and many other states, including my state of Michigan, are considering legislation that would diminish or stop the supervision of the sport. Everything in my 28 years of experience indicates that the sport needs somebody looking after the interest of the boxers and the public.

Now I would like to address my remarks to HR 2726.

I am for the purpose of the Bill to establish in the Department of Labor a Federal Boxing Board to prescribe and enforce labor standards applicable to the conduct of boxing and to inquire into other requirements relating to professional boxing, and for other purposes.

Section 2. Findings and policy

I agree with the Bill seeking to enforce uniform standards relating to working conditions, health, etc., but I caution against too much restriction, particularly in the area of compensation.

Section 3. Definitions

When defining a "boxing match" I would include boxing match or exhibition, particularly if a tax on such a match or exhibition is to be paid.

Section 4. Federal Boxing Board

I believe the intent of the proposed Bill, to have at least one member of the Board who has engaged at some time prior to his appointment as a professional boxer, promoter, etc., is a good one. I also believe that there should be people with other business and professional background serving on the Board. However, because there are many fighters that have gone on to other business and professions very successfully, I don't believe that you should restrict the amount of boxing experience that you would have on your Board. I believe the Bill should read that at least one member of the Board shall have been engaged at some time prior to his appointment as a boxer, etc. I also believe that boxer, etc. should have a successful business or professional career following his boxing career. Although we read about fighters that do not fare well after a professional fight career, I can name you many fighters that, all things considered, have gone on to a very successful career. I concur with the legislation that no one currently involved in boxing in any way should serve on the Board.

Concerning the Executive Officer, I believe that he should be paid a salary commensurate with his responsibilities and allow for travel and other expenses that would preclude his having to accept expenses from a promoter, manager, or any one else who might gain favor from a decision of the Executive Officer.

Section 5. Registration

I believe that requiring the registration of every match with the Board would require a large staff, which in many instances would be duplicating the work of the present boxing commissions. Concerning paragraph (b), I believe the Board could set down guidelines for the promoters and boxers to follow without requiring pre-registration of each match, which would again require too much staff.

Concerning paragraph (c), although the intent is good, I believe it would be far too expensive to police. Paragraph (c)(2) is another that can be covered by guidelines that are not so stringent that they discourage small promoters from putting on boxing matches. Paragraph (d) requiring a report to be filed should be coordinated with whatever reports are now required by state or city commissions. Paragraph (e) requiring a fee for the registration of boxers is excellent. If a central clearing house can be established requiring the annual license of boxers who will be boxing any place in the Country so that they can be identified by picture and fingerprints if necessary, then use of someone else's name by certain parties and fictitious names by others for different reasons can be stopped and will go a long way to cure one of the problems that plagues promoters all over the Country. The supporting bouts, particularly for small promoters, cause a problem with last minute substitutions and fighters whose records are impossible to validate.

Section 6. Contracts and agreements

If every contract between fighter and manager could be in a central file, it would not only help the fighters involved but the promoters who are seeking the services from a fighter and find themselves negotiating with more than one manager.

Section 7. Prohibitory orders

I feel that prohibitory action, in the case of stopping proposed boxing matches particularly, will require so much personnel as to be prohibitive. Even if the cost was not enough of a deterrent, I believe the feeling of encroachment by the present commissions would motivate them to do all they could with their representatives to prevent passing of the Bill. Although I am not as familiar with the political arena as you gentlemen, I do know there are some people in and out of the boxing world that feel that the passage of any Bill on boxing is impossible. I hope they are wrong.

Paragraph (b) holding the Board individual non-labile will be very helpful in getting the type of people that you want to serve on the Board.

Incidentally, where I do not comment regarding a portion, it is because I feel it is appropriate the way it is written.

Section 8. regulations of the commission

Concerning paragraph (1), if the act makes this too restrictive, you will rule out the small promoter either in reporting forms or compensation requirements, which might frighten him off.

In paragraph (B), the minimum environmental standards are excellent.

Paragraph (C), the minimum medical services are excellent.

Concerning paragraph (3), I believe that the registration of boxers throughout the Country will do more to help the sport than anything else. I don't believe it is possible to police every boxing match that takes place throughout the Country without a great deal of cost. The other provisions in Section 8 are good.

Section 9. Investigations; injunctions and prosecution of offenses

All good, and I have no objection to paragraph (e). That doesn't require a large staff to police as long as the Board is not itself required to screen promotions all over the Country beforehand.

Section 10. Hearings by Board

Appropriate.

Section 11. Court review of orders

No comment.

Section 12. Personal suits

Although I have no quarrel with this part of the legislation, I feel that it is just one of many things that can happen to a fighter that warrants action on his part. This obviously was prompted by the recent Rossman-Galindez bout cancellation in Las Vegas and would not have occurred had there been a Federal jurisdiction requiring the recognition of only one World organization. This is another area that should be covered in the proposed legislation so that no boxing authority within the Country can join a boxing federation or association without the approval of the Federal Board.

Concerning paragraph (2) (b), I don't quite understand the purpose of this paragraph.

Section 13. Assistance from other agencies

No comment.

Section 14. Annual reports of Board

No comment.

Section 15. Noninterference with State boxing authorities

I agree that provisions should be made not to step on the toes of existing boxing authorities. For the most part, they do a good job with the tools that they have, but because they do not have access to information of suspensions and fights in other areas, they are limited in what they can do. If you gentlemen are careful in the drafting of this legislation, I believe that you can get the backing from the commissioners like myself that have been as frustrated as I have over the years trying to supervise the sport in our respective jurisdictions. On the other hand, if your legislation even appears to take away some of their authority, we will not only not get their cooperation, but outright opposition of the passage of this legislation. Believe me, I speak from experience.

I would like to see your Bill provide a central clearing house that enables the separate state commissions to know who the person they are getting is who he claims to be and that his record is up to date so the respective commissions can judge when not suitable matches have been made.

The single most improvement in boxing in this country would come from the establishment of fair ratings in each weight division, which would result in worthy fighters getting an opportunity to fight for a national championship. The establishment of these titles and ratings would put this country back in the front where it used to be as the foremost boxing area in the World.

I am firmly convinced that when we establish American champions with fair ratings and with each worthy fighter being able to challenge for a higher rating and eventually the title in his weight division, we will again have more World champions and a better boxing program than any country in the World.

I am here today because this is what I want to see, and I will work with you to help achieve this in any way I can.

Thank you.

**STATEMENT OF CHARLES P. (CHUCK) DAVEY, CHAIRMAN,
MICHIGAN ATHLETIC BOARD OF CONTROL**

Mr. DAVEY. Yes, I do, Mr. Chairman. I would like to highlight it.

Mr. BEARD. I think everybody has a statement that will be accepted in total, but you may highlight your statement.

Mr. DAVEY. OK. Before making the statement concerning the bill to create this Federal legislation, I think it is important that you gentlemen know my credentials.

I have had 28 active years in boxing: 12 years as a fighter—6 years as an amateur and 6 years as a pro. I have served 16 years on the Michigan Athletic Board of Control, 14 years as chairman.

I am chief executive officer of the boxing commission. I have had an opportunity to see this sport from several different vantage points. I think I know the professional boxing business as well as almost anybody.

The last 14 years as Michigan's boxing chairman has afforded me an excellent chance to work with boxing commissioners throughout the country and, for that matter, all over the world.

