

Calendar No. 98

**108th Congress }
1st Session }**

SENATE

**{ Report
108-47 }**

**THE PROFESSIONAL BOXING ACT
AMENDMENTS OF 2003**

R E P O R T

OF THE

**COMMITTEE ON COMMERCE, SCIENCE, AND
TRANSPORTATION**

ON

S. 275



MAY 14, 2003.—Ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE

19-010

WASHINGTON : 2003

SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ONE HUNDRED EIGHTH CONGRESS

FIRST SESSION

JOHN MCCAIN, Arizona, *Chairman*

TED STEVENS, Alaska	ERNEST F. HOLLINGS, South Carolina
CONRAD BURNS, Montana	DANIEL K. INOUE, Hawaii
TRENT LOTT, Mississippi	JOHN D. ROCKEFELLER IV, West Virginia
KAY BAILEY HUTCHISON, Texas	JOHN F. KERRY, Massachusetts
OLYMPIA J. SNOWE, Maine	JOHN B. BREAUX, Louisiana
SAM BROWNBACK, Kansas	BYRON L. DORGAN, North Dakota
GORDON SMITH, Oregon	RON WYDEN, Oregon
PETER G. FITZGERALD, Illinois	BARBARA BOXER, California
JOHN ENSIGN, Nevada	BILL NELSON, Florida
GEORGE ALLEN, Virginia	MARIA CANTWELL, Washington
JOHN E. SUNUNU, New Hampshire	FRANK LAUTENBERG, New Jersey

JEANNE BUMPUS, *Staff Director and General Counsel*

ANN BEGEMAN, *Deputy Staff Director*

ROBERT W. CHAMBERLIN, *Chief Counsel*

KEVIN D. KAYES, *Democratic Staff Director*

GREGG ELIAS, *Democratic General Counsel*

(II)

(II)

Calendar No. 98

108TH CONGRESS } <i>1st Session</i>	SENATE	{ REPORT 108-47
--	--------	--------------------

THE PROFESSIONAL BOXING ACT AMENDMENTS OF 2003

MAY 14, 2003.—Ordered to be printed

Mr. MCCAIN, from the Committee on Commerce, Science, and
Transportation, submitted the following

R E P O R T

[To accompany S. 275]

The Committee on Commerce, Science, and Transportation, to which was referred the bill (S. 275) to amend the Professional Boxing Safety Act of 1996, and to establish the United States Boxing Administration, having considered the same, reports favorably thereon and recommends that the bill (as amended) do pass.

PURPOSE OF THE BILL

S. 275 would amend the Professional Boxing Safety Act of 1996 (15 U.S.C. 6301 et seq.), as amended by the Muhammad Ali Boxing Reform Act of 2000 (Pub. L. 106-210), to strengthen existing Federal boxing laws by standardizing certain health and safety requirements, establishing a centralized medical registry to be used by local boxing commissions to protect boxers, reducing arbitrary practices within the boxing industry, and providing uniformity in ranking criteria and contractual guidelines. The bill also would establish a Federal entity, the United States Boxing Administration (USBA), to promulgate minimum uniform standards for professional boxing and enforce Federal boxing laws.

BACKGROUND AND NEEDS

Professional boxing is the only major sport in the United States that does not have a strong, centralized association or league to establish and enforce uniform rules and practices. There is no widely-established union of boxers, no collective body of promoters or managers, and no consistent level of regulation among State or tribal athletic commissions. This vacuum of effective public or private oversight has contributed to decades of scandals, controversies, and unethical practices in professional boxing, in addition to gaps in health and safety protections for boxers.

The professional boxing industry is regulated on a State-by-State basis, which results in varying degrees of oversight depending on the will and resources of each State or tribal organization's athletic commission or boxing regulatory office. Due to the lack of uniform business practices or ethical standards, the sport of boxing has suffered from the physical and financial exploitation of its athletes.

Specific examples of business misconduct in boxing include: promoters deducting large percentages of a boxer's purse for their own use; promoters coercing boxers into signing long-term, onerous contracts as a condition for competing; promoters forcing boxers to hire an associate or relative of the promoter; and illegitimate ratings systems wherein sanctioning organizations rank boxers and award "championship titles" based on boxers' personal connections rather than win/loss records. Under the current system, business relationships between promoters and sanctioning organizations largely take precedence over the athletic merits of fighters.

In 1996, the Professional Boxing Safety Act (PBSA) was enacted (P.L. 104-272). The PBSA was a bipartisan measure that sought to establish a minimum level of health and safety requirements to protect the welfare of professional boxers. Prior to the PBSA, while many States had boxing laws on the books, others did not require any public oversight of boxing, and the absence of enforcement of regulations resulted in fraudulent bouts, the exploitation of boxers, and a lack of adequate medical services at many events.

The PBSA, among other things, requires State athletic commissions to oversee all professional boxing events; prohibits medically-suspended fighters from participating in boxing events; assures that States are aware if a fighter has been suspended in another State; requires adequate medical services to be available at ring-side; and requires all boxers to be given an identification card issued by their State commission. The PBSA also includes a conflict-of-interest provision that prohibits State commissioners from receiving compensation from business interests in the industry.

In 1998, Congress sought to further reform the professional boxing industry. The Senate passed another bipartisan measure, the Muhammad Ali Boxing Reform Act (Muhammad Ali Act), but the House did not act on it. The legislation was reintroduced during the 106th Congress, approved by the House and Senate, and signed into law in May 2000 (P.L. 106-210). The Muhammad Ali Act is designed to protect the rights and welfare of professional boxers by preventing exploitative, oppressive, and unethical business practices; to assist State boxing commissions in providing more effective public oversight of the sport; and to promote honorable competition to enhance the overall integrity of the boxing industry.

Unfortunately, both the PBSA (as amended by the Muhammad Ali Act) and State laws have not been adequately enforced by Federal and State law enforcement officials. The primary reasons for this lack of enforcement have been either a lack of resources in Federal and State budgets or simply a lack of interest.

An area of particular concern with the professional boxing industry involves the role and conduct of sanctioning organizations. Rather than having a single, internationally-recognized "Heavyweight Champion", or "Welterweight Champion", etc., there are now more than a half dozen such "champions" in each weight class as determined by a variety of boxing ratings organizations. The

most prominent are the World Boxing Council (WBC), based in Mexico City; the World Boxing Association (WBA), based in Venezuela; the International Boxing Federation (IBF), based in New Jersey; and the World Boxing Union (WBU), based in England. Each of these organizations operates independently, and often their ratings are subjective judgments about the relative skills of boxers. In effect, they compete with one another, commonly ignoring the highly-rated boxer of a competing sanctioning body in order to promote their own “champion” and top contenders. Sanctioning organizations fund their activities by charging boxers 3–5 percent of their purse as a sanctioning fee.

Sanctioning organizations are continuously criticized by members of the boxing industry, sportswriters, and boxing fans for diminishing the legitimacy of the title, “world champion,” and ranking boxers based on financial agreements rather than the skills of the fighters. These practices by sanctioning organizations often prevent boxing fans from seeing the best fighters compete in each weight division. The Muhammad Ali Act addressed this manipulation of ratings by requiring that sanctioning organizations annually disclose their ratings policies and bylaws by either posting the information on their websites or filing it with the Federal Trade Commission.

SUMMARY OF PROVISIONS

S. 275 would amend the PBSA to: (1) establish and maintain a confidential (except for the use by boxing commissions) medical registry that contains comprehensive medical records and medical suspension information for every licensed professional boxer; (2) make uniform certain “safety standards” for all boxing commissions, including testing for infectious diseases (e.g., hepatitis) and the requirement that emergency medical personnel and an ambulance be continually present at all professional boxing matches; (3) require promoters to post some form of security (e.g., performance bond, cashiers check, etc.) with the appropriate boxing commission prior to a match to ensure payment of purse monies to boxers who participate and are contractually entitled to receive it; (4) make several changes to definitions, including modifying the term “boxing commission” to include tribal organizations, and the term “promoter” to include television service providers only if they are, in fact, functioning as promoters; (5) authorize tribal organizations to establish boxing commissions as long as a certain level of safety standards and other requirements are established; (6) mandate that sanctioning organizations adopt and follow ratings guidelines/criteria; (7) require that judges and referees be assigned for each match by the appropriate boxing commission without interference from sanctioning organizations; (8) require a newly-created regulatory entity, in consultation with the Association of Boxing Commissions (ABC), to develop guidelines for minimal contractual provisions that should be included in all bout agreements and boxer/manager contracts; and (9) require more stringent financial disclosures (within a specified period) by promoters and sanctioning organizations.

S. 275 also would create the United States Boxing Administration (USBA), a Federal entity located within the Department of Labor, to regulate professional boxing. The USBA would be headed

by an Administrator, appointed by the President and approved by the Senate. It also would have an Assistant Administrator and General Counsel. Additional staffing needs would be determined by the Administration.

The USBA's primary functions would be to protect the health, safety, and general interests of boxers. The USBA, among other things, would oversee and administer Federal boxing laws, and work with those who participate in professional boxing to improve the sport. The USBA would promulgate minimum uniform standards for boxing (in consultation with the ABC and sanctioning organizations). The USBA also would ensure, through the U.S. Attorney General and the chief law enforcement officer of a State, that Federal and State boxing laws are vigorously, effectively, and fairly enforced. The USBA would require all boxers to be licensed every 4 years, as is currently required under the Federal Identification system, but also would require all promoters, managers, and sanctioning organizations to be licensed by the USBA every 2 years. The USBA would be authorized to charge reasonable fees for licensing and all fees and fines collected by the USBA would be deposited in a revolving fund to be used to offset the USBA's annual appropriation. After notice and opportunity for a hearing, the USBA would be permitted to suspend or revoke any license issued under the PBSA if it finds that an unlawful act has occurred, there are reasonable grounds to believe that a USBA standard is not being met, or action is necessary to protect the health or safety of a boxer. The USBA also would be granted authority to conduct investigations, issue subpoenas, administer oaths and affirmations, require the production of information, and seek injunctions to further the purposes of the PBSA.

The USBA would maintain a unified national computerized registry for collecting, storing, and retrieving information related to professional boxing. The USBA would be required to consult with local boxing commissions before establishing any regulation or standard under the PBSA; local commissions would be required to meet USBA standards or exceed them. The USBA would be required to submit to Congress an annual report containing a detailed description of its activities, as well as progress made at Federal and State levels and on tribal lands to reform professional boxing.

LEGISLATIVE HISTORY

On February 4, 2003, Senators McCain and Dorgan introduced S. 275, which was subsequently co-sponsored by Senator Stevens. The Committee on Commerce, Science, and Transportation held a full committee hearing on February 5, 2003, to examine what effect current Federal boxing law has had on the professional boxing industry and what, if anything, is necessary to further improve the sport and the enforcement of the law. The hearing also addressed the growing role of television service providers in the sport of professional boxing. Those who testified acknowledged that while such television companies sustain the sport and are necessary in that respect, they also may be at times acting as *de facto* promoters and should be subject to the same requirements that other promoters must satisfy.

Witnesses at the hearing included: Bernard Hopkins (Middleweight champion), Ross Greenburg (President, HBO Sports), Thomas Hauser (columnist and author), Bert Sugar (boxing historian and author), and Patrick Panella (Maryland Athletic Commission, who testified on behalf of the Association of Boxing Commissions (ABC)). All who testified agreed that the strengthening of current boxing laws and a Federal regulatory entity to oversee the sport are needed.

On March 13, 2003, the Committee met in open executive session to consider an amendment in the nature of a substitute to S. 275 offered by Senators McCain, Dorgan, and Stevens. The amendment was adopted, and the bill was ordered to be reported as amended, by voice vote.

ESTIMATED COSTS

In accordance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate and section 403 of the Congressional Budget Act of 1974, the Committee provides the following cost estimate, prepared by the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 21, 2003.

Hon. JOHN MCCAIN,
*Chairman, Committee on Commerce, Science, and Transportation,
U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed estimate of S. 275, the Professional Boxing Amendments Act of 2003.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Alexis Ahlstrom (for Federal costs), Leo Lex (for the State and local impact), and Paige Piper/Bach (for the private-sector impact).

Sincerely,

DOUGLAS HOLTZ-EAKIN,
Director.

Enclosure.

S. 275—Professional Boxing Amendments Act of 2003

Summary: S. 275 would establish the United States Boxing Administration (USBA) within the Department of Labor. The administration would protect the safety and interests of boxers, and govern the business of professional boxing by regulating boxing contracts, licensing and registering boxing participants, and issuing guidelines for ranking boxers.

Assuming the appropriation of the necessary amounts, CBO estimates that implementing S. 275 would cost \$7 million in 2004 and \$34 million over the 2004–2013 period. (Those amounts reflect adjustments for anticipated inflation.)

S. 275 also would make violations of certain provisions of the Professional Boxing Safety Act of 1996 Federal crimes. CBO estimates that his provisions would not have a significant effect on direct spending or revenues.

