

107TH CONGRESS  
2D SESSION

# H. R. 5006

To amend the Professional Boxing Safety Act of 1996, and to establish the United States Boxing Administration.

IN THE HOUSE OF REPRESENTATIVES

JUNE 24, 2002

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

# A BILL

To amend the Professional Boxing Safety Act of 1996, and to establish the United States Boxing Administration.

1        *Be it enacted by the Senate and House of Representa-*

## 2 tives of the United States of America in Congress assembled,

### 3 SECTION 1. SHORT TITLE; TABLE OF CONTENTS; AMEND-

## 4 MENT OF PROFESSIONAL BOXING SAFETY

5 ACT OF 1996.

6 (a) SHORT TITLE =

6 (a) SHORT TITLE.—This Act may be cited as the  
7 “Professional Boxing Amendments Act of 2002”.

8 (b) TABLE OF CONTENTS.—The table of contents for

9 this Act is as follows:

Sec. 1. Short title; table of contents; amendment of Professional Boxing Safety Act of 1996.  
Sec. 2. Definitions.  
Sec. 3. Purposes.  
Sec. 4. Matches in jurisdictions without commissions.  
Sec. 5. Safety standards.  
Sec. 6. Registration.  
Sec. 7. Review.  
Sec. 8. Reporting.  
Sec. 9. Contract requirements.  
Sec. 10. Coercive contracts.  
Sec. 11. Sanctioning organizations.  
Sec. 12. Required disclosures by sanctioning organizations.  
Sec. 13. Required disclosures by promoters.  
Sec. 14. Confidentiality.  
Sec. 15. Judges and referees.  
Sec. 16. Medical registry.  
Sec. 17. Recognition of tribal law.  
Sec. 18. Establishment of United States Boxing Administration.  
Sec. 19. Effective date.

1       (c) AMENDMENT OF PROFESSIONAL BOXING SAFETY  
2 ACT OF 1996.—Except as otherwise expressly provided,  
3 whenever in this Act an amendment or repeal is expressed  
4 in terms of an amendment to, or repeal of, a section or  
5 other provision, the reference shall be considered to be  
6 made to a section or other provision of the Professional  
7 Boxing Safety Act of 1996 (15 U.S.C. 6301 et seq.).

8 **SEC. 2. DEFINITIONS.**

9       (a) IN GENERAL.—Section 2 (15 U.S.C. 6301) is  
10 amended to read as follows:

11 **“SEC. 2. DEFINITIONS.**

12       “In this Act:

13           “(1) BOUT AGREEMENT.—The term ‘bout  
14       agreement’ means a contract between a promoter  
15       and a boxer which requires the boxer to participate

1       in a professional boxing match with a designated op-  
2       ponent on a particular date.

3           “(2) BOXER.—The term ‘boxer’ means an indi-  
4       vidual who fights in a professional boxing match.

5           “(3) BOXING COMMISSION.—The term ‘boxing  
6       commission’ means an entity authorized under State  
7       or tribal law to regulate professional boxing  
8       matches.

9           “(4) BOXER REGISTRY.—The term ‘boxer reg-  
10       istry’ means any entity certified by the Association  
11       of Boxing Commissions for the purposes of main-  
12       taining records and identification of boxers.

13           “(5) BOXING SERVICE PROVIDER.—The term  
14       ‘boxing service provider’ means a promoter, man-  
15       ager, sanctioning body, licensee, or matchmaker.

16           “(6) CONTRACT PROVISION.—The term ‘con-  
17       tract provision’ means any legal obligation between  
18       a boxer and a boxing service provider.

19           “(7) INDIAN LANDS; INDIAN TRIBE.—The  
20       terms ‘Indian lands’ and ‘Indian tribe’ have the  
21       meanings given those terms by paragraphs (4) and  
22       (5), respectively, of section 4 of the Indian Gaming  
23       Regulatory Act (25 U.S.C. 2703).

1           “(8) LICENSEE.—The term ‘licensee’ means an  
2        individual who serves as a trainer, second, or cut  
3        man for a boxer.

4           “(9) LOCAL BOXING AUTHORITY.—The term  
5        ‘local boxing authority’ means—

6           “(A) any agency of a State, or of a polit-  
7        ical subdivision of a State, that has authority  
8        under the laws of the State to regulate profes-  
9        sional boxing; and

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

14           “(10) MANAGER.—The term ‘manager’ means a  
15        person who, under contract, agreement, or other ar-  
16        rangement with a boxer, undertakes to control or  
17        administer, directly or indirectly, a boxing-related  
18        matter on behalf of that boxer, including a person  
19        who is a booking agent for a boxer.

20           “(11) MATCHMAKER.—The term ‘matchmaker’  
21        means a person that proposes, selects, and arranges  
22        the boxers to participate in a professional boxing  
23        match.

24           “(12) PHYSICIAN.—The term ‘physician’ means  
25        a doctor of medicine legally authorized to practice

1       medicine by the State in which the physician per-  
2       forms such function or action.

