

108TH CONGRESS
1ST SESSION

H. R. 1281

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

IN THE HOUSE OF REPRESENTATIVES

MARCH 13, 2003

Mr. KING of New York 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.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Professional Boxing Amendments Act of 2003”.

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

Sec. 1. Short title; table of contents.

Sec. 2. Amendment of Professional Boxing Safety Act of 1996.

Sec. 3. Definitions.

Sec. 4. Purposes.

- Sec. 5. USBA approval, or ABC or commission sanction, required for matches.
- Sec. 6. Safety standards.
- Sec. 7. Registration.
- Sec. 8. Review.
- Sec. 9. Reporting.
- Sec. 10. Contract requirements.
- Sec. 11. Coercive contracts.
- Sec. 12. Sanctioning organizations.
- Sec. 13. Required disclosures by sanctioning organizations.
- Sec. 14. Required disclosures by promoters.
- Sec. 15. Judges and referees.
- Sec. 16. Medical registry.
- Sec. 17. Conflicts of interest.
- Sec. 18. Enforcement.
- Sec. 19. Repeal of deadwood.
- Sec. 20. Recognition of tribal law.
- Sec. 21. Establishment of United States Boxing Administration.
- Sec. 22. Effective date.

1 **SEC. 2. AMENDMENT OF PROFESSIONAL BOXING SAFETY**
 2 **ACT OF 1996.**

3 Except as otherwise expressly provided, whenever in
 4 this title an amendment or repeal is expressed in terms
 5 of an amendment to, or repeal of, a section or other provi-
 6 sion, the reference shall be considered to be made to a
 7 section or other provision of the Professional Boxing Safe-
 8 ty Act of 1996 (15 U.S.C. 6301 et seq.).

9 **SEC. 3. DEFINITIONS.**

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

12 **“SEC. 2. DEFINITIONS.**

13 “In this Act:

14 “(1) ADMINISTRATION.—The term ‘Administra-
 15 tion’ means the United States Boxing Administra-
 16 tion.

1 “(2) BOUT AGREEMENT.—The term ‘bout
2 agreement’ means a contract between a promoter
3 and a boxer that requires the boxer to participate in
4 a professional boxing match with a designated oppo-
5 nent on a particular date.

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

8 “(4) BOXING COMMISSION.—The term ‘boxing
9 commission’ means an entity authorized under State
10 or tribal law to regulate professional boxing
11 matches.

12 “(5) BOXER REGISTRY.—The term ‘boxer reg-
13 istry’ means any entity certified by the Administra-
14 tion for the purposes of maintaining records and
15 identification of boxers.

16 “(6) BOXING SERVICE PROVIDER.—The term
17 ‘boxing service provider’ means a promoter, man-
18 ager, sanctioning body, licensee, or matchmaker.

19 “(7) CONTRACT PROVISION.—The term ‘con-
20 tract provision’ means any legal obligation between
21 a boxer and a boxing service provider.

22 “(8) INDIAN LANDS; INDIAN TRIBE.—The
23 terms ‘Indian lands’ and ‘Indian tribe’ have the
24 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.

1 “(13) PHYSICIAN.—The term ‘physician’ means
2 a doctor of medicine legally authorized to practice
3 medicine by the State in which the physician per-
4 forms such function or action.

5 “(14) PROFESSIONAL BOXING MATCH.—The
6 term ‘professional boxing match’ means a boxing
7 contest held in the United States between individ-
8 uals for financial compensation. The term ‘profes-
9 sional boxing match’ does not include a boxing con-
10 test that is regulated by a duly recognized amateur
11 sports organization, as approved by the Administra-
12 tion.

13 “(15) PROMOTER.—

14 “(A) IN GENERAL.—The term ‘promoter’
15 means the person responsible for organizing,
16 promoting, and producing a professional boxing
17 match.

18 “(B) NON-APPLICATION TO CERTAIN ENTI-
19 TIES.—The term ‘promoter’ does not include a
20 premium or other cable or satellite program
21 service, hotel, casino, resort, or other commer-
22 cial establishment hosting or sponsoring a pro-
23 fessional boxing match unless it—

24 “(i) is responsible for organizing, pro-
25 moting, and producing the match; and

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

3 “(C) ENTITIES ENGAGING IN PRO-
4 MOTIONAL ACTIVITIES THROUGH AN AFFIL-
5 IATE.—Notwithstanding subparagraph (B), an
6 entity described in that subparagraph shall be
7 considered to be a promoter if the person re-
8 sponsible for organizing, promoting, and pro-
9 ducing a professional boxing match—

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

13 “(ii) organizes, promotes, and pro-
14 duces the match at the direction or request
15 of the entity.