By placing requirements on boxing commissions run by State and tribal governments, S. 275 would impose intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA). CBO estimates that the cost of those of those mandates would not be significant and would not exceed the threshold established in the law (\$59 million in 2003, adjusted annually for inflation).

S. 275 would impose several private-sector mandates, as defined by UMRA, on the boxing industry. CBO estimates that the total direct cost of those mandates would fall below the annual threshold established by UMRA for private-sector mandates (\$117 million in 2003, adjusted annually for inflation).

Estimated cost to the Federal Government: The estimated budgetary impact of S. 275 is shown in the following table. The costs of this legislation fall within budget function 550 (health).

	By fiscal year, in millions of dollars—				
	2004	2005	2006	2007	2008
CHANGES IN SPENDING SUBJECT TO APPROPRIATION ¹					
Estimated authorization level ²	8	8	7	6	6
Estimated outlays	7	8	7	6	6

¹ S. 275 also could increase direct spending and revenues, but CBO estimates that any such effects would be less than \$500,000 a year.

² Includes adjustments for anticipated inflation.

Basis of estimate

CBO estimates that implementing S. 275 would cost \$34 million over the 2004–2008 period, assuming appropriation of the necessary amounts. For this estimate, we assume the bill will be enacted this summer and that the estimated authorization amounts will be appropriated for each year beginning in fiscal year 2004. Enacting the bill also could increase both direct spending and revenues, but the amounts of any such changes would not be significant.

Spending subject to appropriation

S. 275 would authorize the appropriation of such sums as necessary for establishing a boxing administration to regulate professional boxing matches and those individuals involved in the sport. This new regulator would monitor would cost \$7 million in 2004 and \$34 million over the 2004–2008 period, assuming appropriation of the necessary amounts.

Currently, tribal and state boxing commissions act as governing bodies—issuing licenses, ensuring boxing safety, and monitoring boxing contracts and fights within their jurisdiction. The USBA would not replace these entities or the activities they undertake, although the bill would specify the minimum safety standards and licensing requirements those entities must maintain. S. 275 would create a separate, Federal entity to govern the sport of boxing, with national, minimal standards and requirements for the business of professional boxing.

United States Boxing Administration. S. 275 would create the USBA within the Department of Labor. It would be headed by an administrator to be named by the President. In addition to that position, the bill would allow the hiring of the necessary staff to fulfill the requirements of the bill. The USBA would issue regulations concerning the ranking of boxers by sanctioning organizations, min-

imum safety standards for boxing matches, minimum contractual requirements, and other issues. The bill also would require the USBA to monitor compliance with issued regulations (including on-site checks of compliance with health and safety standards). In addition, the USBA would have to process submitted contracts for boxing matches and approve certain types of boxing matches they would occur.

CBO estimates that the USBA would employ about 30 people (including 3 senior executives, about 20 people at the GS-12 or GS-13 level, and less than 10 support staff) to write regulations, inspect boxing matches, and establish and maintain the registries, among other activities. Assuming the appropriation of the necessary amounts, CBO estimates the cost of salaries and other benefits for these individuals would be \$3 million in 2004 and \$18 million over the 2004–2008 period. In addition to those costs, CBO estimates the cost of leasing office space, travel to and from matches, office equipment, and other costs would be \$1 million in 2003 and \$6 million over the 2004–2008 period.

Licensing and Registration. S. 275 would require the USBA to license boxers, managers, and promoters every two to four years. CBO assumes that license fees would be similar to those now currently charged by boxing commissions. The bill would require the USBA to maintain a registry with the names of licensed boxers, managers, and promoters, as well as boxing judges and referees. Based on spending for similar registries, CBO estimates the cost of developing the boxing registry would be \$2 million over the 2004–2007 period, assuming the appropriation of the necessary amount. CBO estimates that the licensing fees (considered offsetting collections) would offset the cost of maintaining the registry by 2007.

The bill also would establish a medical registry that would contain information about the health of each boxer, including medical records and incidents of medical suspensions. CBO estimates that developing and maintaining the medical registry would cost about \$2 million in 2004 and \$8 million over the 2004–2008 period, assuming the appropriation of the necessary amounts.

Boxer-Safety Provisions. S. 275 would establish minimum safety standards for boxing matches. The bill would require that boxers be tested for infectious diseases prior to competing. The bill would require disclosure of potential injuries to all boxers at the time of registry with a boxing commission. Professional boxing officials have indicated that these activities are generally current practice, but the USBA would have to monitor compliance with these provisions. The estimated cost of monitoring boxer health and safety is included above in the cost of establishing the USBA.

Direct spending and revenues

The bill would allow the Attorney General of the United States to pursue criminal actions against certain persons in violation of the statute. The law already allows criminal prosecution of managers, promoters, matchmakers, and licensees. Because those prosecuted and convicted under S. 275 could be subject to criminal fines, the federal government might collect additional fines if the bill is enacted. Collections of such fines are recorded in the budget as governmental receipts (revenues), which are deposited in the Crime Victims Fund and spent in subsequent years. CBO expects

that any additional receipts and direct spending would be less than \$500,000 each year.

Estimated impact on State, local, and tribal governments: S. 275 contains intergovernmental mandates as defined in UMRA, because state and tribal boxing commissions would be required to meet certain health and safety standards and reporting requirements. Currently, most boxing commissions maintain a certain level of health and safety standards. This bill would make those standards uniform. It would require boxers to be tested for infectious disease and require commissions to make health and safety disclosures to boxers when they are registered, as well as expand safety requirements for boxing matches. Boxing commissions would be required to report all registries of boxers to the USBA and to meet uniform standards to be set by the administration.

Information from tribes involved in professional boxing and from the Association of Boxing Commissions indicates that many state and tribal boxing commissions already regulate boxing matches using standards similar to those that would be required by this bill. CBO therefore expects any costs associated with additional health and safety measures and other USBA reporting requirements to be minimal.

S. 275 also would give the USBA authority to subpoena witnesses and evidence from any place in the United States, including Indian land. This authority would be considered a mandate under UMRA, but would not be likely to impose significant costs. CBO estimates that the cost of complying with all of the intergovernmental mandates in the bill would not be significant, and thus would not exceed the threshold established in UMRA (\$59 million in 2003, adjusted annually for inflation).

Estimated impact on the private sector: S. 275 would impose several private-sector mandates, as defined by UMRA, on the boxing industry. CBO estimates that the total direct cost of those mandates would fall below the annual threshold established by UMRA for private-sector mandates (\$117 million in 2003, adjusted annually for inflation).

The bill would require boxers, managers, promoters, and sanctioning organizations to be licensed by the USBA established in the bill. According to representatives of the boxing industry, license fees would most likely cost the industry less than \$1 million per year.

The bill also would impose mandates on the industry by requiring additional safety standards, standard clauses for contracts, and the filing of reports. The bill would require boxers, managers, promoters, and sanctioning organizations to meet certain uniform standards addressing the health and safety of boxers. The bill would require certain contract provisions to be included in each bout agreement, boxer-manager contract, and promotional agreement, and would require those agreements to be filed with the USBA. Sanctioning organizations would be required to adopt guidelines to be promulgated by the USBA for the rating of professional boxers. Under the bill, promoters, judges, referees, and sanctioning organizations would be required to report certain information about boxing matches to the USBA. Based on information from the Department of Labor and representatives of the boxing industry, a majority of the industry already complies in large part with the

above requirements under state boxing commission regulations. Therefore, CBO estimates that the incremental cost for the boxing industry to comply with those mandates would fall well below the annual threshold.

In addition, entities in the private sector, if subpoenaed, would be required to attend and provide testimony, evidence, or materials related to any investigations the USBA may conduct. Such a requirement would be a private-sector mandate under UMRA. CBO expects the commission would likely exercise its subpoena power sparingly and that the costs to comply with a subpoena would not be significant.

Estimate prepared by: Federal costs: Alexis Ahlstrom; impact on State, local, and tribal governments: Leo Lex; impact on the private sector: Paige Piper/Bach.

Estimate approved by: Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

REGULATORY IMPACT STATEMENT

In accordance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee provides the following evaluation of the regulatory impact of the legislation, as reported:

NUMBER OF PERSONS COVERED

The legislation would apply to professional boxers, local boxing commissions, boxing promoters, boxing managers, boxing judges and referees, ringside physicians, boxing registries, and sanctioning organizations, as well as premium or other cable or satellite program service providers, casinos, hotels, resorts, and other commercial establishments that may act as promoters. The legislation would not apply to amateur boxing.

ECONOMIC IMPACT

The economic impact of this legislation is expected to be minimal.

PRIVACY

The impact on the personal privacy of the persons covered by this legislation is expected to be minimal. The USBA, in establishing and maintaining a medical registry for all licensed professional boxers, is directed to take appropriate action to ensure the confidentiality of such records.

PAPERWORK

The impact on paperwork is difficult to determine prior to the formation of the USBA. Local boxing commissions may be required by the USBA to perform minimal processing of licensing and boxing data.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title; table of contents

Section 1 would provide that this Act may be cited as the “Professional Boxing Amendments Act of 2003.” This section also provides a table of contents for this Act.

Section 2. Amendment of Professional Boxing Safety Act of 1996

Section 2 would provide that all references to amendments to, or repeal of, certain sections, are to be considered to be made to a section or other provision of the Professional Boxing Safety Act of 1996 (PBSA) (15 U.S.C. 6301 et seq.).

Section 3. Definitions

Subsection (a) would amend section 2 of the PBSA by providing several changes to definitions. Most notable, the term “boxing commission” would be revised to include entities authorized under tribal law to regulate professional boxing. Only State commissions are considered “boxing commissions” under current law. The term “promoter” would be modified to exclude a premium or other cable or satellite program service, hotel, casino, resort, or other commercial establishment, unless the premium or other cable or satellite program service, hotel, casino, resort, or other commercial establishment has a promotional agreement with a boxer in the match, and there is no other person responsible for organizing, promoting, or producing the match engaging as an affiliate of the premium or other cable or satellite program service, hotel, casino, resort, or other commercial establishment.

Subsection (b) would amend section 21 of the PBSA with respect to professional boxing matches conducted on Indian lands. This provision would provide authority to a tribal organization to establish a boxing commission to regulate professional boxing held on tribal land. Should a tribal organization establish a boxing commission, the standards adopted by the tribal organization should be at least as restrictive as the requirements of the State in which the tribal organization is located, or the guidelines established by the USBA.

Section 4. Purposes

Section 4 would amend section 3(2) of the PBSA by striking “State” in “State boxing commissions” to allow tribal organizations to be included as boxing commissions.

Section 5. USBA approval, or ABC or Commission sanction, required for matches

Section 5 would amend section 4 of the PBSA to provide that no person may arrange, promote, organize, produce, or fight in a professional boxing match in the United States without approval by the USBA and supervision by the ABC or by a boxing commission that is a member of the ABC in good standing. Approval by the USBA is presumed unless the USBA has been informed of a violation of the PBSA and has notified the supervising boxing commission that it does not approve, the match is advertised as a championship match, or the match is scheduled for 10 rounds or more.

Section 6. Safety standards

Section 6 would amend section 5 of the PBSA to require that the physical examination currently required by the PBSA include testing for infectious diseases in accordance with standards established by the USBA. This section also would require that an ambulance and medical personnel with appropriate resuscitation equipment be continuously present on the site of professional boxing matches.

Current law requires that either an ambulance or medical personnel with appropriate resuscitation equipment be on site.

Section 7. Registration

Section 7 would amend section 6 of the PBSA to require that State and tribal boxing commissions provide professional boxers with a health and safety disclosure when issuing a boxer a federal identification card currently required under the PBSA. Such disclosure is currently not required, but rather is merely a “Sense of the Congress” in the PBSA. This section also would require that boxing commissions furnish to the USBA a copy of each professional boxer’s registration, as well as the registrations of boxing promoters, managers, and sanctioning organizations.

Section 8. Review

Section 8 would amend section 7 of the PBSA to clarify the appeal procedure should a boxing commission impose a summary suspension on a professional boxer. Current law creates an inference that, not only must a boxing commission establish appeal procedures regarding the suspension of a boxer, but it also must establish procedures to enable a boxer to have a second hearing regarding the revocation of the suspension. This section would clarify the intent of the current law and require that a boxing commission establish procedures to provide a hearing in the event a boxer seeks to contest the imposition of a summary suspension.

Section 9. Reporting

Section 9 would amend section 8 of the PBSA by requiring that supervising boxing commissions report the results of a professional boxing match to the USBA within 2 business days. Under current law, supervising boxing commissions must report results to each boxer registry not later than 48 business hours.

Section 10. Contract requirements

Section 10 would amend section 9 of the PBSA.

Subsection (a) would authorize the USBA, in consultation with the ABC, to develop minimum contractual provisions to be included in all bout agreements, boxer-manager contracts, and promotional agreements. Boxing commissions would be required to ensure that these minimum provisions are included in any such agreements or contracts.