3           “(13) PROFESSIONAL BOXING MATCH.—The  
4       term ‘professional boxing match’ means a boxing  
5       contest held in the United States between individ-  
6       uals for financial compensation. The term ‘profes-  
7       sional boxing match’ term does not include a boxing  
8       contest that is regulated by a duly recognized ama-  
9       teur sports organization, as approved by the Admin-  
10       istration.

11           “(14) PROMOTER.—The term ‘promoter’ means  
12       the person primarily responsible for organizing, pro-  
13       moting, and producing a professional boxing match.  
14       The term ‘promoter’ does not include a hotel, casino,  
15       resort, or other commercial establishment hosting or  
16       sponsoring a professional boxing match unless—

17               “(A) the hotel, casino, resort, or other  
18       commercial establishment is primarily respon-  
19       sible for organizing, promoting, and producing  
20       the match; and

21               “(B) there is no other person primarily re-  
22       sponsible for organizing, promoting, and pro-  
23       ducing the match.

24           “(15) PROMOTIONAL AGREEMENT.—The term  
25       ‘promotional agreement’ means a contract between a

1 promoter and a boxer under which the boxer grants  
2 to a promoter the exclusive right to secure and ar-  
3 range all professional boxing matches requiring the  
4 boxer's services for—

5                 “(A) a prescribed period of time; or  
6                 “(B) a prescribed number of professional  
7 boxing matches.

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

12                 “(17) EFFECTIVE DATE OF THE CONTRACT.—  
13 The term ‘effective date of the contract’ means the  
14 day upon which a boxer becomes legally bound by  
15 the contract.

16                 “(18) SANCTIONING ORGANIZATION.—The term  
17 ‘sanctioning organization’ means an organization,  
18 other than a boxing commission, that sanctions pro-  
19 fessional boxing matches, ranks professional boxers,  
20 or charges a sanctioning fee for professional boxing  
21 matches in the United States—

22                 “(A) between boxers who are residents of  
23 different States; or

1                   “(B) that are advertised, otherwise pro-  
2                   moted, or broadcast (including closed circuit  
3                   television) in interstate commerce.

4                   “(19) SUSPENSION.—The term ‘suspension’ in-  
5                   cludes within its meaning the revocation of a boxing  
6                   license.

7                   “(20) TRIBAL ORGANIZATION.—The term ‘trib-  
8                   al organization’ has the same meaning as in section  
9                   4(l) of the Indian Self-Determination and Education  
10                   Assistance Act (25 U.S.C. 450b(l)).

11                   “(21) UNITED STATES BOXING ADMINISTRA-  
12                   TION.—The terms ‘United States Boxing Adminis-  
13                   tration’ and ‘Administration’ means the United  
14                   States Boxing Administration established by section  
15                   202.”.

16                   (b) CONFORMING AMENDMENT.—Section 21 (15  
17 U.S.C. 6312) is amended to read as follows:

18 **“SEC. 21. PROFESSIONAL BOXING MATCHES CONDUCTED  
19                   ON INDIAN LANDS.**

20                   “(a) IN GENERAL.—Notwithstanding any other pro-  
21 vision of law, an Indian tribe shall establish a boxing  
22 commission—

23                   “(1) to regulate professional boxing matches  
24                   held within the reservation under the jurisdiction of  
25                   that tribal organization; and

1           “(2) to carry out that regulation or enter into  
2           a contract with a boxing commission to carry out  
3           that regulation.

4           “(b) STANDARDS AND LICENSING.—If a tribal orga-  
5           nization regulates professional boxing matches pursuant  
6           to subsection (a), the tribal organization shall, by tribal  
7           ordinance or resolution, establish and provide for the im-  
8           plementation of health and safety standards, licensing re-  
9           quirements, and other requirements relating to the con-  
10           duct of professional boxing matches that are at least as  
11           restrictive as—

12           “(1) the otherwise applicable standards and re-  
13           quirements of a State in which the Indian lands are  
14           located; or

15           “(2) the most recently published version of the  
16           recommended regulatory guidelines published by the  
17           United States Boxing Administration.”.

18 **SEC. 3. PURPOSES.**

19           Section 3(2) (15 U.S.C. 6302(2)) is amended by  
20           striking ‘State’.

21 **SEC. 4. MATCHES IN JURISDICTIONS WITHOUT COMMIS-  
22           SIONS.**

23           (a) IN GENERAL.—Section 4 (15 U.S.C. 6303) is  
24           amended to read as follows:

1   **“SEC. 4. BOXING MATCHES IN JURISDICTIONS WITHOUT**  
2                   **BOXING COMMISSIONS.**

3       “(a) IN GENERAL.—No person may arrange, pro-  
4 mote, organize, produce, or fight in a professional boxing  
5 match in a State or on Indian land unless the match—

6               “(1) is approved by the United States Boxing  
7       Administration; and

8               “(2) is supervised by a boxing commission that  
9       is a member of the Association of Boxing Commis-  
10      sions.