During this time, I have seen fighters stripped of their titles, deserving fighters avoided by champions, and crisis situations, frankly, that are just too numerous to mention that would never have arisen if we had the proper supervision in the sport.

I want to congratulate you, Congressman Beard, for proposing legislation that could provide Federal supervision for boxing in this country.

Now, after 14 years of working with my fellow commissioners in the World Boxing Association and, in the last couple of years, the U.S. Boxing Association, I am firmly convinced that the best way to supervise the sport of boxing in this country is through some type of Federal legislation.

Because we are talking about interstate commerce and, for that matter, international commerce, it has been proven, time and again, that the State commissions cannot adequately supervise this sport.

We have tried through volunteer associations—and a previous speaker mentioned volunteer associations—as long as I can remember, and it just has not, and I am convinced that it will not be successful. I, along with many other commissioners, will continue to try to make it work unless and until some Federal legislation is passed.

Unlike the previous speakers, I have spent time beyond the ring in boxing, and I have served on the World Boxing Association as vice president. I have served as the first president of the U.S. Boxing Association, and since 1964, I have attended the annual conventions.

I was there when the WBC broke off from the WBA because one of the commissioners did not like one of the rulings that went against me.

So that my very close association to boxing has proved that to me.

And I have had more experience than anybody in this room with time on the commissions, and working as an officer, and working as a participant always within the system, and always trying to volunteer to get these jobs done, and I could give you chapter and verse of what went wrong, the egos of the vested authorities, and so forth.

With the recent popularity of boxing on television, both amateur and professional, I think the public is becoming more and more

aware of the importance of boxing, and the part that boxing plays in our American culture.

Even before the recent popularity in this country, boxing has been popular, and growing even more popular throughout the world.

As to your statement, Mr. Chairman, that boxing is, you know, going to die, I think it has been sick for some time. I do not think it is as well as it could be. But I think it will always be there.

Mrs. Zale made some very salient points when she was talking about the sport. Along the line of running skill, I think that probably, she could combine the two better than any man I ever knew.

I think that boxing is still going to be here. It is established. I do not think it is going to be legislated out of business. I think we have to face up to it. We all have to. We all should do our part to help you out.

Gentlemen, I appreciate. I know why you are the fellows who are serving on this committee.

In spite of the resurgence of boxing activity in this country, there are States that are "sunsetting" their commissions as part of their cost reduction of government.

Colorado has already done it, and many other States, including my own State of Michigan, are considering legislation that would diminish, or stop the supervision of the sport.

Now, everything in my 28 years of actual experience indicates that the sport needs somebody looking after the interests of the boxers and the public.

Now, as far as the actual situation, the comments that I have had, I think if you gentlemen have any questions, I would be glad to stay after the meeting has been concluded, and elaborate on any of the specifics that I made, but let me highlight a couple of things that I think are important.

Somebody already brought it up, I believe, the intent of the proposed bill to have at least one member of the Board who has engaged, at some time prior to his appointment, as a professional boxer, or a promoter, et cetera. That is a good one.

I also believe that there should be people with other business and professional backgrounds serving on that Board, however, because there are many fighters that have gone on to other businesses and professions very successfully.

I do not believe that you should restrict the amount of boxing experience that you would have on the Board.

I believe that the bill should read that at least one member of the Board shall have been engaged, at some time prior to his appointment, as a boxer himself.

I also believe that that boxer, et cetera, should have a successful business or professional career following his boxing career even to be considered a member of the Board.

Although we read about fighters who do not fare well after a professional fighting career, I can name many fighters that, all things considered, have gone on to a very successful career, other business careers. We do not all wind up on the streets.

And the image of the punch-drunk fighter, I think, is a misnomer. I think there is a lot of that. And you have had them testifying here today and previously.

But I do concur with the legislation, that no one who is currently involved should serve on the Board.

Now, concerning the executive officer, I believe that he should be paid a salary commensurate with his responsibilities, and allow for travel and other expenditures that would preclude his having to accept expenses from a promotor or a manager, or anyone else who might gain a favor from the decision of the executive officer. That is a key point, if it gets to that point.

Registration: I believe that requiring the registration of every match with the Board would require a large staff which, in many instances, would be duplicating the work of the present boxing commissions.

Concerning paragraph (b), section 5—if you have got it to refer to there—I believe the Board could set down guidelines for promoters and boxers to follow without requiring preregistration of each match which would, again, require too much staff.

I think that the previous commissioner already mentioned the amount of the cost that the taxpayers would be burdened with, and I think it would involve a snakepit with that, and none of us want to do that, but I think that the Federal legislation of the Federal Board can be such that it would not require a vast amount of expenditures, or a vast staff, and it could work now with the commissions that you named, and the States that you named. I would like to add the State of Michigan. I think it is well supervised and well qualified. You can work through these existing commissions. You could work with them. The legislation certainly should be drafted so that it could work through the ones that are working.

But we commissioners need help, too, particularly in the undercard where the four and six-round fighters cancel out at the last minute. We have to get statutes.

We need a central clearinghouse. We need to know the records of these fighters, the registrations.

Concerning paragraph (c), although the intent of paragraph (c) is good, I believe it would be far too expensive to police, that on a national level, there would be a great duplication of effort there.

Contracts and agreements: If every contract between fighter and manager could be in a central file, that would not only help the fighters involved, but the promoters who are seeking the services from a fighter, and find themselves negotiating with more than one manager.

We had a recent fight in Michigan where the fighter was from South America. He had two managers who had negotiated a fight. We almost had to call it off at the last minute because we did not know who was the manager. The manager did get it straightened.

Prohibitory orders: I believe that prohibitory action, in the case of stopping proposed boxing matches particularly, would require so much personnel as to be prohibitive.

I think that you can police through the existing commissions, and you can take action, and so forth, but to take such police action ahead of time, I think that the feeling of encroachment by

the present commissions and the personnel—you must have felt that a little today as you interviewed them—would motivate them to do all they can do with their respective representatives to prevent the passage of such a bill.

Although I am not as familiar with the political arena as you gentlemen are, I do know that there are some people in and out of the boxing world who feel that the passage of any bill on boxing is virtually impossible. I hope they are wrong.

You gentlemen know the history of the past 20 years. Senator Kefauver tried to sponsor such a bill way back then.

I caution you: If you properly draft the legislation, if you bring in these people, you will get a preponderance of agreements by the legitimate commissions that do not have a vested interest, or are not worried about losing a little bit of their control. They will do everything they can that is good for boxing as long as you do not take away any of their authority. This is a fact of life that I have learned the hard way in my own State. That is true.

Regulations of the Commission: Concerning paragraph (1), if the act makes this too restrictive, you will rule out the small promoter either in reporting forms, or compensation requirements, which might frighten him off.

In paragraph (B), the minimum environmental standards are excellent. I have to go along with you on that.

If you cannot provide the environmental and medical facilities at the ringside, you cannot afford to go into the business, and every business takes capital.

I give a little lecture to all would-be professionals. As Willie Pep mentioned a few minutes ago, it is very easy to get in the fight business. You can. You have to protect very little capital.

In the State of Michigan, you have to be protected, you have to be bonded, and you have to provide the environment. And I am sure that New Jersey, New York and, frankly, the State of Nevada, the States that are represented here today undoubtedly do, but there are places that do not have the protection.