Subsection (b) would require managers or promoters to submit a copy of each boxer-manager contract and each promotional agreement between the manager or promoter and the boxer to the USBA. This subsection also would prohibit a boxing commission from approving a professional boxing match unless a copy of the bout agreement related to the match is filed with and approved by the commission.

Subsection (c) would prohibit a boxing commission from approving a professional boxing match unless the promoter of that match posts a surety bond, cashier’s check, letter of credit, cash, or other security acceptable to the boxing commission. This is intended to ensure that the boxer is paid at the conclusion of each match.

Section 11. Coercive contracts

This section would amend section 10 of the PBSA to establish minimum contractual guidelines for bout agreements, boxer-manager contracts, and promotional agreements.

Section 12. Sanctioning organizations

Section 12 would amend section 11 of the PBSA.

Subsection (a) would require within 1 year after the date of enactment, the USBA, in consultation with the ABC, develop guidelines for written criteria for rating professional boxers based on their athletic merits. Within 90 days of the promulgation of the guidelines, each sanctioning organization would be required to adopt and comply with the guidelines.

Subsection (b) would require sanctioning organizations, when making ratings changes, to post, within 7 days and for a period of not less than 30 days, a copy of the new ratings on its Internet website or homepage with an explanation of the change posted for a period of not less than 30 days, provide a copy of the rating change and an explanation to the boxer and the USBA, provide the boxer an opportunity to appeal the ratings change, and apply the ratings guidelines required under subsection (a) of this section.

Subsection (c) would require sanctioning organizations that receive inquiries from boxers challenging ratings decisions to provide to the boxer, within 7 days, a written explanation of the sanctioning organizations rating criteria, its rating of the boxer, and its rationale or basis for its rating, and submit a copy of its explanation to the ABC and the USBA.

Section 13. Required disclosures by sanctioning organizations

Section 13 would amend section 12 of the PBSA, which bars a sanctioning organization from receiving compensation from a boxing match until it provides the supervising boxing commission with a statement of fees assessed to the fighter or received for the fight. This section would be modified to require sanctioning organizations to provide, within 7 days after a professional boxing match of 10 rounds or more, a statement of all fees that a sanctioning organization “has assessed, or will assess” to any boxer in the match, a statement of fees that a sanctioning organization “has received, or will receive” from all sources affiliated with a boxing event, and any other information that the supervising boxing commission may require.

Section 14. Required disclosures by promoters

Section 14 would amend section 13 of the PBSA, which bars a promoter from receiving compensation from a boxing match until it provides the supervising boxing commission with certain financial information regarding the match. This section would be amended to require promoters to provide to the supervising boxing commission, within 7 days after a professional boxing match of 10 rounds or more, that same financial information. This section also would require promoters to make similar financial disclosures to each boxer in the match within 7 days after a professional boxing match of 10 rounds or more, including what the promoter has paid, or has agreed to pay, to any other person in connection with the match.

Section 15. Judges and referees

Section 15 would amend section 16 of the PBSA.

Subsection (a) would require that no person may arrange, promote, organize, produce, or fight in a professional match unless the referees and judges participating in the match have been “selected” by the supervising boxing commission. Current law requires that all referees and judges participating in the match are “certified and approved” by the supervising boxing commission.

Subsection (b) would require, in addition to subsection (a), that no person may arrange, promote, organize, produce, or fight in a professional match advertised to the public as a championship match or in a match scheduled for 10 rounds or more unless the referees and judges participating in the match have been licensed by the USBA.

Subsection (c) would prohibit sanctioning organizations from influencing, directly or indirectly, the selection of judges and referees but would allow the organizations to provide a list of judges or referees that the sanctioning organization deems qualified.

Subsection (d) would permit a supervising boxing commission to select judges and referees who reside outside a commission’s jurisdiction, but only if the judges or referees are licensed by a boxing commission in the United States.

Subsection (e) would require that a judge or referee provide to a supervising boxing commission a statement of all consideration, including reimbursement for expenses, that the judge or referee has received, or will receive, from any source for participation in the match. This statement also would be provided to the USBA if the match is scheduled for 10 rounds or more.

Section 16. Medical registry

Section 16 would create a new section 14 in the PBSA.

Subsection (a) would require that the USBA, in consultation with the ABC, establish and maintain, or certify a third party to establish and maintain, a medical registry to contain the comprehensive medical records and medical denials or suspensions for every licensed boxer in the United States.

Subsection (b) would direct the USBA to determine the nature of the medical records to be forwarded to the USBA and the time within which they are to be submitted to the registry.

Subsection (c) would require the USBA to establish confidentiality standards for the disclosure of personally-identifiable information to boxing commissions to ensure that the information is used for the intended purpose, which is to protect the health and safety of professional boxers, and that it is not publicly disclosed.

Section 17. Conflicts of interest

Section 17 would amend section 17(a) of the PBSA by including officers and employees of the USBA in the current list of persons who may not “belong to, contract with, or receive any compensation from, any person who sanctions, arranges, or promotes professional boxing matches or who otherwise has a financial interest in an active boxer currently registered with a boxer registry.”

Section 18. Enforcement

Section 18 would amend section 18 of the PBSA. Under the PBSA, the United States Attorney General has the authority to bring a civil action in the appropriate district court to prevent or punish a violation of the PBSA. This section would expand that authority to include criminal actions. This section also would make officers and employees of the USBA subject to civil or criminal action for violation of the PBSA. This section would allow the chief law enforcement officer of a State to bring an action if that officer has reason to believe that a person “has engaged in, or is engaging” in conduct that violates the PBSA. Current law only allows the chief law enforcement officer of a State to act while the violator is engaging in, but not after, the unlawful conduct.

Section 19. Repeal of deadwood

Section 19 would repeal section 20 of the PBSA, which required the Secretary of Labor to conduct a study on the feasibility and cost of a national pension system for professional boxers and report the results to Congress. Section 20 of the PBSA also required the Secretary of Health and Human Services “to conduct a study to develop recommendations for health, safety, and equipment standards for boxers and for professional boxing matches.” These requirements are no longer necessary.

Section 20. Recognition of tribal law

Section 20 would amend section 22 of the PBSA by allowing tribal organizations, not just States, to adopt or enforce supplemental or more stringent laws or regulations not inconsistent with the PBSA, or criminal, civil, or administrative fines for violations of such laws or regulations.

Section 21. Establishment of United States Boxing Administration

Subsection (a) would amend the PBSA by adding a new title II establishing the USBA, as follows:

Section 201. Purpose

This section states that the purpose of the USBA is to protect the health, safety, and welfare of boxers and to ensure fairness in the sport of professional boxing.

Section 202. Establishment of United States Boxing Administration

This section would establish the United States Boxing Administration as an administration within the Department of Labor.

Subsection (a) would provide for the USBA to be headed by an Administrator, appointed by the President, by and with the advice and consent of the Senate. This subsection also would provide that the qualifications of the Administrator shall include experience in professional boxing or professional sports, outstanding character, U.S. citizenship, and his/her selection would be without regard to political party affiliation. The subsection also would establish the term of the Administrator to be for a 4-year period.

Subsection (b) would provide that the USBA also shall have an Assistant Administrator and a General Counsel.

Subsection (c) would provide that the USBA may have staff necessary to carry out the function of the Administration.

Section 203. Functions

Subsection (a) would provide the primary functions of the USBA.

Subsection (b) lists the specific functions of the USBA.

Subsection (c) would provide that the USBA may not promote boxing events or rank professional boxers, or provide technical assistance to, or authorize the use of the name of the USBA by, boxing commissions that do not comply with the requirements of the USBA.

Subsection (d) would provide that the USBA shall have the exclusive right to the name "United States Boxing Administration." This subsection also provides that any person who uses the name, USBA, without permission is subject to a civil action by the Administration under the Trademark Act of 1946.

Section 204. Licensing and registration of boxing personnel

Subsection (a) would require that boxers, managers, promoters, and sanctioning organizations be licensed by the USBA to participate in a professional boxing match. The USBA shall establish procedures and fees for applying for, granting, and issuing licenses. Licenses issued by the USBA would be for 4-year periods for professional boxers and 2-year periods for any other person. The USBA may issue licenses through State and tribal boxing commissions.

Subsection (b) would authorize the USBA to prescribe and charge reasonable licensing fees. In setting fees, this subsection cautions that, to the maximum extent possible, the USBA should ensure that club boxing is not adversely affected, sanctioning organizations and promoters pay the largest portion of the fees, and boxers pay as small a portion as possible. The USBA may collect fees through boxing commissions.

Section 205. National registry of boxing personnel

Subsection (a) would require the USBA, in consultation with the ABC, to establish (or certify a third party to establish) a national registry of boxing personnel. This registry is to include relevant information about boxers, as well as information on promoters, matchmakers, managers, trainers, cut men, referees, judges, physicians, and any other professional boxing personnel deemed appropriate by the USBA.

Section 206. Consultation requirements

This section would require the USBA to consult with boxing commissions before prescribing any regulation or establishing any standard, and not less than once each year regarding matters related to professional boxing.

Section 207. Misconduct

Subsection (a) would authorize the USBA, after notice and opportunity for a hearing, to suspend or revoke any license issued under this title if the USBA finds that such action is necessary to protect health and safety or is otherwise in the public interest; there are reasonable grounds to believe that a USBA standard is not being met or that certain criminal acts have occurred; or the licensee has violated a provision of the PBSA. The USBA would determine the period of suspension. In the case of a revocation of the license of

a boxer, the revocation would be for a period of not less than one year.

Subsection (b) would authorize the USBA to conduct investigations and seek injunctions to further the purposes of the PBSA. This subsection also would authorize the USBA to subpoena, administer oaths and affirmations, and require the production of information.

Subsection (c) would authorize the USBA to intervene or file an amicus brief on behalf of the public interest in any civil action relating to professional boxing filed in a United States district court.

Subsection (d) would require that hearings conducted by the USBA be public and may be held before any officer of the USBA or before a boxing commission that is a member of the ABC.

Section 208. Noninterference with local boxing authorities

Subsection (a) would provide that nothing in this title shall prohibit any boxing commission from exercising its powers, duties, or functions with respect to the regulation or supervision of professional boxing to the extent such exercises are not inconsistent with this title.

Subsection (b) would provide that nothing in this title prohibits any boxing commission from enforcing local standards or requirements that exceed those promulgated by the USBA.

Section 209. Assistance from other agencies

This section would authorize the USBA to request that any employee of a Federal entity be detailed to the USBA on a reimbursable or nonreimbursable basis with the relevant entity's consent.

Section 210. Reports

Subsection (a) would require the USBA to submit an annual report to the Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Energy and Commerce. The report shall include a detailed discussion of the activities of the USBA and an overview of the licensing and enforcement activities of boxing commissions.

Subsection (b) would require the USBA to publish and publicize an annual report regarding the progress made to reform professional boxing at the Federal and State levels, including on Indian lands, and comment on continuing concerns of the USBA.

Subsection (c) would require that the first annual report be submitted not later than 2 years after the effective date of this title.

Section 211. Initial implementation

Subsection (a) would provide that the licensing requirements of this title do not apply to boxers, judges or referees, or any other activity in relation to professional boxing, if the person is licensed by a boxing commission to perform that activity as of the effective date of this title.

Subsection (b) would provide that the exemption in subsection (a) expires on the earlier of the date on which the license expires, or the date that is 2 years after the date of enactment of this legislation.

Section 212. Authorization of appropriations

Subsection (a) would authorize such sums as may be necessary to be appropriated to the USBA for each fiscal year such sums as may be necessary to perform its functions for that fiscal year.

Subsection (b) would provide that any fee collected under this title be credited as offsetting collections to the account that finances the USBA.

Subsection (c) would provide several conforming amendments.

Section 22. Effective date

Subsection (a) would provide that, except as provided in subsection (b), the amendments made by this legislation will take effect on the date of enactment of this legislation.

Subsection (b) would provide that sections 205 through 212 of the PBSA as added by section 21 (a) of this legislation, will take effect 1 year after the date of enactment of this legislation.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new material is printed in italic, existing law in which no change is proposed is shown in roman):

PROFESSIONAL BOXING SAFETY ACT OF 1996

[15 U.S.C. 6301 et seq.]

[SECTION 1. SHORT TITLE.

[This Act may be cited as the “Professional Boxing Safety Act of 1996”.]

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE.*—*This Act may be cited as the “Professional Boxing Safety Act”.*

(b) *TABLE OF CONTENTS.*—*The table of contents for this Act is as follows:*

Section 1. Short title; table of contents.

Sec. 2. Definitions.

Title I—Professional Boxing Safety

Sec. 101. Purposes.

Sec. 102. Approval or sanction requirement.

Sec. 103. Safety standards.

Sec. 104. Registration.

Sec. 105. Review.

Sec. 106. Reporting.

Sec. 107. Contract requirements.

Sec. 108. Protection from coercive contracts.

Sec. 109. Sanctioning organizations.

Sec. 110. Required disclosures to state boxing commissions by sanctioning organizations.

Sec. 111. Required disclosures by promoters.