11       “(b) APPROVAL PRESUMED.—For purposes of sub-  
12      section (a), the Administration shall be presumed to have  
13      approved any match other than—

14               “(1) a match with respect to which the Admin-  
15      istration has notified the supervising boxing commis-  
16      sion that it does not approve;

17               “(2) a match advertised to the public as a  
18      championship match; or

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

20       “(c) NOTIFICATION; ASSURANCES.—Each promoter  
21      who intends to hold a professional boxing match in a State  
22      that does not have a boxing commission shall, not later  
23      than 14 days before the intended date of that match, pro-  
24      vide in writing to the Administration and the supervising  
25      boxing commission, assurances that all applicable require-

1 ments of this Act will be met with respect to that profes-  
2 sional boxing match.”.

3 (b) CONFORMING AMENDMENT.—Section 19 (15  
4 U.S.C. 6310) is repealed.

5 **SEC. 5. SAFETY STANDARDS.**

6 Section 5 (15 U.S.C. 6304) is amended—

7 (1) by striking “requirements or an alternative  
8 requirement in effect under regulations of a boxing  
9 commission that provides equivalent protection of  
10 the health and safety of boxers:” and inserting “re-  
11 quirements:”;

12 (2) by adding at the end of paragraph (1) the  
13 following: “The examination shall include testing for  
14 infectious diseases in accordance with standards es-  
15 tablished by the Administration.”;

16 (3) by striking paragraph (2) and inserting the  
17 following:

18 “(2) An ambulance continuously present on  
19 site.”;

20 (4) by redesignating paragraphs (3) and (4) as  
21 paragraphs (4) and (5), respectively, and inserting  
22 after paragraph (2) the following:

23 “(3) Emergency medical personnel with appro-  
24 priate resuscitation equipment continuously present  
25 on site.”; and

1 (5) by striking “match.” in paragraph (5), as  
2 redesignated, and inserting “match in an amount  
3 prescribed by Administration.”.

#### 4 SEC. 6. REGISTRATION.

5 Section 6 (15 U.S.C. 6305) is amended—

6 (1) by inserting "or Indian tribe" after "State"

7 the second place it appears in subsection (a)(2);

14 (3) by striking "should" in the second sentence  
15 of subsection (c) and inserting "shall, at a min-  
16 imum"; and

17 (4) by adding at the end the following:

18        "(d) COPY OF REGISTRATION TO BE SENT TO  
19 USBA.—A boxing commission shall furnish a copy of each  
20 registration received under subsection (a) to the United  
21 States Boxing Administration.".

## 22 SEC. 7. REVIEW.

23 Section 7 (15 U.S.C. 6306) is amended—

24 (1) by striking paragraphs (3) and (4) of sub-  
25 section (a) and inserting the following:

1           “(3) Procedures to review a summary suspen-  
2       sion when a hearing before the boxing commission is  
3       requested by a boxer, licensee, manager, match-  
4       maker, promoter, or other boxing service provider  
5       which provides an opportunity for that person to  
6       present evidence.”;

7           (2) by striking subsection (b); and  
8           (3) by striking “(a) PROCEDURES.—”.

9 **SEC. 8. REPORTING.**

10          Section 8 (15 U.S.C. 6307) is amended—  
11           (1) by striking “48 business hours” and insert-  
12           ing “2 business days”; and  
13           (2) by striking “each boxer registry.” and in-  
14           serting “the United States Boxing Administration.”.

15 **SEC. 9. CONTRACT REQUIREMENTS.**

16          Section 9 (15 U.S.C. 6307a) is amended to read as  
17          follows:

18 **“SEC. 9. CONTRACT REQUIREMENTS.**

19           “(a) IN GENERAL.—The United States Boxing Ad-  
20       ministration, in consultation with the Association of Box-  
21       ing Commissions, shall develop guidelines for minimum  
22       contractual provisions that should be included in bout  
23       agreements and boxer-manager contracts. Each boxing  
24       commission shall ensure that these minimal contractual

1 provisions are present in any such agreement or contract  
2 submitted to it.

3       “(b) FILING REQUIREMENT.—A boxing commission  
4 may not approve a professional boxing match unless a  
5 copy of the bout agreement related to that match has been  
6 filed with it.

7       “(c) BOND OR OTHER SURETY.—A boxing commis-  
8 sion may not approve a professional boxing match unless  
9 the promoter of that match has posted a surety bond,  
10 cashier’s check, letter of credit, cash, or other security  
11 with the boxing commission in an amount acceptable to  
12 the boxing commission and the Administration.”.

13 **SEC. 10. COERCIVE CONTRACTS.**

14       Section 10 (15 U.S.C. 6307b) is amended—  
15           (1) by striking paragraph (3) of subsection (a);  
16           and  
17           (2) by inserting “or elimination” after “manda-  
18           tory” in subsection (b).