And we who are running the shop right, if you do draft this legislation right so that we could cooperate with the other agencies, we should have no objection. I mean, there is no reason why this legislation should encroach on the States that are properly administering the sport now. There should be no objection. And on that, I think we have to just sit down, get together to clarify.

Concerning paragraph (3), section 8, I believe that the registration of boxers throughout the country will do more to help the sport than anything else. I do not believe it is possible to register every boxing match that takes place throughout the country ahead of time without a great deal of cost. The other provisions of section 8 are good, but that idea of having the fighters registered with a picture and having it centrally done, with all due respect to your predecessors who talked about this, there was no way. We have tried to do this since 1964. We have tried to cooperate on this basis. We have not gotten it off the ground.

I am usually an optimist, but we have to be pragmatic in this case, and admit that it is not going to happen. There are too many people, too many fellows looking for their own fights, too many promoters that are involved.

Gentlemen, I do not want to get into that. It just has not worked over the past 20 years. I have been in this business as a boxer and as a commissioner longer than anybody who has testified before you today, and probably that has testified prior to today, or will testify before you.

Now, the other sections that we are talking about, section 10, hearings by the Board, I do not have any comments on that. Appropriate.

Court review of orders: I do not have any comments on that. Appropriate. Court review of orders. I do not have any comments on personal suits.

I would say, on section 12—if you have that in front of you—that although I have no quarrel with this part of the legislation, I feel that it is just one of many things that can happen to a fighter that warrants action on his part.

That section, obviously, was prompted by the recent Rossman-Galindez bout cancellation in Las Vegas, which would not have occurred had there been a Federal jurisdiction requiring the recognition of only one world organization.

This is another area that should be covered in the proposed legislation so that no boxing authority within the country can join a boxing federation or association without the approval of the Federal Board. It should be.

I do not always agree with Cosell, but I was forced to agree with him when he said that after the Las Vegas debacle that that was an inevitable happening, that the WBC and the WBA would have to draw swords, and prove who is the toughest, or who is the strongest, or who had jurisdiction.

And so had there been one, I do not care, Federal, private—the private organization has not worked. It is not going to work, people being what they are—the thought was that had there been one, this would not have occurred in Las Vegas.

Section 13: Assistance from other agencies. No comment.

Section 14: Annual reports of the Board. Fine. No comments.

Section 15: Noninterference with state boxing authorities. I agree that provisions should be made not to step on the toes of existing boxing authorities. For the most part, they do a good job with the tools that they have, but because they do not have access to information of suspensions and fights in other areas, they are limited in what they can do.

If you gentlemen are careful in the drafting of this legislation, I believe that you can get the backing from the commissioners like myself that have been as frustrated as I have over the years trying to supervise the sport in our respective jurisdictions.

On the other hand, if your legislation even appears to take away some of their authority, we will not only not get their cooperation, but outright opposition of the passage of this legislation. Believe me, I speak to this on the course I have already covered from previous experience.

I would like to see your bill provide a central clearing house that would enable the separate state commissions to know who the person they are getting is, who he claims to be, and that his record is up-to-date so that the respective commissions can judge when suitable matches have been made.

You can even categorize the fighter if you have the up-to-date information for the commission.

Gentlemen, you might think that the officials purposely put on the mismatch, but a lot of times, it can happen with the undercard.

We have been talking with the main-event fighters like Jersey Joe Walcott and Willie Pep.

In spite of the fact that I had 100 amateur fights, I started out with four-round fights, and then I went on to the six-round fights, and I was a four-round fighter, I have been through it all from start to finish. So that a clearinghouse would be wonderful.

As far as giving Federal money for that clearing, there could be one group of commissioners in power this year, and another group of commissioners next year.

Some fellows, unfortunately, when they cannot play the game and they cannot be the quarterback, do not want to play. They will take the ball, and go home, but not if we had some umbrella.

And we talk about this sport as compared to the other sports. This sport is not altogether different from other sports. It takes capital. You do not have a league. It is not a team sport.

We do police. We do a good job of policing. I would like to say that we appointed one commission to supervise, but we have not done it.

Like the gentleman who preceded me earlier today, when I came on the commission in 1964 in Michigan, I was just as optimistic as they are, and I have tried. And anybody who knows me and has worked with me over the years knows that. As to the WBA, I have served as vice president off and on for years. I have tried to bring the different commissions together, and I have tried to work it out from within, and we just have not been able to do so. And I will keep trying for the good because I love the sport as the rest of the fellows who are represented here today. OK.

The single most improvement in boxing in this country would come from the establishment of fair ratings in each weight division, which would result in worthy fighters getting an opportunity to fight for the national championship.

The establishment of these titles and ratings would put this country back in the front where it used to be as the foremost boxing area in the world.

We are importing our fighters. We do not have Jersey Joe Walcott. Back in those days, we had all the titles, the world titles. We do not have them, but today, well, depending on what the accounting is with WBA and WBC, but the TV money is here. The big money is here. The foreign fighters come and get it, and that is all right, but we do have some great fighters here, and we should be able to provide not only the Sugar Ray Leonard fights, but all of the fights an equal opportunity to get on TV, and get some of that money.

And you are not going to do it without fair ratings, and we are not going to do it in the championships, the U.S. championships in what the USBA is trying to do, but Federal law would help if it is drafted properly. This is very important.

I am firmly convinced that when we establish American champions with fair ratings, and with each worthy fighter being able to challenge for a higher rating and, eventually, the title in his

weight division, we will again have more world champions, and a better boxing program than any country in the world.

I am here today because this is what I want to see, and I will work with you gentlemen and anybody I know to help achieve this in any way I can.

I think that boxing is the greatest sport that we have, the greatest.

The elements are here to promote it, to supervise it, but there is no doubt that boxing needs supervision. And as a boxing commissioner since 1965, let me say that it is well-meaning, as some people are, and they need supervision.

A lot of the States are abdicating, and a lot of them have already abdicated. A lot of the States do not have a boxing commission. It is very easy to promote. So I am all for it.

I am ready to answer any questions here that you might have, Mr. Chairman, and anybody.

Mr. BEARD. Mr. Davey, your testimony certainly will be very helpful to the committee. We will certainly be in contact with you to refine this bill, but I am very happy that you have supported what we are trying to do here.

There is no question in my mind that boxing presently needs uniformity in State standards.

As I mentioned earlier today as well as in previous hearings, there must be physical examination standards. Today we have two heavyweight champions. We have the situation concerning the Rossman-Galindez fight. We have knowledge of the fact that seconds run from good to bad. There are fighters who are improperly trained, where States have bad standards, properly trained where States have standards.

I think this type of uniformity across the Nation under a Federal Boxing Commission with qualified people supervising it right across the board would be in the best interest of boxing. That is what we are trying to do. We are trying to achieve what the private boxing world, the boxing associations and other boxing organizations have failed to do, that's to get together to coordinate, and to get the best of what we have, and have it all in the 50 States. They have not been able to do that.

We are going to give it a good try with the help of people like yourself and others who have a deep, sincere interest in boxing, people who will give us testimony so that we can get the benefit of their experience, through testimony such as yours.

We will get back to you, Mr. Davey, as well as others to try to gather that information, redraft the bill, a bill that will be workable, not to infringe on the States that have standards that are in the best interest of the fighter.

We want to get the best features of the boxing rules in the various States, and put it all together, and really make it work in all of the 50 States.

Thank you.

Mr. WILLIAMS. Mr. Davey, are you currently the vice president of WBA?