Sec. 112. Medical registry.

Sec. 113. Confidentiality.

Sec. 114. Judges and referees.

Sec. 115. Conflicts of interest.

Sec. 116. Enforcement.

Sec. 117. Professional boxing matches conducted on Indian lands.

- Sec. 118. Relationship with State or tribal law.*
Title II—United States Boxing Administration
Sec. 201. Purpose.
Sec. 202. Establishment of United States Boxing Administration.
Sec. 203. Functions.
Sec. 204. Licensing and registration of boxing personnel.
Sec. 205. National registry of boxing personnel.
Sec. 206. Consultation requirements.
Sec. 207. Misconduct.
Sec. 208. Noninterference with local boxing authorities.
Sec. 209. Assistance from other agencies.
Sec. 210. Reports.
Sec. 211. Initial implementation.
Sec. 212. Authorization of appropriations.

[SEC. 2. DEFINITIONS. [15 U.S.C. 6301]

[For purposes of this Act:

[(1) BOXER.—The term “boxer” means an individual who fights in a professional boxing match.

[(2) BOXING COMMISSION.—(A) The term “boxing commission” means an entity authorized under State law to regulate professional boxing matches.

[(3) BOXER REGISTRY.—The term “boxer registry” means any entity certified by the Association of Boxing Commissions for the purposes of maintaining records and identification of boxers.

[(4) LICENSEE.—The term “licensee” means an individual who serves as a trainer, second, or cut man for a boxer.

[(5) MANAGER.—The term “manager” means a person who receives compensation for service as an agent or representative of a boxer.

[(6) MATCHMAKER.—The term “matchmaker” means a person that proposes, selects, and arranges the boxers to participate in a professional boxing match.

[(7) PHYSICIAN.—The term “physician” means a doctor of medicine legally authorized to practice medicine by the State in which the physician performs such function or action.

[(8) PROFESSIONAL BOXING MATCH.—The term “professional boxing match” means a boxing contest held in the United States between individuals for financial compensation. Such term does not include a boxing contest that is regulated by an amateur sports organization.

[(9) PROMOTER.—The term “promoter” means the person primarily responsible for organizing, promoting, and producing a professional boxing match. The term “promoter” does not include a hotel, casino, resort, or other commercial establishment hosting or sponsoring a professional boxing match unless—

[(A) the hotel, casino, resort, or other commercial establishment is primarily responsible for organizing, promoting, and producing the match; and

[(B) there is no other person primarily responsible for organizing, promoting, and producing the match.

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

[(11) EFFECTIVE DATE OF THE CONTRACT.—The term “effective date of the contract” means the day upon which a boxer becomes legally bound by the contract.

[(12) BOXING SERVICE PROVIDER.—The term “boxing service provider” means a promoter, manager, sanctioning body, licensee, or matchmaker.]

[(13) CONTRACT PROVISION.—The term “contract provision” means any legal obligation between a boxer and a boxing service provider.]

[(14) SANCTIONING ORGANIZATION.—The term “sanctioning organization” means an organization that sanctions professional boxing matches in the United States—

[(A) between boxers who are residents of different States; or

[(B) that are advertised, otherwise promoted, or broadcast (including closed circuit television) in interstate commerce.]

[(15) SUSPENSION.—The term “suspension” includes within its meaning the revocation of a boxing license.]

SEC. 2. DEFINITIONS.

In this Act:

(1) ADMINISTRATION.—*The term “Administration” means the United States Boxing Administration.*

(2) BOUT AGREEMENT.—*The term “bout agreement” means a contract between a promoter and a boxer that requires the boxer to participate in a professional boxing match with a designated opponent on a particular date.*

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

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

(5) BOXER REGISTRY.—*The term “boxer registry” means any entity certified by the Administration for the purposes of maintaining records and identification of boxers.*

(6) BOXING SERVICE PROVIDER.—*The term “boxing service provider” means a promoter, manager, sanctioning body, licensee, or matchmaker.*

(7) CONTRACT PROVISION.—*The term “contract provision” means any legal obligation between a boxer and a boxing service provider.*

(8) INDIAN LANDS; INDIAN TRIBE.—*The terms “Indian lands” and “Indian tribe” have the meanings given those terms by paragraphs (4) and (5), respectively, of section 4 of the Indian Gaming Regulatory Act (25 U.S.C. 2703).*

(9) LICENSEE.—*The term “licensee” means an individual who serves as a trainer, second, or cut man for a boxer.*

(10) LOCAL BOXING AUTHORITY.—*The term “local boxing authority” means—*

(A) any agency of a State, or of a political subdivision of a State, that has authority under the laws of the State to regulate professional boxing; and

(B) any agency of an Indian tribe that is authorized by the Indian tribe or the governing body of the Indian tribe to regulate professional boxing on Indian lands.

(11) MANAGER.—*The term “manager” means a person who, under contract, agreement, or other arrangement with a boxer, undertakes to control or administer, directly or indirectly, a*

boxing-related matter on behalf of that boxer, including a person who is a booking agent for a boxer.

(12) *MATCHMAKER*.—The term “matchmaker” means a person that proposes, selects, and arranges for boxers to participate in a professional boxing match.

(13) *PHYSICIAN*.—The term “physician” means a doctor of medicine legally authorized to practice medicine by the State in which the physician performs such function or action.

(14) *PROFESSIONAL BOXING MATCH*.—The term “professional boxing match” means a boxing contest held in the United States between individuals for financial compensation. The term “professional boxing match” does not include a boxing contest that is regulated by a duly recognized amateur sports organization, as approved by the Administration.

(15) *PROMOTER*.—

(A) *IN GENERAL*.—The term “promoter” means the person responsible for organizing, promoting, and producing a professional boxing match.

(B) *NON-APPLICATION TO CERTAIN ENTITIES*.—The term “promoter” does not include a premium or other cable or satellite program service, hotel, casino, resort, or other commercial establishment hosting or sponsoring a professional boxing match unless it—

(i) is responsible for organizing, promoting, and producing the match; and

(ii) has a promotional agreement with a boxer in that match.

(C) *ENTITIES ENGAGING IN PROMOTIONAL ACTIVITIES THROUGH AN AFFILIATE*.—Notwithstanding subparagraph (B), an entity described in that subparagraph shall be considered to be a promoter if the person responsible for organizing, promoting, and producing a professional boxing match—

(i) is directly or indirectly under the control of, under common control with, or acting at the direction of that entity; and

(ii) organizes, promotes, and produces the match at the direction or request of the entity.

(16) *PROMOTIONAL AGREEMENT*.—The term “promotional agreement” means a contract between any person and a boxer under which the boxer grants to that person the right to secure and arrange all professional boxing matches requiring the boxer’s services for—

(A) a prescribed period of time; or

(B) a prescribed number of professional boxing matches.

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

(18) *SANCTIONING ORGANIZATION*.—The term “sanctioning organization” means an organization, other than a boxing commission, that sanctions professional boxing matches, ranks professional boxers, or charges a sanctioning fee for professional boxing matches in the United States—

(A) between boxers who are residents of different States;

or

- (B) *that are advertised, otherwise promoted, or broadcast (including closed circuit television) in interstate commerce.*
- (19) *SUSPENSION.—The term “suspension” includes within its meaning the temporary revocation of a boxing license.*
- (20) *TRIBAL ORGANIZATION.—The term “tribal organization” has the same meaning as in section 4(l) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(l)).*

TITLE I—PROFESSIONAL BOXING SAFETY

SEC. [3.] 101. PURPOSES. [15 U.S.C. 6302]

The purposes [of this Act] *of this title* are—

- (1) to improve and expand the system of safety precautions that protects the welfare of professional boxers; and
- (2) to assist [State] boxing commissions to provide proper oversight for the professional boxing industry in the United States.

[SEC. 4. BOXING MATCHES IN STATES WITHOUT BOXING COMMISSIONS. [15 U.S.C. 6303]

[(a) No person may arrange, promote, organize, produce, or fight in a professional boxing match held in a State that does not have a boxing commission unless the match is supervised by a boxing commission from another State and subject to the most recent version of the recommended regulatory guidelines certified and published by the Association of Boxing Commissions as well as any additional relevant professional boxing regulations and requirements of such other State.

[(b) For the purpose [of this Act] *of this title*, if no State commission is available to supervise a boxing match according to subsection (a), then—

- [(1) the match may not be held unless it is supervised by an association of boxing commissions to which at least a majority of the States belong; and
- [(2) any reporting or other requirement relating to a supervising commission allowed under this section.]

SEC. [4.] 102. APPROVAL OR SANCTION REQUIREMENT.

(a) *IN GENERAL.—No person may arrange, promote, organize, produce, or fight in a professional boxing match within the United States unless the match—*

- (1) is approved by the Administration; and*
- (2) is supervised by the Association of Boxing Commissions or by a boxing commission that is a member in good standing of the Association of Boxing Commissions.*

(b) *APPROVAL PRESUMED.—For purposes of subsection (a), the Administration shall be presumed to have approved any match other than—*

- (1) a match with respect to which the Administration has been informed of an alleged violation [of this Act] of this title and with respect to which it has notified the supervising boxing commission that it does not approve;*
- (2) a match advertised to the public as a championship match; or*

(3) *a match scheduled for 10 rounds or more.*

SEC. [5.] 103. SAFETY STANDARDS. [15 U.S.C. 6304]

No person may arrange, promote, organize, produce, or fight in a professional boxing match without meeting each of the following [requirements or an alternative requirement in effect under regulations of a boxing commission that provides equivalent protection of the health and safety of boxers:] *requirements:*

(1) A physical examination of each boxer by a physician certifying whether or not the boxer is physically fit to safely compete, copies of which must be provided to the boxing commission. *The examination shall include testing for infectious diseases in accordance with standards established by the Administration.*

[(2) Except as otherwise expressly provided under regulation of a boxing commission promulgated subsequent to the enactment of this Act, an ambulance or medical personnel with appropriate resuscitation equipment continuously present on site.]

(2) *An ambulance continuously present on site.*

(3) *Emergency medical personnel with appropriate resuscitation equipment continuously present on site.*

[(3)] (4) A physician continuously present at ringside.

[(4)] (5) Health insurance for each boxer to provide medical coverage for any injuries sustained in the [match.] *match in an amount prescribed by the Administration.*

SEC. [6.] 104. REGISTRATION. [15 U.S.C. 6305]

(a) REQUIREMENTS.—Each boxer shall register with—

(1) the boxing commission of the State in which such boxer resides; or

(2) in the case of a boxer who is a resident of a foreign country, or a State in which there is no boxing commission, the boxing commission of any State *or Indian tribe* that has such a commission.

(b) IDENTIFICATION CARD.—

(1) ISSUANCE.—A boxing commission shall issue to each professional boxer who registers in accordance with subsection (a), an identification card that contains each of the following:

(A) A recent photograph of the boxer.

(B) The social security number of the boxer (or, in the case of a foreign boxer, any similar citizen identification number or professional boxer number from the country of residence of the boxer).

(C) A personal identification number assigned to the boxer by a boxing registry.

(2) RENEWAL.—Each professional boxer shall renew his or her identification card at least once every 4 years.

(3) PRESENTATION.—Each professional boxer shall present his or her identification card to the appropriate boxing commission not later than the time of the weigh-in for a professional boxing match.

(c) HEALTH AND SAFETY DISCLOSURES.—[It is the sense of the Congress that a boxing commission should, upon issuing an identification card to a boxer under subsection (b)(1), make a health and safety disclosure to that boxer as that commission considers appro-

priate.] *A boxing commission shall, in accordance with requirements established by the Administration, make a health and safety disclosure to a boxer when issuing an identification card to that boxer. The health and safety disclosure [should] shall, at a minimum, include the health and safety risks associated with boxing, and, in particular, the risk and frequency of brain injury and the advisability that a boxer periodically undergo medical procedures designed to detect brain injury.*

(d) COPY OF REGISTRATION AND IDENTIFICATION CARDS TO BE SENT TO ADMINISTRATION.—A boxing commission shall furnish a copy of each registration received under subsection (a), and each identification card issued under subsection (b), to the Administration.

SEC. [7.] 105. REVIEW. [15 U.S.C. 6306]

[(a) PROCEDURES.—]Each boxing commission shall establish each of the following procedures:

(1) Procedures to evaluate the professional records and physician's certification of each boxer participating in a professional boxing match in the State, and to deny authorization for a boxer to fight where appropriate.

(2) Procedures to ensure [that, except as provided in subsection (b), no] *that no* boxer is permitted to box while under suspension from any boxing commission due to—

(A) a recent knockout or series of consecutive losses;

(B) an injury, requirement for a medical procedure, or physician denial of certification;

(C) failure of a drug test;

(D) the use of false aliases, or falsifying, or attempting to falsify, official identification cards or documents; or

(E) unsportsmanlike conduct or other inappropriate behavior inconsistent with generally accepted methods of competition in a professional boxing match.