19 **SEC. 11. SANCTIONING ORGANIZATIONS.**

20       (a) IN GENERAL.—Section 11 (15 U.S.C. 6307e) is  
21 amended—  
22           (1) by striking subsection (a) and inserting the  
23 following:  
24       “(a) OBJECTIVE CRITERIA.—Within 1 year after the  
25 date of enactment of the Professional Boxing Amendments

1 Act of 2002, the United States Boxing Administration, in  
2 consultation with the Association of Boxing Commissions,  
3 shall develop guidelines for objective and consistent writ-  
4 ten criteria for the rating of professional boxers which  
5 shall include the athletic merits of the boxers. Within 90  
6 days after the Administration's promulgation of the guide-  
7 lines, each sanctioning organization shall adopt the guide-  
8 lines and follow them.”;

9 (2) by striking so much of subsection (b) as  
10 precedes paragraph (1) and inserting the following:

11 “(b) APPEALS PROCESS.—If a sanctioning organiza-  
12 tion receives a request from a boxer questioning that orga-  
13 nization's rating of the boxer, it shall (except to the extent  
14 otherwise required by the United States Boxing Adminis-  
15 tration), within 7 days after receiving the request—”;

16 (3) by inserting “rating” before “criteria” in  
17 subsection (b)(1);

18 (4) by striking “and” after the semicolon in  
19 subsection (c)(1);

20 (5) by striking “an association to which at least  
21 a majority of the State boxing commissions belong.”  
22 in subsection (c)(2) and inserting “the boxer and the  
23 Administration.”;

24 (6) by adding at the end of subsection (c) the  
25 following:

1               “(3) provides the boxer an opportunity to ap-  
2       peal the ratings change; and

3                   “(4) applies the objective criteria for ratings re-  
4                   quired under subsection (a) in considering any such  
5                   appeal.”; and

6 (7) by striking “rating;” in subsection (d)(1)(C)  
7 and inserting “rating, which incorporates the objec-  
8 tive criteria for ratings required under subsection  
9 (a);”.

10 (b) TECHNICAL AMENDMENT.—Section 11(d)(1) (15)  
11 U.S.C. 6307c(d)(1)) is amended by striking “ABC—” and  
12 inserting “Association of Boxing Commissions—”.

13 SEC. 12. REQUIRED DISCLOSURES BY SANCTIONING ORGA-  
14 NIZATIONS.

15 Section 12 (15 U.S.C. 6307d) is amended—

23 (2) by striking “will assess” in paragraph (1)  
24 and inserting “has assessed, or will assess,”; and

### 3 SEC. 13. REQUIRED DISCLOSURES BY PROMOTERS.

4 Section 13 (15 U.S.C. 6307e) is amended—

5 (1) by striking the matter in subsection (a) pre-  
6 ceding paragraph (1) and inserting the following:

7        "(a) DISCLOSURES TO THE BOXING COMMISSIONS.—

8 Within 7 days after a professional boxing match of 10  
9 rounds or more, the promoter of any boxer participating  
10 in that match shall provide to the boxing commission in  
11 the State responsible for regulating the match and the Ad-  
12 ministration—”;

13 (2) by striking “writing,” in subsection (a)(1)  
14 and inserting “writing, other than a bout agreement  
15 previously provided to the commission,”;

16 (3) by striking “all fees, charges, and expenses  
17 that will be” in subsection (a)(3)(A) and inserting  
18 “a statement of all fees, charges, and expenses that  
19 have been, or will be,”;

20 (4) by striking the matter in subsection (b) following “BOXER.—” and preceding paragraph (1)  
21 and inserting “Within 7 days after a professional  
22 boxing match of 10 rounds or more, the promoter of  
23 any boxer participating in that match with whom the  
24

1 promoter has a promotional agreement shall provide  
2 to each boxer participating in the match—”; and  
3 (5) by striking “match;” in subsection (b)(1)  
4 and inserting “match, or that the promoter has  
5 paid, or agreed to pay, to any other person in con-  
6 nection with the match;”.

7 **SEC. 14. CONFIDENTIALITY.**

8 Section 15 (15 U.S.C. 6307g) is repealed.

9 **SEC. 15. JUDGES AND REFEREES.**

10 (a) IN GENERAL.—Section 16 (15 U.S.C. 6307h) is  
11 amended—

12 (1) by inserting “(a) LICENSING AND ASSIGN-  
13 MENT REQUIREMENT.—” before “No person”;

14 (2) by inserting “or Indian lands” after  
15 “State”; and

16 (3) by adding at the end the following:

17 “(b) CHAMPIONSHIP AND 10-ROUND BOUTS.—In ad-  
18 dition to the requirements of subsection (a), no person  
19 may arrange, promote, organize, produce, or fight in a  
20 professional boxing match advertised to the public as a  
21 championship match or in a professional boxing match  
22 scheduled for 10 rounds or more unless all referees and  
23 judges participating in the match have been licensed by  
24 the United States Boxing Administration.

1       “(c) SANCTIONING ORGANIZATION TO PROVIDE

2 LIST.—A sanctioning organization—

3           “(1) shall provide a list of judges and referees  
4       deemed qualified by that organization to a boxing  
5       commission; but

6           “(2) may not influence, or attempt to influence,  
7       a boxing commission’s selection of a judge or referee  
8       for a professional boxing match except by providing  
9       such a list.