Mr. DAVEY. Yes, sir.

Mr. WILLIAMS. It is my understanding that the presidency of the ratings commission, rather the committee chairmanship, the chair-

men of the committees, that those positions are all held by people who are not Americans.

Mr. DAVEY. That is true. That is true.

Mr. WILLIAMS. There seems to be some concern which has been expressed a couple of times before this committee. It has been expressed most forcefully, I suppose, by Bob Arum that neither of the two international commissions properly protect the rights of American boxers on the international scene.

Would you care to comment about that?

Mr. DAVEY. Well, I would have to have more specific information. I would not agree or disagree on a general basis.

If you cite me an incident, I might be better able to comment.

The ratings, for a long time, and I go back, as I say, in 1964 as a member of the World Boxing Association that used to be a national boxing association, and we let other countries come in, and then we wanted to make the boxing organization a worldwide organization, and we did, but for a long time, they passed the power around within the States, and finally, the foreign countries got together, and got a little tired of it, and they wanted to make it a world organization. So I, frankly, say I think they are guilty of doing what the Americans did with the organization several years ago.

They have, for selfish reasons, kept the power on the outside in other countries, and I think that they have favored, in their ratings, people, for whatever reasons, and I think that they have allowed too much of an influx of the promoters, and managers have had a say. So I do not think that the ratings are as fair as they could be.

And this was, frankly, always the case, and I think that until we have some type of commissioners and some type of superior authority umbrella of either private or Government, that people who are heading it are not only not involved themselves, but are of the caliber of character maybe so that you have to pay them enough, or if you are getting somebody who acts in an advisory capacity on your Board, and you really have not broken down that responsibility, or he is wealthy enough and independent enough so that he cannot be bought by the promoters or the managers as far as the ratings and things are concerned.

Now, for the most part, I do not think this is happening, but there is enough of it going on, and there is enough of the power struggle within these organizations, personal aggrandizement. I think that has diluted the good that they could do with boxing overall.

Mr. WILLIAMS. Let me quote a specific to you, Mr. Davey, from Mr. Arum's testimony. I am quoting now:

John Conteh of England, a former light heavyweight champion, was the No. 1 contender in 1978 when he fought Mate Parlov of Yugoslavia in June 1978.

Conteh lost to Parlov, but was continued as the No. 1 contender over Matthew Franklin of Pennsylvania who was the North American Boxing Federal Champion, and never had the opportunity to fight for a championship.

When Marvin Johnson defeated Parlov in December 1978 in an optional title fight, he agreed to fight Franklin for the title. The winner of that fight will be required to fight John Conteh before the end of June.

The middleweight champion is Hugo Corro of Argentina. Most boxing experts consider the top middleweight contender to be Marvin Hagler of Boston. However, Hagler is only rated No. 2 in the WBC. The WBC's No. 1 contender is Alan Minter

of Great Britain, whose record, or ability is no match for that of Hagler's and, indeed, Minter has already lost to an American fighter.

Mr. Arum goes on to cite specifics such as that, that there is an indication that neither the WBC nor the WBA properly protect America's interests. And there is other testimony.

Mr. DAVEY. I do not think it should be broken down to American interests in WBA. I think it is that what is fair is fair.

Now, in the first case there, Mr. Conteh is No. 1, but right after he lost the title, and Parlov did fight Marvin Johnson and lost, that shakes it up a little bit, and whether or not any promoter can come up with enough money to interest the fellows * * * I was surprised that Marvin Johnson agreed to fight Franklin in the first defense of his title. The last time he fought, Franklin knocked him out. So you cannot say that he was going for an easy task.

Now, the other case, as far as Marvin Hagler is concerned, yes. He is No. 1. He is No. 1 with the WBA. He has been No. 1 with the WBA. He has been, and he should get the championship fight.

You have to get a promoter to put it in, but the WBC, I think, has gone with the waves of the promoters for a long time.

You know that * * * as long as we are getting into the different factions here, Mr. Williams * * * Ali was the heavyweight champion of the world, and when he refused, or when he signed to fight Leon Spinks, they took the title away from him, but they not only took the title away from him, they made that decision in absentia, but in reversal, they went back, and said that this fight that took place between Norton, and whoever, was really the championship, and instead of elimination, and they crowned him. And I think that the promoter was very much involved in that.

So he has continued with the championship fights because I think the networks want to put the championship fights on. People forget now that we have two champions.

Ken Norton was the heavyweight champion of the world. He did not win a fight. In his first defense of the title, he lost that fight.

That is the WBC, and to just throw them in a category with the WBA, that facet, it taints the whole sport, but I think that the media and the public and all of us are guilty of going along with this, and as long as they do, the promoters are going to keep doing it.

So it comes back to the fact that they need supervision. They need legislation. Whether or not you can get it through, gentlemen, is the question.

Mr. WILLIAMS. Mr. Davey, thank you very much for your testimony. It has been concise and helpful. We appreciate it.

Mr. BEARD. Thank you very much, Mr. Davey.

Our next witness is the greatest broadcaster in boxing today on ABC and sports throughout the world. Howard Cosell.

Mr. Cosell, do you have a prepared statement?

**STATEMENT OF HOWARD COSELL, BROADCASTER, ABC
SPORTS, NEW YORK CITY, N.Y.**

Mr. COSELL. No. I will speak spontaneously.

Mr. BEARD. OK. You may proceed spontaneously.

Mr. COSELL. I believe in having a Federal Boxing Commission even as I did in 1972. I testified before the Senate Commerce Committee subcommittee in favor of a Federal Boxing Commission.

I favor a Federal Boxing Commission on the premise that boxing, from its popularity in the United States, warrants being maintained as a major professional sport.

That it has such popularity, I think, is substantiated clearly by the television ratings which show that millions of people continue to like boxing competitions if they are valid, if they are well matched, and if they are honest, and if the public is not to lose faith in boxing through the kind of chaos that occurred in the Rossman-Galindez cancellation, but certain it is that the era of Muhammad Ali and the triumph of the human spirit manifested by the American boxing team in the 21st Olympiad up at Montreal revived national interest in the boxing profession.

On that premise adopted, these are the basic reasons why I favor a Federal Boxing Commission: No. 1, it would enable us to have accurate computerized records of all fighters in America. It has been established documentarily that we have not had that in the past.

No. 2, we could have a uniform rating system based upon the documented records that would be valid for all American fighters.

Documentarily, we have not had that in the past.

No. 3, the establishment of a Federal Boxing Commission would eliminate, generally; the chaos of the sport and it would establish a clout that would have to be recognized by the current rump organizations, the World Boxing Association and the World Boxing Council, each of which seek arbitrarily to sustain their own jurisdiction and power.

The best evidence has been covered in prior testimony here: The differences in the rating systems, the differing champions, and it is true that television here is at least an implicit factor because the television networks work with a desire to reach the largest number of people in the country, and they do like to put on championship fights, but speaking for my network, I will put on a fight that is attractive and well matched. That has always been our position in almost any case.

Now, a clout against the WBA and WBC was made clearly necessary and was, as I said, in the record of time, inevitable because of the desire of each of the two latter organizations to predominate in power. Over boxing power? Over what?

Mr. Davey, whom I have known for many years and like and respect, is vice president of the World Boxing Association.

I would ask Mr. Davey how in the world it is possible for Larry Holmes not to be a rated fighter by the World Boxing Association.