[(3) Procedures to review a suspension where appealed by a boxer, licensee, manager, matchmaker, promoter, or other boxing service provider, including an opportunity for a boxer, licensee, manager, matchmaker, promoter, or other boxing service provider to present contradictory evidence.

[(4) Procedures to revoke a suspension where a boxer—

[(A) was suspended under subparagraph (A) or (B) of paragraph (2) of this subsection, and has furnished further proof of a sufficiently improved medical or physical condition; or

[(B) furnishes proof under subparagraph (C) or (D) of paragraph (2) that a suspension was not, or is no longer, merited by the facts.]

(3) Procedures to review a summary suspension when a hearing before the boxing commission is requested by a boxer, licensee, manager, matchmaker, promoter, or other boxing service provider which provides an opportunity for that person to present evidence.

[(b) SUSPENSION IN ANOTHER STATE.—]A boxing commission may allow a boxer who is under suspension in any State to participate in a professional boxing match—

[(1) for any reason other than those listed in subsection (a) if such commission notifies in writing and consults with the

designated official of the suspending State's boxing commission prior to the grant of approval for such individual to participate in that professional boxing match; or

[(2) if the boxer appeals to the Association of Boxing Commissions, and the Association of Boxing Commissions determines that the suspension of such boxer was without sufficient grounds, for an improper purpose, or not related to the health and safety of the boxer or the purposes of this Act.]

SEC. [8.] 106. REPORTING. [15 U.S.C. 6307]

Not later than [48 business hours] 2 *business days* after the conclusion of a professional boxing match, the supervising boxing commission shall report the results of such [boxing] *boxing* match and any related suspensions to [each boxer registry.] *the Administration.*

[SEC. 9. CONTRACT REQUIREMENTS. [15 U.S.C. 6307a]

[Within 2 years after the date of the enactment of the Muhammad Ali Boxing Reform Act, the Association of Boxing Commissions (ABC) shall develop and shall approve by a vote of no less than a majority of its member State boxing commissioners, guidelines for minimum contractual provisions that should be included in bout agreements and boxing contracts. It is the sense of the Congress that State boxing commissions should follow these ABC guidelines.]

SEC. [9.] 107. CONTRACT REQUIREMENTS.

(a) *IN GENERAL.*—*The Administration, in consultation with the Association of Boxing Commissions, shall develop guidelines for minimum contractual provisions that shall be included in each bout agreement, boxer-manager contract, and promotional agreement. Each boxing commission shall ensure that these minimal contractual provisions are present in any such agreement or contract submitted to it.*

(b) *FILING AND APPROVAL REQUIREMENTS.*—

(1) *ADMINISTRATION.*—*A manager or promoter shall submit a copy of each boxer-manager contract and each promotional agreement between that manager or promoter and a boxer to the Administration, and, if requested, to the boxing commission with jurisdiction over the bout.*

(2) *BOXING COMMISSION.*—*A boxing commission may not approve a professional boxing match unless a copy of the bout agreement related to that match has been filed with it and approved by it.*

(c) *BOND OR OTHER SURETY.*—*A boxing commission may not approve a professional boxing match unless the promoter of that match has posted a surety bond, cashier's check, letter of credit, cash, or other security with the boxing commission in an amount acceptable to the boxing commission.*

SEC. [10.] 108. PROTECTION FROM COERCIVE CONTRACTS. [15 U.S.C. 6307b]

(a) *GENERAL RULE.*—

(1)(A) A contract provision shall be considered to be in restraint of trade, contrary to public policy, and unenforceable against any boxer to the extent that it—

(i) is a coercive provision described in subparagraph (B) and is for a period greater than 12 months; or

(ii) is a coercive provision described in subparagraph (B) and the other boxer under contract to the promoter came under that contract pursuant to a coercive provision described in subparagraph (B).

(B) A coercive provision described in this subparagraph is a contract provision that grants any rights between a boxer and a promoter, or between promoters with respect to a boxer, if the boxer is required to grant such rights, or a boxer's promoter is required to grant such rights with respect to a boxer to another promoter, as a condition precedent to the boxer's participation in a professional boxing match against another boxer who is under contract to the promoter.

(2) This subsection shall only apply to contracts entered into after the date of the enactment of the Muhammad Ali Boxing Reform Act.

[(3) No subsequent contract provision extending any rights or compensation covered in paragraph (1) shall be enforceable against a boxer if the effective date of the contract containing such provision is earlier than 3 months before the expiration of the relevant time period set forth in paragraph (1).]

(b) PROMOTIONAL RIGHTS UNDER MANDATORY BOUT CONTRACTS.—No boxing service provider may require a boxer to grant any future promotional rights as a requirement of competing in a professional boxing match that is a mandatory or *elimination* bout under the rules of a sanctioning organization.

(c) PROTECTION FROM COERCIVE CONTRACTS WITH BROADCASTERS.—Subsection (a) of this section applies to any contract between a commercial broadcaster and a boxer, or granting any rights with respect to that boxer, involving a broadcast in or affecting interstate commerce, regardless of the broadcast medium. For the purpose of this subsection, any reference in subsection (a)(1)(B) to “promoter” shall be considered a reference to “commercial broadcaster”.

[SEC. 11. SANCTIONING ORGANIZATIONS. [15 U.S.C. 6307c]

[(a) OBJECTIVE CRITERIA.—Within 2 years after the date of the enactment of the Muhammad Ali Boxing Reform Act, the Association of Boxing Commissions shall develop and shall approve by a vote of no less than a majority of its member State boxing commissioners, guidelines for objective and consistent written criteria for the ratings of professional boxers. It is the sense of the Congress that sanctioning bodies and State boxing commissions should follow these ABC guidelines.

[(b) APPEALS PROCESS.—A sanctioning organization shall not be entitled to receive any compensation, directly or indirectly, in connection with a boxing match, until it provides the boxers with notice that the sanctioning organization shall, within 7 days after receiving a request from a boxer questioning that organization's rating of the boxer—

[(1) provide to the boxer a written explanation of the organization's criteria, its rating of the boxer, and the rationale or basis for its rating (including a response to any specific questions submitted by the boxer); and

[(2) submit a copy of its explanation to the Association of Boxing Commissions.

[(c) NOTIFICATION OF CHANGE IN RATING.—A sanctioning organization shall not be entitled to receive any compensation, directly or indirectly, in connection with a boxing match, until, with respect to a change in the rating of a boxer previously rated by such organization in the top 10 boxers, the organization—

[(1) posts a copy, within 7 days of such change, on its Internet website or home page, if any, including an explanation of such change, for a period of not less than 30 days; and

[(2) provides a copy of the rating change and explanation to an association to which at least a majority of the State boxing commissions belong.

[(d) PUBLIC DISCLOSURE.—

[(1) FEDERAL TRADE COMMISSION FILING.—A sanctioning organization shall not be entitled to receive any compensation directly or indirectly in connection with a boxing match unless, not later than January 31 of each year, it submits to the Federal Trade Commission and to the ABC—

[(A) a complete description of the organization's ratings criteria, policies, and general sanctioning fee schedule;

[(B) the bylaws of the organization;

[(C) the appeals procedure of the organization for a boxer's rating; and

(D) a list and business address of the organization's officials who vote on the ratings of boxers.

[(2) FORMAT; UPDATES.—A sanctioning organization shall—

[(A) provide the information required under paragraph (1) in writing, and, for any document greater than 2 pages in length, also in electronic form; and

[(B) promptly notify the Federal Trade Commission of any material change in the information submitted.

[(3) FEDERAL TRADE COMMISSION TO MAKE INFORMATION AVAILABLE TO PUBLIC.—The Federal Trade Commission shall make information received under this subsection available to the public. The Commission may assess sanctioning organizations a fee to offset the costs it incurs in processing the information and making it available to the public.

[(4) INTERNET ALTERNATIVE.—In lieu of submitting the information required by paragraph (1) to the Federal Trade Commission, a sanctioning organization may provide the information to the public by maintaining a website on the Internet that—

[(A) is readily accessible by the general public using generally available search engines and does not require a password or payment of a fee for full access to all the information;

[(B) contains all the information required to be submitted to the Federal Trade Commission by paragraph (1) in an easy to search and use format; and

[(C) is updated whenever there is a material change in the information.]

SEC. [11.] 109. SANCTIONING ORGANIZATIONS.

(a) *OBJECTIVE CRITERIA.*—*Within 1 year after the date of enactment of the Professional Boxing Amendments Act of 2003, the Administration shall develop guidelines for objective and consistent written criteria for the rating of professional boxers based on the*

athletic merits of the boxers. Within 90 days after the Administration's promulgation of the guidelines, each sanctioning organization shall adopt the guidelines and follow them.

(b) **NOTIFICATION OF CHANGE IN RATING.**—A sanctioning organization shall, with respect to a change in the rating of a boxer previously rated by such organization in the top 10 boxers—

(1) post a copy, within 7 days after the change, on its Internet website or home page, if any, including an explanation of the change, for a period of not less than 30 days;

(2) provide a copy of the rating change and a thorough explanation in writing under penalty of perjury to the boxer and the Administration;

(3) provide the boxer an opportunity to appeal the ratings change to the sanctioning organization; and

(4) apply the objective criteria for ratings required under subsection (a) in considering any such appeal.

(c) **CHALLENGE OF RATING.**—If, after disposing with an appeal under subsection (b)(3), a sanctioning organization receives a petition from a boxer challenging that organization's rating of the boxer, it shall (except to the extent otherwise required by the Administration), within 7 days after receiving the petition—

(1) provide to the boxer a written explanation under penalty of perjury of the organization's rating criteria, its rating of the boxer, and the rationale or basis for its rating (including a response to any specific questions submitted by the boxer); and

(2) submit a copy of its explanation to the Association of Boxing Commissions and the Administration.

SEC. [12.] 110. REQUIRED DISCLOSURES TO STATE BOXING COMMISSIONS BY SANCTIONING ORGANIZATIONS. [15 U.S.C. 6307d]

[A sanctioning organization shall not be entitled to receive any compensation directly or indirectly in connection with a boxing match until it provides to the boxing commission responsible for regulating the match in a State a statement of—] Within 7 days after a professional boxing match of 10 rounds or more, the sanctioning organization for that match shall provide to the Administration, and, if requested, to the boxing commission in the State or on Indian land responsible for regulating the match, a statement of—

(1) all charges, fees, and costs the organization **[will assess]** *has assessed, or will assess*, any boxer participating in that match;

(2) all payments, benefits, complimentary benefits, and fees the organization **[will receive]** *has received, or will receive*, for its affiliation with the event, from the promoter, host of the event, and all other sources; and

(3) such additional information as the commission may require.

SEC. [13.] 111. REQUIRED DISCLOSURES FOR PROMOTERS. [15 U.S.C. 6307e]

[(a) DISCLOSURES TO THE BOXING COMMISSIONS.—A promoter shall not be entitled to receive any compensation directly or indirectly in connection with a boxing match until it provides to the boxing commission responsible for regulating the match in a State a statement of—]

(a) DISCLOSURES TO BOXING COMMISSIONS AND ADMINISTRATION.—Within 7 days after a professional boxing match of 10

rounds or more, the promoter of any boxer participating in that match shall provide to the Administration, and, if requested, to the boxing commission in the State or on Indian land responsible for regulating the match—

(1) a copy of any agreement in **[writing]** *writing, other than a bout agreement previously provided to the commission, to which the promoter is a party with any boxer participating in the match;*

(2) a statement made under penalty of perjury that there are no other agreements, written or oral, between the promoter and the boxer with respect to that match; and

(3)(A) **[all fees, charges, and expenses that will be]** *a statement of all fees, charges, and expenses that have been, or will be, assessed by or through the promoter on the boxer pertaining to the event, including any portion of the boxer's purse that the promoter will receive, and training expenses;*

(B) *a statement of all payments, gifts, or benefits the promoter is providing to any sanctioning organization affiliated with the event; and*

(C) *a statement of any reduction in a boxer's purse contrary to a previous agreement between the promoter and the boxer or a purse bid held for the event.*

(b) **DISCLOSURES TO THE BOXER.**—**[A promoter shall not be entitled to receive any compensation directly or indirectly in connection with a boxing match until it provides to the boxer it promotes—] Within 7 days after a professional boxing match of 10 rounds or more, the promoter of the match shall provide to each boxer participating in the match with whom the promoter has a promotional agreement a statement of—**

(1) the amounts of any compensation or consideration that a promoter has contracted to receive from such **[match;]** *match, and that the promoter has paid, or agreed to pay, to any other person in connection with the match;*

(2) all fees, charges, and expenses that will be assessed by or through the promoter on the boxer pertaining to the event, including any portion of the boxer's purse that the promoter will receive, and training expenses; and

(3) any reduction in a boxer's purse contrary to a previous agreement between the promoter and the boxer or a purse bid held for the event.

(c) **INFORMATION TO BE AVAILABLE TO STATE ATTORNEY GENERAL.**—A promoter shall make information required to be disclosed under this section available to the chief law enforcement officer of the State in which the match is to be held upon request of such officer.