16 “(16) PROMOTIONAL AGREEMENT.—The term
17 ‘promotional agreement’ means a contract between
18 any person and a boxer under which the boxer
19 grants to that person the right to secure and ar-
20 range all professional boxing matches requiring the
21 boxer’s services for—

22 “(A) a prescribed period of time; or

23 “(B) a prescribed number of professional
24 boxing matches.

1 “(17) STATE.—The term ‘State’ means each of
2 the 50 States, Puerto Rico, the District of Columbia,
3 and any territory or possession of the United States,
4 including the Virgin Islands.

5 “(18) SANCTIONING ORGANIZATION.—The term
6 ‘sanctioning organization’ means an organization,
7 other than a boxing commission, that sanctions pro-
8 fessional boxing matches, ranks professional boxers,
9 or charges a sanctioning fee for professional boxing
10 matches in the United States—

11 “(A) between boxers who are residents of
12 different States; or

13 “(B) that are advertised, otherwise pro-
14 moted, or broadcast (including closed circuit
15 television) in interstate commerce.

16 “(19) SUSPENSION.—The term ‘suspension’ in-
17 cludes within its meaning the temporary revocation
18 of a boxing license.

19 “(20) TRIBAL ORGANIZATION.—The term ‘trib-
20 al organization’ has the same meaning as in section
21 4(l) of the Indian Self-Determination and Education
22 Assistance Act (25 U.S.C. 450b(l)).”.

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

1 **“SEC. 21. PROFESSIONAL BOXING MATCHES CONDUCTED**
2 **ON INDIAN LANDS.**

3 “(a) IN GENERAL.—Notwithstanding any other pro-
4 vision of law, a tribal organization may establish a boxing
5 commission to regulate professional boxing matches held
6 on Indian land under the jurisdiction of that tribal organi-
7 zation.

8 “(b) STANDARDS AND LICENSING.—A tribal organi-
9 zation that establishes a boxing commission shall, by tribal
10 ordinance or resolution, establish and provide for the im-
11 plementation of health and safety standards, licensing re-
12 quirements, and other requirements relating to the con-
13 duct of professional boxing matches that are at least as
14 restrictive as—

15 “(1) the otherwise applicable requirements of
16 the State in which the Indian land on which the pro-
17 fessional boxing match is held is located; or

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

20 “(c) APPLICATION OF ACT TO BOXING MATCHES ON
21 TRIBAL LANDS.—The provisions of this Act apply to pro-
22 fessional boxing matches held on tribal lands to the same
23 extent and in the same way as they apply to professional
24 boxing matches held in any State.”.

1 **SEC. 4. PURPOSES.**

2 Section 3(2) (15 U.S.C. 6302(2)) is amended by
3 striking “State”.

4 **SEC. 5. USBA APPROVAL, OR ABC OR COMMISSION SANC-**
5 **TION, REQUIRED FOR MATCHES.**

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

8 **“SEC. 4. APPROVAL OR SANCTION REQUIREMENT.**

9 “(a) IN GENERAL.—No person may arrange, pro-
10 mote, organize, produce, or fight in a professional boxing
11 match within the United States unless the match—

12 “(1) is approved by the Administration; and

13 “(2) is supervised by the Association of Boxing
14 Commissions or by a boxing commission that is a
15 member in good standing of the Association of Box-
16 ing Commissions.

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

20 “(1) a match with respect to which the Admin-
21 istration has been informed of an alleged violation of
22 this Act and with respect to which it has notified the
23 supervising boxing commission that it does not ap-
24 prove;

25 “(2) a match advertised to the public as a
26 championship match; or

1 “(3) a match scheduled for 10 rounds or
2 more.”.

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

5 **SEC. 6. 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 examination shall include testing for infectious dis-
14 eases in accordance with standards established by
15 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 the Administration.”.

4 **SEC. 7. 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);

8 (2) by striking the first sentence of subsection
9 (c) and inserting “A boxing commission shall, in ac-
10 cordance with requirements established by the Ad-
11 ministration, make a health and safety disclosure to
12 a boxer when issuing an identification card to that
13 boxer.”;

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 AND IDENTIFICATION
19 CARDS TO BE SENT TO ADMINISTRATION.—A boxing
20 commission shall furnish a copy of each registration re-
21 ceived under subsection (a), and each identification card
22 issued under subsection (b), to the Administration.”.