I grant great measure with the testimony previously enunciated in that regard by the promoter, Robert Arum. However, all statements by promoters must be taken as self-serving, in my opinion, because each of them is seeking to sustain himself, his sources of income, his power, but the Federal Boxing Commission would establish, in my opinion, the clout that is absolutely necessary.

I would also ask, quite in agreement with Arum in this case, however, in the record why Marvin Hagler has not yet gotten a championship fight.

I think it is disgraceful but, again, it seems to me very clear, from the actions of WBA and WBC that more and more, various organizations, just a few years ago, and the WBA and WBC have a disposition not to want Americans to have championship shots, and we continue to go in circles in many of the divisions, as the ratings prove, and we get a long documentary type of piece on how ratings are established by the WBC in the early part of our Ali-Evangelista telecast in May of 1977.

So for those general reasons plus the standardization of medical practices, examinations and such of the fighters, plus the uniformity of the rules with regard to bouts and when fighters may fight, having in mind the fact that the fighter can be knocked out in one jurisdiction, and fight in less than 30 days in another, that kind of practice must be ceased.

I think it is absolutely imperative, if the sport is to survive, to be healthy and to have a decent reputation, to be assured that the best fighters are getting the best opportunities, and that they are being properly rated.

We need a Federal Boxing Commission. The details of the bill have to be worked out by you people. I will not go through that item by item as Mr. Davey did.

I think that predicated upon all of the testimony you will be receiving here, that which you believe in, and that which you do not believe in, can be sorted, and then an appropriate final bill can be prepared. As for its passage, that remains to be seen.

I must say this: That I have been through this many times before, six times. I have testified before the Senate and congressional committees, and one gets very discouraged. One faces the usual arguments.

I can tell you that boxing people are now saying behind the scenes that this is just another such exercise. Maybe it is. Maybe they are right. That is for you gentlemen to conjure with, to wrestle with, but I hope not.

I am tired of hearing that old shibboleth about Government intervention, and keep the Government out.

At the same time, I am tired of a blanket enunciation and the innuendo of being nonconstructive.

I do not want to read the Nation's most circulated newspaper writing, on February 25th, that the Galindez-Rossman thing, that that mess was the responsibility of my network. Under law, we are not entitled to be promoters. We are not promoters. We do not want to be promoters, and we have been through that before Congressman Van Deerlin's committee, and before the FCC, and that is documented.

I do not want to read in a newspaper that Cosell is suggesting a Government takeover, and look at what the Government is; corrupt Congressmen, inflation, and this and that, and the other thing, that the Government cannot do anything but run anything into the ground, that the only solution is to have boxing in the Garden in New York, and then that they have had the right of six earlier programs, that they have been paid by the Garden to do a commercial, and they have forgotten boxing.

I am not interested in the old shibboleth of conflict of interest. I am interested in boxing. I am saying that boxing is worth saving in

this country, and I am saying that some constructive action ought to be taken to save it. I believe that the answer lies in the Congress of this country.

Mr. BEARD. Thank you, Mr. Cosell, for your statement. I want to assure you that I have a deep, sincere interest in this bill in support of boxing. I intend to work very hard on the House side as well as on the Senate side to see that something is done about lack of standards in boxing, and to construct a workable bill.

It is too bad that when Senator Kefauver held the committee hearings, we did not get a boxing commission established, but I do believe that when we consider the standards of boxing in the 50 States, you will find that some States set good standards and that other States are complete disasters. There has to be an umbrella agency in the Federal Government because privately, the States have not been able to pull it together.

Today, it is a disgrace that boxing has two heavyweight champions. It is a disgrace that the standards run from good to bad, depending upon where you may have to fight in the United States. I believe that what we are doing here is to gather information, by listening to the various people, listening to testimony so that we will be able to come up with a bill that will be workable, that will instill integrity back and restore confidence to people who have lost faith in boxing. Hopefully, that is what we can do, and what we will do by working hard, trying to pass this legislation so that boxing, will not be considered a circus, as some have described it. Some people even put boxing in the class with wrestling. I am offended. I love boxing, and that is why I want to see something done about this situation it is in.

I want to thank you, Mr. Cosell, for giving your testimony.
Mr. Williams.

Mr. WILLIAMS. Thank you, Mr. Chairman.

Mr. Cosell, last week, Bob Arum was here, and I would like to call upon you to respond to a piece of his testimony which I am going to read to you:

"Finally, I believe that a bill forming a Federal Boxing Board should provide the board with jurisdiction over championship fights when: No. 1, the fight is held in the United States; No. 2, the fight is held outside the United States, but involves the participation of a U.S. boxer; and No. 3, when the championship fight is held outside the United States, and does not involve the participation of a U.S. boxer, but the telecast of the fight is to be shown in the United States."

Would you comment on that, Mr. Cosell?

Mr. COSELL. I think his last point would be very difficult, as a matter of law, to sustain, and I think the other points are reasonable enough.

Mr. WILLIAMS. Thank you, sir.

Mr. COSELL. Now, I would like to just add one thing, if I may, Mr. Beard. This matter of the State boxing commissions must be talked about directly.

You have got a man like Chuck Davey, a fine, honest and decent man who has worked long and hard for his commission, but in perfect fact, the State commissions, generally, around this Nation are fragmented, political affairs, as Mr. Davey himself noted in his

earlier testimony before you. Many States do not even have boxing commissions.

We had a situation when Ali went into Cleveland to fight Chuck Wepner where there was a last-minute dispute over the referees. Pete Rademacher was originally to have been the referee, but he did not referee that event. Tony Perez became the referee.

But there was no State body, as Mr. Davey said. There was only the city commission. And that was a derelict thing. It really was. We run into this everywhere. And this, again, proves the necessity for a Federal Boxing Commission.

Also, while in Tucson, Ariz., last week * * * no * * * Lake Tahoe, I read, and I do not know if the quotation was accurate or not, some testimony given by an old friend of mine to Time about the heavyweight champion, Floyd Patterson, in which he was talking about television, and blaming television for the blight of boxing, and wanting to return to the old days of Ridgewood Grove and the Eastern Arena and Bronx Kolky, Coney Island.

This is not a knowledgeable expert. This is not possible. The society has changed.

In the 1960s, a man named W. C. Heinz who is, by all odds, the finest boxing writer who has yet lived, wrote a magnificent piece called "I Remember Boxing", and Chuck Davey knows this is true.

Boxing declined in America because of the change in America. Television was a factor in that change but, as Mr. Heinz put it, the reasons were three; electronic, economic and sociologic.

As our country moved out ahead in socioeconomic legislation, more and more job opportunities were presented, better and better wages and hours standards were created and, of course, better and better opportunities for minority groups in terms of employment so that they would not have to subject their bodies to the brutalization that is demanded in boxing.

These factors, along with the electronic media, resulted in the destruction of boxing clubs.

Boxing is still alive because, primarily, of two things, both involving television: a transcendental figure came forth, a man who became a world figure in the presence of Muhammad Ali; and the other reason is the 21st Olympiad in Montreal when eleven kids lived together in one room, never dreaming that over a week's period, having sprung from the ghetto, they could get an international identification such as they did, and their triumph of the human spirit captured the American people.

So I suggest that you must be cautious about easy, nostalgic statements rendered by a former champion that are not really relevant to the facts.

Mr. BEARD. Mr. Williams.

Mr. WILLIAMS. I am finished, Mr. Chairman.