[SEC. 14. REQUIRED DISCLOSURES FOR JUDGES AND REFEREES. [15 U.S.C. 6307f]

[A judge or referee shall not be entitled to receive any compensation, directly or indirectly, in connection with a boxing match until it provides to the boxing commission responsible for regulating the match in a State a statement of all consideration, including reimbursement for expenses, that will be received from any source for participation in the match.]

SEC. [14.] 112. MEDICAL REGISTRY.

(a) *IN GENERAL.*—The Administration, in consultation with the Association of Boxing Commissions, shall establish and maintain, or certify a third party entity to establish and maintain, a medical registry that contains comprehensive medical records and medical denials or suspensions for every licensed boxer.

(b) *CONTENT; SUBMISSION.*—The Administration shall determine—

- (1) the nature of medical records and medical suspensions of a boxer that are to be forwarded to the medical registry; and
- (2) the time within which the medical records and medical suspensions are to be submitted to the medical registry.

(c) *CONFIDENTIALITY.*—The Administration shall establish confidentiality standards for the disclosure of personally identifiable information to boxing commissions that will—

- (1) protect the health and safety of boxers by making relevant information available to the boxing commissions for use but not public disclosure; and
- (2) ensure that the privacy of the boxers is protected.

SEC. [15.] 113. CONFIDENTIALITY. [15 U.S.C. 6307g]

[(a) *IN GENERAL.*—Neither a boxing commission or an Attorney General may disclose to the public any matter furnished by a promoter under section 13 except to the extent required in a legal, administrative, or judicial proceeding.]]

(a) *IN GENERAL.*—Except to the extent required in a legal, administrative, or judicial proceeding, a boxing commission, an Attorney General, or the Administration may not disclose to the public any matter furnished by a promoter under section 111.

(b) *EFFECT OF CONTRARY STATE LAW.*—If a State law governing a boxing commission requires that information that would be furnished by a promoter under [section 13] section 111 shall be made public, then a promoter is not required to file such information with such State if the promoter files such information with the ABC.

SEC. [16.] 114. JUDGES AND REFEREES. [15 U.S.C. 6307h]

(a) *LICENSING AND ASSIGNMENT REQUIREMENT.*—No person may arrange, promote, organize, produce, or fight in a professional boxing match unless all referees and judges participating in the match have been [certified and approved] selected by the boxing commission responsible for regulating the match in the State or Indian lands where the match is held.

(b) *CHAMPIONSHIP AND 10-ROUND BOUTS.*—In addition to the requirements of subsection (a), no person may arrange, promote, organize, produce, or fight in a professional boxing match advertised to the public as a championship match or in a professional boxing match scheduled for 10 rounds or more unless all referees and judges participating in the match have been licensed by the Administration.

(c) *SANCTIONING ORGANIZATION NOT TO INFLUENCE SELECTION PROCESS.*—A sanctioning organization—

- (1) may provide a list of judges and referees deemed qualified by that organization to a boxing commission; but

(2) shall not influence, or attempt to influence, directly or indirectly, a boxing commission's selection of a judge or referee for a professional boxing match except by providing such a list.

(d) *ASSIGNMENT OF NONRESIDENT JUDGES AND REFEREES.*—A boxing commission may assign judges and referees who reside outside that commission's State or Indian land if the judge or referee is licensed by a boxing commission in the United States.

(e) *REQUIRED DISCLOSURE.*—A judge or referee shall provide to the boxing commission responsible for regulating a professional boxing match in a State or on Indian land a statement of all consideration, including reimbursement for expenses, that the judge or referee has received, or will receive, from any source for participation in the match. If the match is scheduled for 10 rounds or more, the judge or referee shall also provide such a statement to the Administration.

SEC. [17.] 115. CONFLICTS OF INTEREST. [15 U.S.C. 6308]

(a) *REGULATORY PERSONNEL.*—No member or employee of a boxing commission, no person who administers or [enforces State] enforces State or Tribal boxing laws, no officer or employee of the Administration, and no member of the Association of Boxing Commissions may belong to, contract with, or receive any compensation from, any person who sanctions, arranges, or promotes professional boxing matches or who otherwise has a financial interest in an active boxer currently registered with a boxer registry. For purposes of this section, the term "compensation" does not include funds held in escrow for payment to another person in connection with a professional boxing match. The prohibition set forth in this section shall not apply to any contract entered into, or any reasonable compensation received, by a boxing commission to supervise a professional boxing match in another State [as described in section 4.] or under the jurisdiction of another tribal organization.

(b) *FIREWALL BETWEEN PROMOTERS AND MANAGERS.*—

(1) *IN GENERAL.*—It is unlawful for—

(A) a promoter to have a direct or indirect financial interest in the management of a boxer; or

(B) a manager—

(i) to have a direct or indirect financial interest in the promotion of a boxer; or

(ii) to be employed by or receive compensation or other benefits from a promoter, except for amounts received as consideration under the manager's contract with the boxer.

(2) *EXCEPTIONS.*—Paragraph (1)—

(A) does not prohibit a boxer from acting as his own promoter or manager; and

(B) only applies to boxers participating in a boxing match of 10 rounds or more.

(c) *SANCTIONING ORGANIZATIONS.*—

(1) *PROHIBITION ON RECEIPTS.*—Except as provided in paragraph (2), no officer or employee of a sanctioning organization may receive any compensation, gift, or benefit, directly or indirectly, from a promoter, boxer, or manager.

(2) *EXCEPTIONS.*—Paragraph (1) does not apply to—

(A) the receipt of payment by a promoter, boxer, or manager of a sanctioning organization's published fee for sanc-

tioning a professional boxing match or reasonable expenses in connection therewith if the payment is reported to the responsible boxing commission; or

(B) the receipt of a gift or benefit of de minimis value.

SEC. [18.] 116. ENFORCEMENT. [15 U.S.C. 6309]

[(a) INJUNCTIONS.—] (a) *ACTIONS BY ATTORNEY GENERAL.*—Whenever the Attorney General of the United States has reasonable cause to believe that a person is engaged in a violation of this Act, the Attorney General may bring a civil or criminal action in the appropriate district court of the United States requesting such relief, including a permanent or temporary injunction, restraining order, or other order, against the person, as the Attorney General determines to be necessary to restrain the person from continuing to engage in, sanction, promote, or otherwise participate in a professional boxing match in violation **[of this Act]** *of this title*.

(b) *CRIMINAL PENALTIES.*—

(1) *MANAGERS, PROMOTERS, MATCHMAKERS, AND LICENSEES.*—

Any manager, promoter, matchmaker, and licensee who knowingly violates, or coerces or causes any other person to violate, any provision **[of this Act]** *of this title*, other than section **[9(b), 10, 11, 12, 13, 14, or 16,]** *107, 108, 109, 110, 111, or 114*, shall, upon conviction, be imprisoned for not more than 1 year or fined not more than \$20,000, or both.

(2) *VIOLATION OF ANTIEXPLOITATION, SANCTIONING ORGANIZATION, OR DISCLOSURE PROVISIONS.*—Any person who knowingly violates any provision of section **[9(b), 10, 11, 12, 13, 14, or 16 of this Act]** *107, 108, 109, 110, 111, or 114 of this title* shall, upon conviction, be imprisoned for not more than 1 year or fined not more than—

(A) \$100,000; and

(B) if a violation occurs in connection with a professional boxing match the gross revenues for which exceed \$2,000,000, an additional amount which bears the same ratio to \$100,000 as the amount of such revenues compared to \$2,000,000, or both.

(3) *CONFLICT OF INTEREST.*—Any member or employee of a boxing commission, any person who administers or enforces State boxing laws, *any officer or employee of the Administration*, and any member of the Association of Boxing Commissions who knowingly violates **[section 17(a) of this Act]** *section 115(a) of this title* shall, upon conviction, be imprisoned for not more than 1 year or fined not more than \$20,000, or both.

(4) *BOXERS.*—Any boxer who knowingly violates any provision **[of this Act]** *of this title* shall, upon conviction, be fined not more than \$1,000.

(c) *ACTIONS BY STATES.*—Whenever the chief law enforcement officer of any State has reason to believe that a person or organization *has engaged in or is engaging in* practices which violate any requirement **[of this Act]** *of this title*, the State, as *parens patriae*, may bring a civil or criminal action on behalf of its residents in an appropriate district court of the United States—

(1) to enjoin the holding of any professional boxing match which the practice involves;

(2) to enforce compliance with this Act;

- (3) to obtain the **[fines]** *sanctions* provided under subsection (b) or appropriate restitution; or
- (4) to obtain such other relief as the court may deem appropriate.

(d) PRIVATE RIGHT OF ACTION.—Any **[boxer]** *person* who suffers economic injury as a result of a violation of any provision **[of this Act]** *of this title* may bring an action in the appropriate Federal or State court and recover the damages suffered, court costs, and reasonable attorneys fees and expenses.

(e) ENFORCEMENT AGAINST **[FEDERAL TRADE COMMISSION, UNITED STATES BOXING COMMISSION, STATE ATTORNEYS GENERAL, ETC.]**—Nothing in this Act authorizes the enforcement of—

- (1) any provision **[of this Act]** *of this title* against the **[Federal Trade Commission, United States Boxing Commission, the United States Attorney General, or the chief legal officer of any State for acting or failing to act in an official capacity;**
- (2) subsection (d) of this section against a State or political subdivision of a State, or any agency or instrumentality thereof; or
- (3) **[section 10]** *section 108* against a boxer acting in his capacity as a boxer.

[SEC. 19. NOTIFICATION OF SUPERVISING BOXING COMMISSION. [15 U.S.C. 6310]

[Each promoter who intends to hold a professional boxing match in a State that does not have a boxing commission shall, not later than 14 days before the intended date of that match, provide written notification to the supervising boxing commission designated under section 4. Such notification shall contain each of the following:

- [(1) Assurances that, with respect to that professional boxing match, all applicable requirements of this Act will be met.**
- [(2) The name of any person who, at the time of the submission of the notification—**
 - [(A) is under suspension from a boxing commission; and**
 - [(B) will be involved in organizing or participating in the event.**
- [(3) For any individual listed under paragraph (2), the identity of the boxing commission that issued the suspension described in paragraph (2)(A).]**

[SEC. 20. STUDIES. [15 U.S.C. 6311]

[(a) PENSION.—The Secretary of Labor shall conduct a study on the feasibility and cost of a national pension system for boxers, including potential funding sources.

[(b) HEALTH, SAFETY AND EQUIPMENT.—The Secretary of Health and Human Services shall conduct a study to develop recommendations for health, safety, and equipment standards for boxers and for professional boxing matches.

[(c) REPORTS.—Not later than one year after the date of enactment of this Act, the Secretary of Labor shall submit a report to the Congress on the findings of the study conducted pursuant to subsection (a). Not later than 180 days after the date of enactment of this Act, the Secretary of Health and Human Services shall submit a report to the Congress on the findings of the study conducted pursuant to subsection (b).]

[SEC. 21. PROFESSIONAL BOXING MATCHES CONDUCTED ON INDIAN RESERVATIONS. [15 U.S.C. 6312]

[(a) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

[(1) INDIAN TRIBE.—The term “Indian tribe” has the same meaning as in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)).

[(2) RESERVATION.—The term “reservation” means the geographically defined area over which a tribal organization exercises governmental jurisdiction.

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

[(b) REQUIREMENTS.—

[(1) IN GENERAL.—Notwithstanding any other provision of law, a tribal organization of an Indian tribe may, upon the initiative of the tribal organization—

[(A) regulate professional boxing matches held within the reservation under the jurisdiction of that tribal organization; and

[(B) carry out that regulation or enter into a contract with a boxing commission to carry out that regulation.

[(2) STANDARDS AND LICENSING.—If a tribal organization regulates professional boxing matches pursuant to paragraph (1), the tribal organization shall, by tribal ordinance or resolution, establish and provide for the implementation of health and safety standards, licensing requirements, and other requirements relating to the conduct of professional boxing matches that are at least as restrictive as—

[(A) the otherwise applicable standards and requirements of a State in which the reservation is located; or

[(B) the most recently published version of the recommended regulatory guidelines certified and published by the Association of Boxing Commissions.]

SEC. [21.] 117. PROFESSIONAL BOXING MATCHES CONDUCTED ON INDIAN LANDS.

(a) IN GENERAL.—Notwithstanding any other provision of law, a tribal organization may establish a boxing commission to regulate professional boxing matches held on Indian land under the jurisdiction of that tribal organization.

(b) STANDARDS AND LICENSING.—A tribal organization that establishes a boxing commission shall, by tribal ordinance or resolution, establish and provide for the implementation of health and safety standards, licensing requirements, and other requirements relating to the conduct of professional boxing matches that are at least as restrictive as—

(1) the otherwise applicable requirements of the State in which the Indian land on which the professional boxing match is held is located; or

(2) the guidelines established by the United States Boxing Administration.

(c) APPLICATION OF ACT TO BOXING MATCHES ON TRIBAL LANDS.—The provisions [of this Act] of this title apply to professional boxing matches held on tribal lands to the same extent and

in the same way as they apply to professional boxing matches held in any State.