23 **SEC. 8. REVIEW.**

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

1 (1) by striking “that, except as provided in sub-
2 section (b), no” in subsection (a)(2) and inserting
3 “that no”;

4 (2) by striking paragraphs (3) and (4) of sub-
5 section (a) and inserting the following:

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

12 (3) by striking subsection (b); and

13 (4) by striking “(a) PROCEDURES.—”.

14 **SEC. 9. REPORTING.**

15 Section 8 (15 U.S.C. 6307) is amended—

16 (1) by striking “48 business hours” and insert-
17 ing “2 business days”;

18 (2) by striking “bxoing” and inserting “box-
19 ing”; and

20 (3) by striking “each boxer registry.” and in-
21 serting “the Administration.”.

22 **SEC. 10. CONTRACT REQUIREMENTS.**

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

1 **“SEC. 9. CONTRACT REQUIREMENTS.**

2 “(a) IN GENERAL.—The Administration, in consulta-
3 tion with the Association of Boxing Commissions, shall de-
4 velop guidelines for minimum contractual provisions that
5 shall be included in each bout agreement, boxer-manager
6 contract, and promotional agreement. Each boxing com-
7 mission shall ensure that these minimal contractual provi-
8 sions are present in any such agreement or contract sub-
9 mitted to it.

10 “(b) FILING AND APPROVAL REQUIREMENTS.—

11 “(1) ADMINISTRATION.—A manager or pro-
12 moter shall submit a copy of each boxer-manager
13 contract and each promotional agreement between
14 that manager or promoter and a boxer to the Ad-
15 ministration, and, if requested, to the boxing com-
16 mission with jurisdiction over the bout.

17 “(2) BOXING COMMISSION.—A boxing commis-
18 sion may not approve a professional boxing match
19 unless a copy of the bout agreement related to that
20 match has been filed with it and approved by it.

21 “(c) BOND OR OTHER SURETY.—A boxing commis-
22 sion may not approve a professional boxing match unless
23 the promoter of that match has posted a surety bond,
24 cashier’s check, letter of credit, cash, or other security
25 with the boxing commission in an amount acceptable to
26 the boxing commission.”.

1 **SEC. 11. COERCIVE CONTRACTS.**

2 Section 10 (15 U.S.C. 6307b) is amended—

3 (1) by striking paragraph (3) of subsection (a);

4 (2) by inserting “or elimination” after “manda-
5 tory” in subsection (b).

6 **SEC. 12. SANCTIONING ORGANIZATIONS.**

7 (a) IN GENERAL.—Section 11 (15 U.S.C. 6307c) is
8 amended to read as follows:

9 **“SEC. 11. SANCTIONING ORGANIZATIONS.**

10 “(a) OBJECTIVE CRITERIA.—Within 1 year after the
11 date of enactment of the Professional Boxing Amendments
12 Act of 2003, the Administration shall develop guidelines
13 for objective and consistent written criteria for the rating
14 of professional boxers based on the athletic merits of the
15 boxers. Within 90 days after the Administration’s promul-
16 gation of the guidelines, each sanctioning organization
17 shall adopt the guidelines and follow them.

18 “(b) NOTIFICATION OF CHANGE IN RATING.—A
19 sanctioning organization shall, with respect to a change
20 in the rating of a boxer previously rated by such organiza-
21 tion in the top 10 boxers—

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

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

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

7 “(4) apply the objective criteria for ratings re-
8 quired under subsection (a) in considering any such
9 appeal.

10 “(c) CHALLENGE OF RATING.—If, after disposing
11 with an appeal under subsection (b)(3), a sanctioning or-
12 ganization receives a petition from a boxer challenging
13 that organization’s rating of the boxer, it shall (except to
14 the extent otherwise required by the Administration),
15 within 7 days after receiving the petition—

16 “(1) provide to the boxer a written explanation
17 under penalty of perjury of the organization’s rating
18 criteria, its rating of the boxer, and the rationale or
19 basis for its rating (including a response to any spe-
20 cific questions submitted by the boxer); and

21 “(2) submit a copy of its explanation to the As-
22 sociation of Boxing Commissions and the Adminis-
23 tration.”.