10       “(d) ASSIGNMENT OF NONRESIDENT JUDGES AND  
11 REFEREES.—A boxing commission may assign judges and  
12 referees who reside outside that commission’s State or  
13 tribal land if the judge or referee is licensed by a boxing  
14 commission.

15       “(e) REQUIRED DISCLOSURE.—A judge or referee  
16 shall provide to the boxing commission responsible for reg-  
17 ulating a professional boxing match in a State or on In-  
18 dian lands a statement of all consideration, including re-  
19 imbursement for expenses, that the judge or referee has  
20 received, or will receive, from any source for participation  
21 in the match. If the match is scheduled for 10 rounds or  
22 more, the judge or referee shall also provide such a state-  
23 ment to the Administration.”.

24       (b) CONFORMING AMENDMENTS.—

25           (1) Section 14 (15 U.S.C. 6307f) is repealed.

### 3 SEC. 16. MEDICAL REGISTRY.

4 The Act is amended by inserting after section 13 (15  
5 U.S.C. 6307e) the following:

## 6 "SEC. 14. MEDICAL REGISTRY.

7       “(a) IN GENERAL.—The Administration, in consulta-  
8 tion with the Association of Boxing Commissions, shall es-  
9 tablish and maintain, or certify a third party entity to es-  
10 tablish and maintain, a medical registry that contains  
11 comprehensive medical records and medical suspensions  
12 for every licensed boxer.

13        "(b) CONTENT; SUBMISSION.—The Administration  
14 shall determine—

15               “(1) the nature of medical records and medical  
16               suspensions of a boxer that are to be forwarded to  
17               the medical registry; and

18               “(2) the time within which the medical records  
19       and medical suspensions are to be submitted to the  
20       medical registry.

21       “(c) CONFIDENTIALITY.—The Administration shall  
22 establish confidentiality standards for the disclosure of  
23 personally identifiable information to sanctioning organi-  
24 zations that will—

1               “(1) protect the health and safety of boxers by  
2               making relevant information available to the organi-  
3               zations for use but not public disclosure; and  
4               “(2) ensure that the privacy of the boxers is  
5               protected.”.

## 6 SEC. 17. RECOGNITION OF TRIBAL LAW.

7 Section 22 (15 U.S.C. 6313) is amended—

10 (2) by inserting "or Indian tribe" after  
11 "State".

12 SEC. 18. ESTABLISHMENT OF UNITED STATES BOXING AD-  
13 MINISTRATION.

14        The Act is amended by adding at the end the fol-  
15 lowing:

16       **“TITLE II—UNITED STATES**  
17       **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. 211. Initial implementation.”

1000. 242. Hachette

1   **“SEC. 201. PURPOSE.**

2       “The purpose of this title is to protect the health and  
3   safety of boxers and to ensure fairness in the sport.

4   **“SEC. 202. ESTABLISHMENT OF UNITED STATES BOXING AD-**5                   **MINISTRATION.**

6       “(a) The United States Boxing Administration is es-  
7   tablished as an administration of the Department of  
8   Labor.

9       “(b) **ADMINISTRATOR.**—

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

14       “(2) **QUALIFICATIONS.**—The Administrator  
15   shall be—

16               “(A) an individual with experience in a  
17   field directly related to professional sports; and  
18               “(B) selected on the basis of the individ-  
19   ual’s training, experience, and qualifications  
20   and without regard to party affiliation.

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

24               “The Administrator of the United States Box-  
25   ing Administration.

1       “(c) ASSISTANT ADMINISTRATOR; GENERAL COUN-  
2 SEL.—The Administration shall have an Assistant Admin-  
3 istrator and a General Counsel, who shall be appointed  
4 by the Administrator. The Assistant Administrator  
5 shall—

6           “(1) serve as Administrator in the absence of  
7 the Administrator or in the event of a vacancy in  
8 that office; and

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

11       “(d) STAFF.—The Administration shall have such  
12 additional staff as may be necessary to carry out the func-  
13 tions of the Administration.

14 **“SEC. 203. FUNCTIONS.**

15       “(a) PRIMARY FUNCTION.—The primary function of  
16 the Administration is to protect the health, safety, and  
17 general interests of boxers consistent with the provisions  
18 of this Act.

19       “(b) SPECIFIC FUNCTIONS.—The Administrator  
20 shall—

21           “(1) administer title I of this Act;

22           “(2) except as otherwise determined by the Ad-  
23 ministration, oversee all professional boxing matches  
24 in the United States;

1               “(3) work with sanctioning organizations, the  
2               Association of Boxing Commissions, and the boxing  
3               commissions of the several States and tribal  
4               organizations—

5               “(A) to improve the safety, integrity, and  
6               professionalism of professional boxing in the  
7               United States;

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

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

13               “(4) ensure, through the Attorney General, the  
14               Federal Trade Commission, and other appropriate  
15               officers and agencies of the Federal government,  
16               that Federal and State laws applicable to profes-  
17               sional boxing matches in the United States are vig-  
18               orously, effectively, and fairly enforced;

19               “(5) review local boxing authority regulations  
20               for professional boxing and provide assistance to  
21               such authorities in meeting minimum standards pre-  
22               scribed by the Administration under this title;

23               “(6) serve as the coordinating body for all ef-  
24               forts in the United States to establish and maintain

1 uniform minimum health and safety standards for  
2 professional boxing;

3 “(7) if the Administrator determines it to be  
4 appropriate, publish a newspaper, magazine, or  
5 other publication consistent with the purposes of the  
6 Administration;

7 “(8) procure the temporary and intermittent  
8 services of experts and consultants to the extent au-  
9 thorized by section 3109(b) of title 5, United States  
10 Code, at rates the Administration determines to be  
11 reasonable; and

12 “(9) take any other action that is necessary and  
13 proper to accomplish the purpose of this title con-  
14 sistent with the provisions of this title.