SEC. [22.] 118. RELATIONSHIP WITH STATE OR TRIBAL LAW. [15 U.S.C. 6313]

Nothing in this Act shall prohibit a State or Indian tribe from adopting or enforcing supplemental or more stringent laws or regulations not inconsistent with this Act, or criminal, civil, or administrative fines for violations of such laws or regulations.

TITLE II—UNITED STATES BOXING ADMINISTRATION

SEC. 201. PURPOSE.

The purpose of this title is to protect the health, safety, and welfare of boxers and to ensure fairness in the sport of professional boxing.

SEC. 202. ESTABLISHMENT OF UNITED STATES BOXING ADMINISTRATION.

(a) *IN GENERAL.*—*The United States Boxing Administration is established as an administration of the Department of Labor.*

(b) *ADMINISTRATOR.*—

(1) *APPOINTMENT.*—*The Administration shall be headed by an Administrator, appointed by the President, by and with the advice and consent of the Senate.*

(2) *QUALIFICATIONS.*—*The Administrator shall be an individual who—*

(A) has extensive experience in professional boxing activities or in a field directly related to professional sports;

(B) is of outstanding character and recognized integrity;

(C) is selected on the basis of training, experience, and qualifications and without regard to political party affiliation; and

(D) is a United States citizen.

(3) *COMPENSATION.*—*Section 5315 of title 5, United States Code, is amended by adding at the end the following:*

The Administrator of the United States Boxing Administration.”.

(4) *TERM OF OFFICE.*—*The Administrator shall serve for a term of 4 years.*

(c) *ASSISTANT ADMINISTRATOR; GENERAL COUNSEL.*—*The Administration shall have an Assistant Administrator and a General Counsel, each of whom shall be appointed by the Administrator. The Assistant Administrator shall—*

(1) serve as Administrator in the absence of the Administrator, in the event of the inability of the Administrator to carry out the functions of the Administrator, or in the event of a vacancy in that office; and

(2) carry out such duties as the Administrator may assign.

(d) *STAFF.*—*The Administration shall have such additional staff as may be necessary to carry out the functions of the Administration.*

SEC. 203. FUNCTIONS.

(a) *PRIMARY FUNCTIONS.*—*The primary functions of the Administration are—*

- (1) *to protect the health, safety, and general interests of boxers consistent with the provisions of this Act; and*
- (2) *to ensure uniformity, fairness, and integrity in professional boxing.*

(b) *SPECIFIC FUNCTIONS.*—*The Administrator shall—*

- (1) *administer title I of this Act;*
- (2) *promulgate uniform standards for professional boxing in consultation with the boxing commissions of the several States and tribal organizations;*

(3) *except as otherwise determined by the Administration, oversee all professional boxing matches in the United States;*

(4) *work with the boxing commissions of the several States and tribal organizations—*

(A) *to improve the safety, integrity, and professionalism of professional boxing in the United States;*

(B) *to enhance physical, medical, financial, and other safeguards established for the protection of professional boxers; and*

(C) *to improve the status and standards of professional boxing in the United States;*

(5) *ensure, through the Attorney General, the chief law enforcement officer of the several States, and other appropriate officers and agencies of Federal, State, and local government, that Federal and State laws applicable to professional boxing matches in the United States are vigorously, effectively, and fairly enforced;*

(6) *review local boxing authority regulations for professional boxing and provide assistance to such authorities in meeting minimum standards prescribed by the Administration under this title;*

(7) *serve as the coordinating body for all efforts in the United States to establish and maintain uniform minimum health and safety standards for professional boxing;*

(8) *if the Administrator determines it to be appropriate, publish a newspaper, magazine, or other publication and establish and maintain a website consistent with the purposes of the Administration;*

(9) *procure the temporary and intermittent services of experts and consultants to the extent authorized by section 3109(b) of title 5, United States Code, at rates the Administration determines to be reasonable; and*

(10) *promulgate rules, regulations, and guidance, and take any other action necessary and proper to accomplish the purposes of, and consistent with, the provisions of this title.*

(c) *PROHIBITIONS.*—*The Administration may not—*

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

(2) *provide technical assistance to, or authorize the use of the name of the Administration by, boxing commissions that do not comply with requirements of the Administration.*

(d) *USE OF NAME.*—*The Administration shall have the exclusive right to use the name “United States Boxing Administration”. Any person who, without the permission of the Administration, uses that*

name or any other exclusive name, trademark, emblem, symbol, or insignia of the Administration for the purpose of inducing the sale or exchange of any goods or services, or to promote any exhibition, performance, or sporting event, shall be subject to suit in a civil action by the Administration for the remedies provided in the Act of July 5, 1946 (commonly known as the "Trademark Act of 1946"; 15 U.S.C. 1051 et seq.).

SEC. 204. LICENSING AND REGISTRATION OF BOXING PERSONNEL.

(a) **LICENSING.**—

(1) **REQUIREMENT FOR LICENSE.**—No person may compete in a professional boxing match or serve as a boxing manager, boxing promoter, or sanctioning organization for a professional boxing match except as provided in a license granted to that person under this subsection.

(2) **APPLICATION AND TERM.**—

(A) **IN GENERAL.**—The Administration shall—

- (i) establish application procedures, forms, and fees;
- (ii) establish and publish appropriate standards for licenses granted under this section; and
- (iii) issue a license to any person who, as determined by the Administration, meets the standards established by the Administration under this title.

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

- (i) 4-year term for a boxer; and
- (ii) 2-year term for any other person.

(C) **PROCEDURE.**—The Administration may issue a license under this paragraph through local boxing authorities or in a manner determined by the Administration.

(b) **LICENSING FEES.**—

(1) **AUTHORITY.**—The Administration may prescribe and charge reasonable fees for the licensing of persons under this title. The Administration may set, charge, and adjust varying fees on the basis of classifications of persons, functions, and events determined appropriate by the Administration.

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

- (A) club boxing is not adversely effected;
- (B) sanctioning organizations and promoters pay the largest portion of the fees; and
- (C) boxers pay as small a portion of the fees as is possible.

(3) **COLLECTION.**—Fees established under this subsection may be collected through local boxing authorities or by any other means determined appropriate by the Administration.

SEC. 205. NATIONAL REGISTRY OF BOXING PERSONNEL.

(a) **REQUIREMENT FOR REGISTRY.**—The Administration, in consultation with the Association of Boxing Commissions, shall establish and maintain (or authorize a third party to establish and maintain) a unified national computerized registry for the collection, storage, and retrieval of information related to the performance of its duties.

(b) *CONTENTS.*—The information in the registry shall include the following:

(1) *BOXERS.*—A list of professional boxers and data in the medical registry established under section 114 of this Act, which the Administration shall secure from disclosure in accordance with the confidentiality requirements of section 114(c).

(2) *OTHER PERSONNEL.*—Information (pertinent to the sport of professional boxing) on boxing promoters, boxing matchmakers, boxing managers, trainers, cut men, referees, boxing judges, physicians, and any other personnel determined by the Administration as performing a professional activity for professional boxing matches.

SEC. 206. CONSULTATION REQUIREMENTS.

The Administration shall consult with local boxing authorities—

(1) before prescribing any regulation or establishing any standard under the provisions of this title; and

(2) not less than once each year regarding matters relating to professional boxing.

SEC. 207. MISCONDUCT.

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

(1) *AUTHORITY.*—The Administration may, after notice and opportunity for a hearing, suspend or revoke any license issued under this title if the Administration finds that—

(A) the licensee has violated any provision of this Act;

(B) there are reasonable grounds for belief that a standard prescribed by the Administration under this title is not being met, or that bribery, collusion, intentional losing, racketeering, extortion, or the use of unlawful threats, coercion, or intimidation have occurred in connection with a license; or

(C) the suspension or revocation is necessary for the protection of health and safety or is otherwise in the public interest.

(2) *PERIOD OF SUSPENSION.*—

(A) *IN GENERAL.*—A suspension of a license under this section shall be effective for a period determined appropriate by the Administration except as provided in subparagraph (B).

(B) *SUSPENSION FOR MEDICAL REASONS.*—In the case of a suspension or denial of the license of a boxer for medical reasons by the Administration, the Administration may terminate the suspension or denial at any time that a physician certifies that the boxer is fit to participate in a professional boxing match. The Administration shall prescribe the standards and procedures for accepting certifications under this subparagraph.

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

(b) *INVESTIGATIONS AND INJUNCTIONS.*—

(1) *AUTHORITY.*—The Administration may—

(A) conduct any investigation that it considers necessary to determine whether any person has violated, or is about

to violate, any provision of this Act or any regulation prescribed under this Act;

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

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

(D) investigate any facts, conditions, practices, or matters to aid in the enforcement of the provisions of this Act, in the prescribing of regulations under this Act, or in securing information to serve as a basis for recommending legislation concerning the matters to which this Act relates.

(2) **POWERS.**—

(A) **IN GENERAL.**—For the purpose of any investigation under paragraph (1), or any other proceeding under this Act, any officer designated by the Administration may administer oaths and affirmations, subpoena or otherwise compel the attendance of witnesses, take evidence, and require the production of any books, papers, correspondence, memorandums, or other records which the Administration considers relevant or material to the inquiry.

(B) **WITNESSES AND EVIDENCE.**—The attendance of witnesses and the production of any documents under subparagraph (A) may be required from any place in the United States, including Indian land, at any designated place of hearing.

(3) **ENFORCEMENT OF SUBPOENAS.**—

(A) **CIVIL ACTION.**—In case of contumacy by, or refusal to obey a subpoena issued to, any person, the Administration may file an action in any district court of the United States within the jurisdiction of which an investigation or proceeding is carried out, or where that person resides or carries on business, to enforce the attendance and testimony of witnesses and the production of books, papers, correspondence, memorandums, and other records. The court may issue an order requiring the person to appear before the Administration to produce records, if so ordered, or to give testimony concerning the matter under investigation or in question.

(B) **FAILURE TO OBEY.**—Any failure to obey an order issued by a court under subparagraph (A) may be punished as contempt of that court.

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

(4) **EVIDENCE OF CRIMINAL MISCONDUCT.**—

(A) **IN GENERAL.**—No person may be excused from attending and testifying or from producing books, papers, contracts, agreements, and other records and documents before the Administration, in obedience to the subpoena of the Administration, or in any cause or proceeding instituted by the Administration, on the ground that the testimony or evidence, documentary or otherwise, required of that person

may tend to incriminate the person or subject the person to a penalty or forfeiture.

(B) *LIMITED IMMUNITY.*—No individual may be prosecuted or subject to any penalty or forfeiture for, or on account of, any transaction, matter, or thing concerning the matter about which that individual is compelled, after having claimed a privilege against self-incrimination, to testify or produce evidence, documentary or otherwise, except that the individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

(5) *INJUNCTIVE RELIEF.*—If the Administration determines that any person is engaged or about to engage in any act or practice that constitutes a violation of any provision of this Act, or of any regulation prescribed under this Act, the Administration may bring an action in the appropriate district court of the United States, the United States District Court for the District of Columbia, or the United States courts of any territory or other place subject to the jurisdiction of the United States, to enjoin the act or practice, and upon a proper showing, the court shall grant without bond a permanent or temporary injunction or restraining order.

(6) *MANDAMUS.*—Upon application of the Administration, the district courts of the United States, the United States District Court for the District of Columbia, and the United States courts of any territory or other place subject to the jurisdiction of the United States, shall have jurisdiction to issue writs of mandamus commanding any person to comply with the provisions of this Act or any order of the Administration.

(c) *INTERVENTION IN CIVIL ACTIONS.*—

(1) *IN GENERAL.*—The Administration, on behalf of the public interest, may intervene of right as provided under rule 24(a) of the Federal Rules of Civil Procedure in any civil action relating to professional boxing filed in a district court of the United States.

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

(d) *HEARINGS BY ADMINISTRATION.*—Hearings conducted by the Administration under this Act shall be public and may be held before any officer of the Administration. The Administration shall keep appropriate records of the hearings.

SEC. 208. NONINTERFERENCE WITH LOCAL BOXING AUTHORITIES.

(a) *NONINTERFERENCE.*—Nothing in this Act prohibits any local boxing authority from exercising any of its powers, duties, or functions with respect to the regulation or supervision of professional boxing or professional boxing matches to the extent not inconsistent with the provisions of this Act.

(b) *MINIMUM STANDARDS.*—Nothing in this Act prohibits any local boxing authority from enforcing local standards or requirements that exceed the minimum standards or requirements promulgated by the Administration under this Act.

SEC. 209. ASSISTANCE FROM OTHER AGENCIES.

Any employee of any executive department, agency, bureau, board, commission, office, independent establishment, or instrumentality may be detailed to the Administration, upon the request of the Administration, on a reimbursable or nonreimbursable basis, with the consent of the appropriate authority having jurisdiction over the employee. While so detailed, an employee shall continue to receive the compensation provided pursuant to law for the employee's regular position of employment and shall retain, without interruption, the rights and privileges of that employment.