Mr. BEARD. Thank you very much, Mr. Cosell, for your testimony.

Mr. Davey, I know that you want to respond at some point. We will call on you, Mr. Davey, so that you can make your response, and then we will call the next witness.

Mr. DAVEY. It is not an important factor.

Mr. Cosell was commenting on how Holmes was rated.

The boxing commission decided sometime ago that there would not be any back and forth rating, that there would first be the rating of the champion, number one, and finally, we would rate them in our rating sheet as champion in BWG and NBF, but not rate otherwise, but right under their WBC champion. So we are not downgrading Mr. Holmes who I, personally, consider as probably the best heavyweight boxer around today.

Considering exfighters, people connected with the game and the business, I believe that the championships are won or lost in the ring, and this is what makes the splintered groups work when we anoint the champion, and then he is off and running, and then you have two champions, and it becomes a travesty rather than looking up to one champion. That is one item there that I do agree with Mr. Cosell.

Things have changed in the fights, in boxing over the years, maybe not for the same reasons, but I agree with him, that we do need that board.

Mr. BEARD. Thank you very much, Mr. Davey.

Our next witness is Mr. Provost.

Mr. Provost, you may proceed.

STATEMENT BY AL PROVOST, TRAINER, PROVIDENCE, R.I.

Mr. PROVOST. I have been involved in boxing since 1929. In 1930, I won the 126-pound Rhode Island State championship. I trained boxers before I enlisted in the Air Force; and I became the boxing coach in the Air Force at Bradley Field, Conn., and at Mitchell Field Air Force Base, N.Y.

At Bradley Field, I had 17 straight wins for the boxing team; and at Mitchell Field, N.Y., I had 12 wins and only 2 defeats.

When I was discharged from the service, I was still involved in training fighters; and I also managed a health club in Providence. I had three gyms—one gym for boxers to train in. There were as many as 75 fighters trained there. I took them to different amateur boxing shows in New England.

I would take them to a boxing show where the promoter supposedly was to pay them so much money, but did not. So a lot of the boys stopped boxing because of that fact. I would take the boys who did take up boxing and were involved with me to the promoter, and say: Here, pay them, and he would pay the fighters a lot less than agreed upon.

I think that if the Congressmen gets this bill passed, it would be the best thing in the world for young boxers that are starting off. It would give them a chance to get going, when, a lot of times they stop fighting because there are no contracts or payments.

Mr. BEARD. Mr. Provost, do you think that it would be essential and helpful to boxing to have a training program for the seconds, or the cut men in the corner?

Mr. PROVOST. Yes, I do. I think all cutmen should take a course in first aid; and the managers or the trainers should have some kind of boxing background so they know what they are doing.

Mr. BEARD. Mr. Provost, what would be the danger to a fighter if a person such as a cut man or a second that did not know what he was doing in the corner. How dangerous to a fighter would that be?

Mr. PROVOST. Well, the boxers could get really hurt. I have worked in many corners where I had to work on severe cuts because there was no medical person there at the time. One doctor had stitched a boxer, but when he went by my door, he said to me * * * "Can you fix my eye?" I looked at it, but the eye was so swollen, and the stitching was so bad there was nothing that I could do. I advised him to get to a good doctor or hospital for medical attention.

Another time, I had a fighter in Boston who had reached the semifinals. There was another boxer who was in the same dressing room with him that was left unattended in a semi-conscious state. I put some ice packs on his head, and called the doctor. He said: "Let him lie on the table, and keep the ice pack on him." I presume it was his manager or trainer who got the ice pack, and then left the boxer alone. I stayed with him for an hour. The doctor kept coming in. I said: "I am working on him. I am getting the ice packs for the back of his head." Finally, about an hour later, the manager came in, and wanted to know how his fighter was. The doctor said: "Well, you better take him home." I said: No, you better let him stay a little longer. He went home without any medical followup. In that case, the trainer did not understand what he was doing. Possibly, that boxer could have died. If he wasn't packed with ice, it might have been too late. That is why you have to have someone there who is medically trained.

Mr. BEARD. Mr. Provost, do you feel that the electrocardiogram test as well as the brain wave test, and the electric brain wave test would be in order in the 50 States?

Mr. PROVOST. Yes. I think it would be. I think it would be the best thing in the world for those boys, before anybody else gets seriously hurt.

In fact, I was in Worcester one night where the main bout fighter dropped dead in the third round. He was in an automobile accident three weeks before the fight. He had had a concussion, but whoever was managing him let him fight just the same. A premedical exam would have prevented that from happening.

Mr. BEARD. Thank you very much, Mr. Provost, for your testimony.

The next witness is Gil Stromquist, a former boxer from Texas. Is Mr. Stromquist here? [No response.]

Mr. BEARD. Mr. Goody Petronelli. Is Mr. Petronelli from West Bridgewater, Mass., here? [No response.]

Mr. BEARD. We have Dr. Washburn here. Dr. Washburn will be the last witness.

This will conclude 3 days of hearings on the creation of a Federal Boxing Board as proposed in H.R. 2726.

Dr. Washburn, do you have a prepared statement?

STATEMENT OF JOHN NELSON WASHBURN, INTERNATIONAL LAWYER SPECIALIZING IN SPORTS

Mr. WASHBURN. I have a very simple one-page statement.

Mr. BEARD. Your statement will be accepted by the committee in toto. You may highlight, if you please.

I will just highlight a couple of things. You have had important witnesses. Some of them are a lot more important witnesses than I am.

Anyway, I just want to highlight one particular thing: I have been involved in State boards in Massachusetts. I have been involved in international athletic competition, and I am involved with the Olympics, world championships, that sort of thing.

I think it is very important that you get a very good definition of "professional" in your bill at the Federal level because professional boxing is the subject of the bill, and such a definition would be helpful to boxers traveling the route from amateur to professional status via world championships and the Olympic competitions.

Currently, I happen to be trying to clear Jim Thorpe. He was the gentleman who won two gold medals in Stockholm in 1912, but in 1913 his two medals were lost. It all turns on the definition of what is a professional as it relates to several sports. He was famous in at least three sports but, in any case, with many boxers starting out as amateurs and going the route of world championships, the Olympic championships and then professional, I think we ought to have the definition that we do not have now: a complete, excellent definition of "professional", a definition of "professional" as best you can formulate it.

I think this highlights the main thing: to remind you, knowing the route from amateur to professional through the Olympics and world championships, that there is one thing particularly lacking at the moment: a good, solid definition of "professional". That might save people like Jim Thorpe because each of the Olympic games has a different definition of "professional", a professional athlete. It changes. It is different from 1912 as compared to 1972.

Here we are talking about professional boxing. Let's get a good, solid definition of "professional" which may help in the future the young boxers, one which they will know, one through which they will determine at what stage they are.

I think I will limit it to that, Mr. Chairman.

One more thing I will say: having looked at your ideas of better recordkeeping and good information practices, I think they are excellent.

I have with me a Sovetskii Sport article in Russian telling me who won the world amateur boxing championships of 1978 in Belgrade. Those of us who see American newspapers have not read who won in the 11 categories of the 1978 world championships. That information does not get to us.

In your efforts to get a full record and to have it comprised of accurate information, however you do it, it is very helpful to have such articles at hand so that one can judge and rate properly.

Thank you very much, Mr. Chairman.

Mr. BEARD. Thank you, Mr. Washburn, for your testimony.