15 “(c) PROHIBITIONS.—The Administration may not—

16 “(1) promote boxing events or rank professional  
17 boxers; or

18 “(2) provide technical assistance to, or author-  
19 ize the use of the name of the Administration by,  
20 States and Indian tribes that do not comply with re-  
21 quirements of the Administration.

22 “(d) USE OF NAME.—The Administration shall have  
23 the exclusive right to use the name ‘United States Boxing  
24 Administration’. Any person who, without the permission  
25 of the Administration, uses that name or any other exclu-

1 sive name, trademark, emblem, symbol, or insignia of the  
2 Administration for the purpose of inducing the sale of any  
3 goods or services, or to promote any exhibition, perform-  
4 ance, or sporting event, shall be subject to suit in a civil  
5 action by the Administration for the remedies provided in  
6 the Act of July 5, 1946 (commonly known as the 'Trade-  
7 mark Act of 1946'; 15 U.S.C. 1051 et seq.).

8 **“SEC. 204. LICENSING AND REGISTRATION OF BOXING PER-**

9 **SONNEL.**

10 “(a) LICENSING.—

11 “(1) REQUIREMENT FOR LICENSE.—No person  
12 may compete in a professional boxing match, serve  
13 as a boxing manager, boxing promoter, sanctioning  
14 organization, or broadcast a professional boxing  
15 match except as provided in a license granted to that  
16 person under this subsection.

17 “(2) APPLICATION AND TERM.—

18 “(A) IN GENERAL.—The Administration  
19 shall—

20 “(i) establish an application proce-  
21 dure, form, and fee;

22 “(ii) establish appropriate standards  
23 for licenses granted under this section; and

24 “(iii) issue a license to any person  
25 who, as determined by the Administration,

1                   meets the standards established by the Ad-  
2                   ministration under this title.

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

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

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

11                  “(b) LICENSING FEES.—

12                  “(1) AUTHORITY.—The Administration may  
13                  prescribe and charge fees for the licensing of persons  
14                  under this title. The Administration may set, charge,  
15                  and adjust varying fees on the basis of classifica-  
16                  tions of persons, functions, and events determined  
17                  appropriate by the Administration.

18                  “(2) AMOUNTS.—The amounts of fees pre-  
19                  scribed for a fiscal year under this subsection shall  
20                  be set at levels estimated, when set, to yield collec-  
21                  tions in any total amount that is not more than 10  
22                  percent of the total budget of the Administration for  
23                  that fiscal year.

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

4               “(A) club boxing is not adversely effected;

5               “(B) sanctioning organizations and pro-  
6       moters pay the largest portion of the fees; and

7               “(C) boxers pay as small a portion of the  
8       fees as is possible.

9               “(4) COLLECTION.—Fees established under this  
10      subsection may be collected through local boxing au-  
11      thorities or by any other means determined appro-  
12      priate by the Administration. Fees paid by boxing  
13      promoters may be derived from gross receipts from  
14      professional boxing matches.

15               “(5) DEPOSIT OF COLLECTIONS.—Moneys re-  
16      ceived from fees established under this section shall  
17      be deposited as an offsetting collection in, and cred-  
18      ited to, the account providing appropriations to  
19      carry out the functions of the Administration.

20 **“SEC. 205. NATIONAL REGISTRY OF BOXING PERSONNEL.**

21               “(a) REQUIREMENT FOR REGISTRY.—The Adminis-  
22      tration shall maintain a unified national computerized reg-  
23      istry for the collection, storage, and retrieval of informa-  
24      tion related to the performance of its duties.

1       “(b) CONTENTS.—The information in the registry  
2 shall include the following:

3           “(1) BOXERS.—A list of professional boxers  
4 and data in the medical registry established under  
5 section 14 of this Act, which the Administration  
6 shall secure from disclosure in accordance with the  
7 confidentiality requirements of section 14(c).

8           “(2) OTHER PERSONNEL.—Information (pertin-  
9 ent to the sport of professional boxing) on boxing  
10 promoters, boxing matchmakers, boxing managers,  
11 trainers, cut men, referees, boxing judges, physi-  
12 cians, and any other personnel determined by the  
13 Administration as performing a professional activity  
14 for professional boxing matches.