SEC. 210. REPORTS.

(a) ANNUAL REPORT.—The Administration shall submit a report on its activities to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Commerce each year. The annual report shall include—

- (1) a detailed discussion of the activities of the Administration for the year covered by the report; and*
- (2) an overview of the licensing and enforcement activities of the State and tribal organization boxing commissions.*

(b) PUBLIC REPORT.—The Administration shall annually issue and publicize a report of the Administration on the progress made at Federal and State levels and on Indian lands in the reform of professional boxing, which shall include comments on issues of continuing concern to the Administration.

(c) FIRST ANNUAL REPORT ON THE ADMINISTRATION.—The first annual report under this title shall be submitted not later than 2 years after the effective date of this title.

SEC. 211. INITIAL IMPLEMENTATION.

(a) TEMPORARY EXEMPTION.—The requirements for licensing under this title do not apply to a person for the performance of an activity as a boxer, boxing judge, or referee, or the performance of any other professional activity in relation to a professional boxing match, if the person is licensed by a boxing commission to perform that activity as of the effective date of this title.

(b) EXPIRATION.—The exemption under subsection (a) with respect to a license issued by a boxing commission expires on the earlier of—

- (A) the date on which the license expires; or*
- (B) the date that is 2 years after the date of the enactment of the Professional Boxing Amendments Act of 2003.*

SEC. 212. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated for the Administration for each fiscal year such sums as may be necessary for the Administration to perform its functions for that fiscal year.

(b) RECEIPTS CREDITED AS OFFSETTING COLLECTIONS.—Notwithstanding section 3302 of title 31, United States Code, any fee collected under this title—

- (1) shall be credited as offsetting collections to the account that finances the activities and services for which the fee is imposed;*
- (2) shall be available for expenditure only to pay the costs of activities and services for which the fee is imposed; and*
- (3) shall remain available until expended.*

TITLE 5. GOVERNMENT ORGANIZATION AND EMPLOYEES

PART III. EMPLOYEES

SUBPART D. PAY AND ALLOWANCES

CHAPTER 53. PAY RATES AND SYSTEMS

SUBCHAPTER II. EXECUTIVE SCHEDULE PAY RATES

§ 5315. Positions at level IV

Level IV of the Executive Schedule applies to the following positions, for which the annual rate of basic pay shall be the rate determined with respect to such level under chapter 11 of title 2, as adjusted by section 5318 of this title:

- Deputy Administrator of General Services.
- Associate Administrator of the National Aeronautics and Space Administration.
- Assistant Administrators, Agency for International Development (6).
- Regional Assistant Administrators, Agency for International Development (4).
- Under Secretary of the Air Force.
- Under Secretary of the Army.
- Under Secretary of the Navy.
- Assistant Secretaries of Agriculture (3).
- Assistant Secretaries of Commerce (11).
- Assistant Secretaries of Defense (8).
- Assistant Secretaries of the Air Force (4).
- Assistant Secretaries of the Army (5).
- Assistant Secretaries of the Navy (4).
- Assistant Secretaries of Health and Human Services (6).
- Assistant Secretaries of the Interior (6).
- Assistant Attorneys General (10).
- Assistant Secretaries of Labor (10), one of whom shall be the Assistant Secretary of Labor for Veterans' Employment and Training.
- 24 Assistant Secretaries of State and 4 other State Department officials to be appointed by the President, by and with the advice and consent of the Senate.
- Assistant Secretaries of the Treasury (7).
- Members, United States International Trade Commission (5).
- Assistant Secretaries of Education (10).
- General Counsel, Department of Education.
- Inspector General, Department of Education.
- Director of Civil Defense, Department of the Army.
- Deputy Director of the Office of Emergency Planning.
- Deputy Director of the Office of Science and Technology.
- Deputy Director of the Peace Corps.
- Assistant Directors of the Office of Management and Budget (3).
- General Counsel of the Department of Agriculture.
- General Counsel of the Department of Commerce.
- General Counsel of the Department of Defense.
- General Counsel of the Department of Health and Human Services.
- Solicitor of the Department of the Interior.

Solicitor of the Department of Labor.
 General Counsel of the National Labor Relations Board.
 General Counsel of the Department of the Treasury.
 First Vice President of the Export-Import Bank of Washington [Export-Import Bank of the United States].
 Members, Council of Economic Advisers.
 Members, Board of Directors of the Export-Import Bank of Washington [Export-Import Bank of the United States].
 Members, Federal Communications Commission.
 Member, Board of Directors of the Federal Deposit Insurance Corporation.
 Directors, Federal Housing Finance Board
 Members, Federal Energy Regulatory Commission.
 Members, Federal Trade Commission.
 Members, Surface Transportation Board.
 Members, National Labor Relations Board.
 Members, Securities and Exchange Commission.
 Members, Board of Directors of the Tennessee Valley Authority.
 Members, Merit Systems Protection Board.
 Members, Federal Maritime Commission.
 Members, National Mediation Board.
 Members, Railroad Retirement Board.
 Director of Selective Service.
 Associate Director of the Federal Bureau of Investigation, Department of Justice.
 Members, Equal Employment Opportunity Commission (4).
 Director, Community Relations Service.
 Members, National Transportation Safety Board.
 General Counsel, Department of Transportation.
 Deputy Administrator, Federal Aviation Administration.
 Assistant Secretaries of Transportation (4).
 Deputy Federal Highway Administrator.
 Administrator of the Saint Lawrence Seaway Development Corporation.
 Assistant Secretary for Science, Smithsonian Institution.
 Assistant Secretary for History and Art, Smithsonian Institution.
 Deputy Administrator of the Small Business Administration.
 Assistant Secretaries of Housing and Urban Development (8).
 General Counsel of the Department of Housing and Urban Development.
 Commissioner of Interama.
 Federal Insurance Administrator, Federal Emergency Management Agency.
 Executive Vice President, Overseas Private Investment Corporation.
 Members, National Credit Union Administration Board (2).
 Members, Postal Rate Commissions (4).
 Members, Occupational Safety and Health Review Commission.
 Deputy Under Secretaries of the Treasury (or Assistant Secretaries of the Treasury) (2)
 Members, Consumer Product Safety Commission (4).

Members, Commodity Futures Trading Commission.
 Director of Nuclear Reactor Regulation, Nuclear Regulatory Commission.
 Director of Nuclear Material Safety and Safeguards, Nuclear Regulatory Commission.
 Director of Nuclear Regulatory Research, Nuclear Regulatory Commission.
 Executive Director for Operations, Nuclear Regulatory Commission.
 President, Government National Mortgage Association, Department of Housing and Urban Development.
 Assistant Secretary of Commerce for Oceans and Atmosphere, the incumbent of which also serves as Deputy Administrator of the National Oceanic and Atmospheric Administration.
 Commissioner of Immigration and Naturalization, Department of Justice.
 Director, Bureau of Prisons, Department of Justice.
 Assistant Secretaries of Energy (6).
 General Counsel of the Department of Energy.
 Administrator, Economic Regulatory Administration, Department of Energy.
 Administrator, Energy Information Administration, Department of Energy.
 Inspector General, Department of Energy.
 Director, Office of Science, Department of Energy.
 Assistant Secretary of Labor for Mine Safety and Health.
 Members, Federal Mine Safety and Health Review Commission.
 President, National Consumer Cooperative Bank.

 Inspector General, Department of Health and Human Services.
 Inspector General, Department of Agriculture.
 Special Counsel of the Merit Systems Protection Board.
 Inspector General, Department of Housing and Urban Development.
 Chairman, Federal Labor Relations Authority.
 Inspector General, Department of Labor.
 Inspector General, Department of Transportation.
 Inspector General, Department of Veterans Affairs
 Deputy Director, Institute for Scientific and Technological Cooperation.
 Director of the National Institute of Justice.
 Director of the Bureau of Justice Statistics.
 Chief Counsel for Advocacy, Small Business Administration.
 Inspector General, Department of Defense.
 Assistant Administrator for Toxic Substances, Environmental Protection Agency.
 Assistant Administrator, Office of Solid Waste, Environmental Protection Agency.
 Assistant Administrators, Environmental Protection Agency (8).
 Director of Operational Test and Evaluation, Department of Defense.

Special Representatives of the President for arms control, nonproliferation, and disarmament matters, Department of State.

Administrator of the Health Care Financing Administration.
Director, National Institute of Standards and Technology,
Department of Commerce.

Inspector General, Department of State.

Director of Defense Research and Engineering.

Ambassadors at Large.

Commissioner, National Center for Education Statistics.

Assistant Secretary of Commerce and Director General of the
United States and Foreign Commercial Service.

Inspector General, Department of Commerce.

Inspector General, Department of the Interior.

Inspector General, Department of Justice.

Inspector General, Department of the Treasury.

Inspector General, Agency for International Development.

Inspector General, Environmental Protection Agency.

Inspector General, Federal Emergency Management Agency.

Inspector General, General Services Administration.

Inspector General, National Aeronautics and Space Administration.

Inspector General, Nuclear Regulatory Commission.

Inspector General, Office of Personnel Management.

Inspector General, Railroad Retirement Board.

Inspector General, Small Business Administration.

Inspector General, Tennessee Valley Authority.

Inspector General, Federal Deposit Insurance Corporation.

Assistant Secretaries, Department of Veterans Affairs (6).

General Counsel, Department of Veterans Affairs.

Commissioner of Food and Drugs, Department of Health and
Human Services.

Chairman, Board of Veterans' Appeals.

Administrator, Office of Juvenile Justice and Delinquency
Prevention.

Director, United States Marshals Service.

Inspector General, Resolution Trust Corporation.

Chairman, United States Parole Commission.

Director, Bureau of the Census, Department of Commerce.

Director of the Institute of Museum and Library Services.

Chief Financial Officer, Department of Agriculture.

Chief Financial Officer, Department of Commerce.

Chief Financial Officer, Department of Education.

Chief Financial Officer, Department of Energy.

Chief Financial Officer, Department of Health and Human
Services.

Chief Financial Officer, Department of Housing and Urban
Development.

Chief Financial Officer, Department of the Interior.

Chief Financial Officer, Department of Justice.

Chief Financial Officer, Department of Labor.

Chief Financial Officer, Department of State.

Chief Financial Officer, Department of Transportation.

Chief Financial Officer, Department of the Treasury.

Chief Financial Officer, Department of Veterans Affairs.

Chief Financial Officer, Environmental Protection Agency.
 Chief Financial Officer, National Aeronautics and Space Administration.
 Commissioner, Office of Navajo and Hopi Indian Relocation.
 Inspector General, Central Intelligence Agency.
 Deputy Under Secretary of Defense for Policy.
 Deputy Under Secretary of Defense for Personnel and Readiness.
 General Counsel of the Department of the Army.
 General Counsel of the Department of the Navy.
 General Counsel of the Department of the Air Force.
 Liaison for Community and Junior Colleges, Department of Education.
 Director of the Office of Educational Technology.
 Director of the International Broadcasting Bureau.
 Inspector General, Social Security Administration.
 The Commissioner of Labor Statistics, Department of Labor.
 Administrator, Rural Utilities Service, Department of Agriculture.
 Chief Information Officer, Department of Agriculture.
 Chief Information Officer, Department of Commerce.
 Chief Information Officer, Department of Defense (unless the official designated as the Chief Information Officer of the Department of Defense is an official listed under section 5312, 5313, or 5314 of this title).
 Chief Information Officer, Department of Education.
 Chief Information Officer, Department of Energy.
 Chief Information Officer, Department of Health and Human Services.
 Chief Information Officer, Department of Housing and Urban Development.
 Chief Information Officer, Department of the Interior.
 Chief Information Officer, Department of Justice.
 Chief Information Officer, Department of Labor.
 Chief Information Officer, Department of State.
 Chief Information Officer, Department of Transportation.
 Chief Information Officer, Department of the Treasury.
 Chief Information Officer, Department of Veterans Affairs.
 Chief Information Officer, Environmental Protection Agency.
 Chief Information Officer, National Aeronautics and Space Administration.
 Chief Information Officer, Agency for International Development.
 Chief Information Officer, Federal Emergency Management Agency.
 Chief Information Officer, General Services Administration.
 Chief Information Officer, National Science Foundation.
 Chief Information Officer, Nuclear Regulatory Agency.
 Chief Information Officer, Office of Personnel Management.
 Chief Information Officer, Small Business Administration.
 Inspector General, United States Postal Service.
 Assistant Directors of Central Intelligence (3).
 General Counsel of the Central Intelligence Agency.

Deputy Under Secretary of Commerce for Intellectual Property and Deputy Director of the United States Patent and Trademark Office.

Principal Deputy Administrator, National Nuclear Security Administration.

Additional Deputy Administrators of the National Nuclear Security Administration (3), but if the Deputy Administrator for Naval Reactors is an officer of the Navy on active duty, (2).

The Administrator of the United States Boxing Administration.