[The prepared statement of John Nelson Washburn follows:]

STATEMENT OF JOHN NELSON "NOBLE" WASHBURN, A WASHINGTON-BASED
INTERNATIONAL LAWYER

Chairman Beard, and Members of the Labor Standards Subcommittee, inasmuch as many important witnesses are scheduled to testify here this afternoon, I shall limit my remarks on H.R. 2726 to one page. In my capacity as Technical Consultant for State and Federal Regulatory Agencies, Executive Office for Administration and

Finance, Commonwealth of Massachusetts, in the period 1967-1969, in the Office of Planning and Program Coordination, under Governors Volpe and Sargent, I was in a small way concerned with State-level Boards active in many fields. In the U.S. Department of State I dealt with sports in the field of international relations from 1958 to 1966 as attorney-adviser (international). Currently I am fighting International Olympic Committee President Lord Killanin in an effort to clear Jim Thorpe and restore to his family the prizes he won in track and field at the Fifth Olympiad in Stockholm, 1912; the two items submitted for the record with this statement so indicate.

I have four suggestions to improve H.R. 2726 as introduced: First, there should be a careful and complete definition of "professional", for professional boxing is the subject of the bill, and such a definition, I submit, would be helpful to boxers traveling the route from amateur to professional status via world championships and Olympic competitions; Second, in Section 10 devoted to Hearings of the Board, all hearings should be public hearings unless the three members were unanimous in deciding otherwise in particular instances, and records of hearings should be kept by the Board, or member or members thereof, hearing the matter, moreover, officers of the Commission designated by the Board should not, in my opinion, be given authority to hold hearings; Third, in Section 14, I suggest not annual reporting but semi-annual reports to Congress. Fourth, I would in Section 4(f) include a provision limiting personnel to be appointed, to counter empire-building objections and cost objections.

Mr. BEARD. This concludes 3 days of hearings.

The hearing is now closed.

[Whereupon, at 3:45 p.m., the final hearing on the creation of a Federal Boxing Board, H.R. 2726, was concluded.]

[Material submitted for inclusion in the record follow:]

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., April 3, 1979.

HON. EDWARD P. BEARD,
Chairman, Subcommittee on Labor Standards
Washington, D.C.

DEAR MR. CHAIRMAN: Enclosed is my written testimony to be included in your hearings on Federal Boxing Control Board legislation.

Your kind assistance in this matter is deeply appreciated.

With warm regards,
Sincerely,

GUS YATRON, *Member of Congress.*

Enclosure.

WRITTEN STATEMENT BY HON. GUS YATRON

It is indeed a pleasure to submit testimony on behalf of one of America's best loved sports—boxing.

Based on my experience as a former professional boxer, I am aware of the many benefits of the sport as well as the abuses which take place in the boxing world.

Presently, it is my view that the boxing profession is encumbered by conflicting regulations, unclear rules, suspect practices and erratic record-keeping.

Boxing is a very popular sport in this country and it is also a very big business. It is a business with its share of problems, particularly in the areas of equal treatment of its participants and the operation and activities involved in bringing boxing matches to the public.

Recent events have demonstrated the negative impact which these problems can have on boxing as a sport and a business. Fights have been scheduled to take place, only to be cancelled at the last moment due to unclear regulations and rules. Today we have two heavyweight champions of the world, because of conflicting rules of the two boxing associations. In addition, equal treatment for fighters is certainly not a reality. Today, an aggressive and canny promoter can mean the difference between whether or not a fighter gets a chance at an important fight, regardless of that athlete's abilities.

In addition, if you lose a fight, you are unable to fight for 30 days in the state where the fight took place. If you go to another state, however, under a different name, the thirty day waiting period is not enforced.

For these reasons, I wish to express my support for the establishment of a Federal Boxing Control Board, as described in H.R. 2726.

In summary, I know that boxing was an important experience in my life. I am hopeful that the adoption of this legislation will help to make it as rewarding an experience for young fighters of today. It would be a great loss to this country if this excellent sport fell victim to confusion and opportunism.

Thank you.

APRIL 22, 1979.

EARL PASBACK,
Counsel, Subcommittee on Labor Standards,
Washington, D.C.

DEAR MR. PASBACK: As Chairman of the Athletic Commission of the State of California, I am pleased to submit the attached statement in general support of the U.S. Boxing Commission legislation now before your committee. The Commission voted unanimously to support the attached statement as it reads.

As per our conversation of several weeks ago, I would appreciate it if you could submit the statement as part of the record on this legislation and include it in the final Committee Report. Since the statement may be helpful to a full consideration of this matter, and because the California Commission supervises the single largest share of this trade with unusual rigor, its comments may be worth dissemination to the members of the subcommittee and committee before the final publication of the Report.

If you have any questions or if we may be of assistance, please let us know.
Very sincerely,

ROBERT C. FELLMETH, *Chairman.*

Enclosure.

STATEMENT OF THE ATHLETIC COMMISSION OF THE STATE OF CALIFORNIA

The California State Athletic Commission was first formed as a result of a statewide referendum in 1924. Since then, it has carried a mandate to regulate boxing and wrestling for the health and safety of the participants and the protection of the consuming public. As of 1979, the California Commission is believed to license more participants and to supervise more boxing and wrestling events than any other state commission.

The current Athletic Commission is composed of five persons. All commissioners are appointed by the Governor to four year terms. A special five percent gate tax is levied on boxing and wrestling events which goes to the State general fund. In addition to licensing fees, this remuneration is indirectly cited as a regulatory fee to compensate the State for the approximate costs of regulation.

The current Commission has been continuing a comprehensive system of regulation which includes the licensing of boxers, wrestlers, managers, seconds, promoters, matchmakers, referees, judges, announcers, timekeepers and tickettakers. All major contracts must be approved. Manager cuts are limited. Detailed regulations set forth medical requirements for athletic participants, and mandate the presence of physicians at boxing contests (including amateur contests not otherwise under the jurisdiction of the Commission). Equipment is inspected. Matches must be approved beforehand and boxers are observed in training or evaluated based on past record to prevent egregious mismatches. Numerous proposed matches are disapproved on this basis by Commission staff. Commission inspectors enforce strict physical examination and weigh in procedures and monitor each boxing contest. Records are kept for Commission use, including a special evaluation of referee and judge performance. A knockout or injury at the match results in an automatic 30 day prohibition from contact training. The Commission enforces these and additional rules through fines and suspensions or revocations of licenses.

The current Commission has embarked on a number of additional projects. It has adopted a rigid code of ethics regarding relations with the industry to preclude any appearance of undue influence. The Commission has acted to protect amateur boxers from jeopardizing their amateur standing by boxing as a part of professional promotions. The staff of the Commission has initiated a series of referees' workshops and clinics to promote boxer safety and consistency of approach. The Commission has contracted for a major study by sports economist Professor Roger Noll of the California Institute of Technology, of competition within the industries regulated. It has started an actuarial study to create a comprehensive disability and pension plan for boxers. And the Commission is forming a blue ribbon Medical

Advisory Committee to review its medical standards, equipment standards, physical examination forms and to consult regarding special problems.

We are generally aware of the substance of HR 2726 and of its goals. We understand that the bill would create a U.S. Boxing Board within the Department of Labor and prohibit conflicts of interest by Board members; that the Board would establish by regulation minimum federal standards for professional boxing throughout the nation, including the photographic registration of boxers and minimum standards for safety and consumer fairness. The Board would have supplemental jurisdiction and would not supplant State jurisdiction with comparable or stricter standards. We support this goal and the approach taken by the bill.