15 **“SEC. 206. CONSULTATION REQUIREMENTS.**

16       “The Administration shall consult with local boxing  
17 authorities—

18           “(1) before prescribing any regulation or estab-  
19 lishing any standard under the provisions of this  
20 title; and

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

23 **“SEC. 207. MISCONDUCT.**

24       “(a) SUSPENSION AND REVOCATION OF LICENSE OR  
25 REGISTRATION.—

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

5           “(A) the suspension or revocation is nec-  
6           essary for the protection of health and safety or  
7           is otherwise in the public interest; or

8           “(B) there are reasonable grounds for be-  
9           lief that a standard prescribed by the Adminis-  
10           tration under this title is not being met, or that  
11           bribery, collusion, intentional losing, racket-  
12           eering, extortion, or the use of unlawful threats,  
13           coercion, or intimidation have occurred in con-  
14           nection with a license.

15           “(2) PERIOD OF SUSPENSION.—

16           “(A) IN GENERAL.—A suspension of a li-  
17           cense under this section shall be effective for a  
18           period determined appropriate by the Adminis-  
19           tration except as provided in subparagraph (B).

20           “(B) SUSPENSION FOR MEDICAL REA-  
21           SONS.—In the case of a suspension of the li-  
22           cense of a boxer for medical reasons, the Ad-  
23           ministration may terminate the suspension at  
24           any time that a physician certifies that the  
25           boxer is fit to participate in a professional box-

4        "(b) INVESTIGATIONS AND INJUNCTIONS.—

6                     “(A) conduct any investigation that it con-  
7                     siders necessary to determine whether any per-  
8                     son has violated, or is about to violate, any pro-  
9                     vision of this title or any regulation prescribed  
10                    under this title;

11                   “(B) require or permit any person to file  
12                   with it a statement in writing, under oath or  
13                   otherwise as the Administration shall deter-  
14                   mine, as to all the facts and circumstances con-  
15                   cerning the matter to be investigated;

18                     “(D) investigate any facts, conditions,  
19                     practices, or matters to aid in the enforcement  
20                     of the provisions of this title, in the prescribing  
21                     of regulations under this title, or in securing in-  
22                     formation to serve as a basis for recommending  
23                     legislation concerning the matters to which this  
24                     title relates.

25 "“(2) POWERS.—

1                     “(A) IN GENERAL.—For the purpose of  
2                     any investigation under paragraph (1), or any  
3                     other proceeding under this title, any officer  
4                     designated by the Administration may admin-  
5                     ister oaths and affirmations, subpoena or other-  
6                     wise compel the attendance of witnesses, take  
7                     evidence, and require the production of any  
8                     books, papers, correspondence, memorandums,  
9                     or other records which the Administration con-  
10                    siders relevant or material to the inquiry.

11                    “(B) WITNESSES AND EVIDENCE.—The  
12                    attendance of witnesses and the production of  
13                    any documents under subparagraph (A) may be  
14                    required from any place in the United States or  
15                    any State at any designated place of hearing.

16                    “(3) ENFORCEMENT OF SUBPOENAS.—

17                    “(A) CIVIL ACTION.—In case of contumacy  
18                    by, or refusal to obey a subpoena issued to, any  
19                    person, the Administration may file an action in  
20                    any court of the United States within the juris-  
21                    diction of which an investigation or proceeding  
22                    is carried out, or where that person resides or  
23                    carries on business, to enforce the attendance  
24                    and testimony of witnesses and the production  
25                    of books, papers, correspondence, memoran-

1 dums, and other records. The court may issue  
2 an order requiring the person to appear before  
3 the Administration to produce records, if so or-  
4 dered, or to give testimony concerning the mat-  
5 ter under investigation or in question.

6                   “(B) FAILURE TO OBEY.—Any failure to  
7                   obey an order issued by a court under subpara-  
8                   graph (A) may be punished as contempt of that  
9                   Court.

10                             “(C) PROCESS.—All process in any con-  
11                             tempt case under subparagraph (A) may be  
12                             served in the judicial district in which the per-  
13                             son is an inhabitant or in which the person may  
14                             be found.

15                   “(4) EVIDENCE OF CRIMINAL MISCONDUCT.—

16                     “(A) IN GENERAL.—No person may be ex-  
17                     cused from attending and testifying or from  
18                     producing books, papers, contracts, agreements,  
19                     and other records and documents before the  
20                     Administration, in obedience to the subpoena of  
21                     the Administration, or in any cause or pro-  
22                     ceeding instituted by the Administration, on the  
23                     ground that the testimony or evidence, docu-  
24                     mentary or otherwise, required of that person

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

3           “(B) LIMITED IMMUNITY.—No individual  
4       may be prosecuted or subject to any penalty or  
5       forfeiture for, or on account of, any transaction,  
6       matter, or thing concerning which that indi-  
7       vidual is compelled, after having claimed a  
8       privilege against self-incrimination, to testify or  
9       produce evidence, documentary or otherwise, ex-  
10      cept that the individual so testifying shall not  
11      be exempt from prosecution and punishment for  
12      perjury committed in so testifying.

13           “(5) INJUNCTIVE RELIEF.—If the Administra-  
14      tion determines that any person is engaged or about  
15      to engage in any act or practice that constitutes a  
16      violation of any provision of this title, or of any reg-  
17      ulation prescribed under this title, the Administra-  
18      tion may bring an action in the appropriate district  
19      court of the United States, the United States Dis-  
20      trict Court for the District of Columbia, or the  
21      United States courts of any territory or other place  
22      subject to the jurisdiction of the United States, to  
23      enjoin the act or practice, and upon a proper show-  
24      ing, the court shall grant without bond a permanent  
25      or temporary injunction or restraining order.

1           “(6) MANDAMUS.—Upon application of the Ad-  
2 ministration, the district courts of the United  
3 States, the United States District Court for the Dis-  
4 trict of Columbia, and the United States courts of  
5 any territory or other place subject to the jurisdic-  
6 tion of the United States, shall have jurisdiction to  
7 issue writs of mandamus commanding any person to  
8 comply with the provisions of this title or any order  
9 of the Administration.

10           “(c) INTERVENTION IN CIVIL ACTIONS.—

11           “(1) IN GENERAL.—The Administration, on be-  
12 half of the public interest, may intervene of right as  
13 provided under rule 24(a) of the Federal Rules of  
14 Civil Procedure in any civil action relating to profes-  
15 sional boxing filed in a United States district court.

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

20           “(d) HEARINGS BY ADMINISTRATION.—Hearings  
21 conducted by the Administration under this title may be  
22 public and may be held before any officer of the Adminis-  
23 tration or before a State boxing commission. The Adminis-  
24 tration shall keep appropriate records of the hearings.

1   **“SEC. 208. NONINTERFERENCE WITH LOCAL BOXING AU-**2                   **THORITIES.**

3               “(a) NONINTERFERENCE.—Nothing in this title pro-  
4   hibits any local boxing authority from exercising any of  
5   its powers, duties, or functions with respect to the regula-  
6   tion or supervision of professional boxing or professional  
7   boxing matches to the extent not inconsistent with the pro-  
8   visions of this title.

9               “(b) MINIMUM STANDARDS.—Nothing in this title  
10   prohibits any local boxing authority from enforcing local  
11   standards or requirements that exceed the minimum  
12   standards or requirements promulgated by the Adminis-  
13   tration under this title.

14   **“SEC. 209. ASSISTANCE FROM OTHER AGENCIES.**

15               “Any employee of any executive department, agency,  
16   bureau, board, commission, office, independent establish-  
17   ment, or instrumentality may be detailed to the Adminis-  
18   tration, upon the request of the Administration, on a reim-  
19   bursable or nonreimbursable basis, with the consent of the  
20   appropriate authority having jurisdiction over the em-  
21   ployee. While so detailed, an employee shall continue to  
22   receive the compensation provided pursuant to law for the  
23   employee’s regular position of employment and shall re-  
24   tain, without interruption, the rights and privileges of that  
25   employment.

1   **“SEC. 210. REPORTS.**

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

6   The annual report shall include the following:

7           “(1) A detailed discussion of the activities of  
8 the Administration for the year covered by the re-  
9 port.

10          “(2) A description of the local boxing authority  
11 of each State and Indian tribe.

12          “(b) PUBLIC REPORT.—The Administration shall an-  
13 nually issue and publicize a report of the Administration  
14 on the progress made at Federal and State levels and on  
15 Indian lands in the reform of professional boxing and com-  
16 menting on issues of continuing concern to the Adminis-  
17 tration.

18          “(c) FIRST ANNUAL REPORT ON THE ADMINISTRA-  
19 TION.—The first annual report under this title shall be  
20 submitted not later than 2 years after the effective date  
21 of this title.

22   **“SEC. 211. INITIAL IMPLEMENTATION.**

23          “(a) TEMPORARY EXEMPTION.—The requirements  
24 for licensing under this title do not apply to a person for  
25 the performance of an activity as a boxer, boxing judge,  
26 or referee, or the performance of any other professional

1 activity in relation to a professional boxing match, if the  
2 person is licensed by a State or Indian tribe to perform  
3 that activity as of the effective date of this title.

4       “(b) EXPIRATION.—The exemption under subsection  
5 (a) with respect to a license issued by a State or Indian  
6 tribe expires on the earlier of—

7           “(1) the date on which the license expires; or  
8           “(2) the date that is 2 years after the date of  
9           the enactment of this Act.

10 **“SEC. 212. AUTHORIZATION OF APPROPRIATIONS.**

11       “(a) IN GENERAL.—There are authorized to be ap-  
12 propriated for the Administration for each fiscal year such  
13 sums as may be necessary for the Administration to per-  
14 form its functions for that fiscal year.

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

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

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

24           “(3) shall remain available until expended.”.

**1 SEC. 19. EFFECTIVE DATE.**

2        The amendments made by this Act shall take effect  
3 one year after the date of the enactment of this Act, except  
4 that the provisions of sections 202, 203, and 204 of title  
5 II of the Professional Boxing Safety Act of 1996, as added  
6 by section 18 of this Act, shall take effect on the date  
7 of enactment of this Act.

○