One of the problems we face as a regulatory body in a highly mobile society is the "reduction to lowest common denominator" phenomenon. If our safety requirements, or our anticorruption safeguards, or our pension plan, or our gate tax, burden a promoter of a lucrative match, there is a strong incentive to seek another jurisdiction where these requirements can be avoided. Regulatory boards are acutely aware of the implicit threat: "the Commission in State X, or State Y, which doesn't have a commission, will let me do what I want without the physical examination, or gate tax, or pension fund contribution."

To be sure, competition is a laudable force in society, but we are talking about external costs the promoters may be able to pass onto others. If jurisdictions compromise themselves into a lowest common denominator of regulation in pursuit of local revenues, health and safety, disability and consumer fraud costs may not be borne by the jurisdiction serving as a televised site.

In his draft report to the Commission, Cal Tech Professor Noll refers to this problem in the tax context:

"This brings us to the question of whether state tax collections, particularly excise and TV taxes, are driving out fights. Because of the mobility of the televised title fights, especially heavyweights, there is clear incentive for promoters or TV packagers to take such fights to states with minimal taxes and regulation. This may explain movement in two states, Nevada and New York, towards reducing taxes on the sale of TV rights. Nevada currently permits promoters to deduct the cost of the main event from the gross sale of TV rights and then taxes the residual at 4 percent. New York is considering similar legislation. Salt Lake City and New Orleans reportedly have no taxes on TV rights. Wisconsin is the only state reportedly planning to increase its TV tax, perhaps to 10 percent.

While there might be economic reasons to lower taxes, perhaps to stimulate a lagging industry, there is a danger that competition between states to reduce boxing taxes could politically hurt boxing, especially during a period when the largest commission is running an implicit deficit." (at 66,68)

At present, the Athletic Commission attempts to ameliorate the avoidance of regulation (other than taxes) by seeking reciprocity with other jurisdictions. This approach is limited. Many areas do not have commissions. Of those that do, in addition to lacking licensing fees or a gate tax, they lack strict physical examination standards, or other safeguards California might require. And several of the leading Commissions belong to different international trade associations. Those belonging to the World Boxing Council do not have a history of close cooperation with those belonging to the World Boxing Association (with some important exceptions). The approach of HR 2726, although perhaps not directly affecting California, would assist the California Commission in carrying out its needed responsibilities by imposing the same kinds of safeguards extant in California on a hazardous sport with a history of abuse.

We would ask only that several strengthening amendments be considered. First, we feel very strongly that the Board should have clear authority to organize a medical emergency—disability—and supplemental pension plan for boxers and to impose a gate tax or other contribution plan for proper funding. The location of the Board within the Department of Labor would make such authority most appropriate. Since boxers are inherently unorganized and subject to exploitation given their economic class, age and given the physical reality of the sport, such a system is warranted by economic need and compelled by conscience. Our system in California would be much more workable if applied nationwide (partially due to the "lowest common denominator" problem discussed above). We stand ready to assist the new Board regarding actuarial work completed, economic justification, or in any other way.

Second, we believe that the previous bill's inclusion of authority to deny television transmission within the United States from foreign points where the standards of the Board are violated should be included in HR 2726. This is not authority to be lightly exercised by the Board, but it is authority it must have. To deny it the

potential sanction of denial of the lucrative United States market would subject the United States Board in the international arena to the same "lowest common denominator" problem now faced by California.

Because there is a legitimate fear that the United States Boxing Commission as proposed would unnecessarily restrain trade, creating barriers to entry and making small clubs difficult to start and maintain, we respectfully suggest either a final amendment or expression of legislative intent to the following effect:

That the purpose of the Commission is to protect consumers from fraud, and boxers from economic exploitation and health and safety hazards; that rules or practices or the Commission which restrain trade or create barriers to entry must be directly and necessarily related to these purposes: That the stimulation of competition and the reduction of unnecessary paperwork are mandatory goals of the Commission; that federal and state antitrust law fully apply to boxing except insofar as is necessary to carry out the above-stated goals as mandated by the Commission under the above standards; That where any state equals or exceeds the standards of the United States Commission for the protection of the public and the boxers the Commission shall defer regulatory requirements to that State under cooperative arrangements to avoid paperwork duplication, subject to a periodic review of the State regulatory process to guarantee compliance with minimum federal standards.

We are heartened by the concern of the Congress for the boxing industry. We are aware of a widespread antipathy for excessive government involvement, and the California Commission shares it. We are working to reduce red tape, deregulate wrestling, et al. But what HR 2726 is proposing is not more regulation, but consistent regulation, and regulation which is not dictated by economic coercion from mobile promoters. The question presented by this bill is not "should there be federal regulation of this hazardous sport," it is, "what should the basis of current State regulation be, the retention of local monies or the protection of participants and consumers?" Give us a setting so we do not create fugitive promoters, immune from our sanction, and free to avoid the safeguards of a conscientious regulator.

STATE OF CONNECTICUT,
DEPARTMENT OF CONSUMER PROTECTION,
Hartford, Conn., March 23, 1979.

HON. EDWARD P. BEARD,
*Chairman, Subcommittee on Labor Standards,
House of Representatives, Washington, D.C.*

DEAR CONGRESSMAN BEARD: I am pleased to allow Willie Pep the time to assist your panel. Connecticut has always been very proud of this champion. His testimony does not, however, necessarily represent this agency's official position. He is testifying as a private citizen.

The written statement prepared by me as Commissioner of Boxing & Wrestling in Connecticut does represent this agency's position. I hope it will be of some use to the Committee.

Sincerely yours,

MARY M. HESLIN,
*Commissioner of Consumer Protection,
Commissioner of Boxing and Wrestling.*

Enclosure.

STATEMENT OF MARY M. HESLIN, COMMISSIONER OF THE CONNECTICUT
DEPARTMENT OF CONSUMER PROTECTION

H.R. 2726 contains much in the way of beneficial regulation concerning the area of professional boxing. As a Commissioner of Boxing within a state possessed of countless boxing fans, I strongly favor the centralization of information concerning the sport of boxing.

Given the highly mobile nature of boxing and those people associated with it, the need for knowledge of activities taking place within other states is crucial. Often times information concerning knockouts, health, character, etc. is not able to be kept as current as it should be.

Not only is the best interest of the citizens of the various states affected by the presence or lack of information, such as that mentioned above, but also the best interest of the boxers and others associated with the sport are affected.

Especially for these reasons, I should like to come out in favor of a centralized body to oversee this sport and act as a central record keeper. My support, however, is not unconditional.

That information can be transmitted by the states to the Federal Board is satisfactory as long as the reverse procedure is also provided for. It would surely be a very lopsided arrangement if the law were to provide for less than an equal exchange of information.

I should also like to express my concern over the possible delay which may occur due to the need for clearance and/or approval of boxing matches with the newly established board.

The fear that the time needed to exchange the necessary information may cause a conflict with matches occurring as scheduled is present in my mind.

I trust that my concerns are of such a nature as can be remedied. The concept of H.R. 2726 does have my support. However, I should appreciate having a further opportunity to review the bill concerning possible ambiguities or conflicts with Connecticut boxing laws.

I should be pleased to continue to render any assistance that I may be able to supply in regard to this piece of legislation.