1 **SEC. 13. REQUIRED DISCLOSURES BY SANCTIONING ORGA-**
2 **NIZATIONS.**

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

4 (1) by striking the matter preceding paragraph
5 (1) and inserting “Within 7 days after a professional
6 boxing match of 10 rounds or more, the sanctioning
7 organization for that match shall provide to the Ad-
8 ministration, and, if requested, to the boxing com-
9 mission in the State or on Indian land responsible
10 for regulating the match, a statement of—”;

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

13 (3) by striking “will receive” in paragraph (2)
14 and inserting “has received, or will receive,”.

15 **SEC. 14. REQUIRED DISCLOSURES BY PROMOTERS.**

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

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

19 “(a) DISCLOSURES TO BOXING COMMISSIONS AND
20 ADMINISTRATION.—Within 7 days after a professional
21 boxing match of 10 rounds or more, the promoter of any
22 boxer participating in that match shall provide to the Ad-
23 ministration, and, if requested, to the boxing commission
24 in the State or on Indian land responsible for regulating
25 the match—”;

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

4 (3) by striking “all fees, charges, and expenses
5 that will be” in subsection (a)(3)(A) and inserting
6 “a statement of all fees, charges, and expenses that
7 have been, or will be,”;

8 (4) by inserting “a statement of” before “all”
9 in subsection (a)(3)(B);

10 (5) by inserting “a statement of” before “any”
11 in subsection (a)(3)(C);

12 (6) by striking the matter in subsection (b) fol-
13 lowing “BOXER.—” and preceding paragraph (1)
14 and inserting “Within 7 days after a professional
15 boxing match of 10 rounds or more, the promoter of
16 the match shall provide to each boxer participating
17 in the match with whom the promoter has a pro-
18 motional agreement a statement of—”; and

19 (7) by striking “match;” in subsection (b)(1)
20 and inserting “match, and that the promoter has
21 paid, or agreed to pay, to any other person in con-
22 nection with the match;”.

23 **SEC. 15. JUDGES AND REFEREES.**

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

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

3 (2) by striking “certified and approved” and in-
4 serting “selected”;

5 (3) by inserting “or Indian lands” after
6 “State”; and

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

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

16 “(c) SANCTIONING ORGANIZATION NOT TO INFLU-
17 ENCE SELECTION PROCESS.—A sanctioning organiza-
18 tion—

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

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

1 “(d) ASSIGNMENT OF NONRESIDENT JUDGES AND
 2 REFEREES.—A boxing commission may assign judges and
 3 referees who reside outside that commission’s State or In-
 4 dian land if the judge or referee is licensed by a boxing
 5 commission in the United States.

6 “(e) REQUIRED DISCLOSURE.—A judge or referee
 7 shall provide to the boxing commission responsible for reg-
 8 ulating a professional boxing match in a State or on In-
 9 dian land a statement of all consideration, including reim-
 10 bursement for expenses, that the judge or referee has re-
 11 ceived, or will receive, from any source for participation
 12 in the match. If the match is scheduled for 10 rounds or
 13 more, the judge or referee shall also provide such a state-
 14 ment to the Administration.”.

15 (b) CONFORMING AMENDMENT.—Section 14 (15
 16 U.S.C. 6307f) is repealed.

17 **SEC. 16. MEDICAL REGISTRY.**

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

20 **“SEC. 14. MEDICAL REGISTRY.**

21 “(a) IN GENERAL.—The Administration, in consulta-
 22 tion with the Association of Boxing Commissions, shall es-
 23 tablish and maintain, or certify a third party entity to es-
 24 tablish and maintain, a medical registry that contains

1 comprehensive medical records and medical denials or sus-
2 pensions for every licensed boxer.

3 “(b) CONTENT; SUBMISSION.—The Administration
4 shall determine—

5 “(1) the nature of medical records and medical
6 suspensions of a boxer that are to be forwarded to
7 the medical registry; and

8 “(2) the time within which the medical records
9 and medical suspensions are to be submitted to the
10 medical registry.

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

15 “(1) protect the health and safety of boxers by
16 making relevant information available to the boxing
17 commissions for use but not public disclosure; and

18 “(2) ensure that the privacy of the boxers is
19 protected.”.

20 **SEC. 17. CONFLICTS OF INTEREST.**

21 Section 17(a) (15 U.S.C. 6308(a)) is amended—

22 (1) by striking “enforces State” and inserting
23 “enforces State or Tribal”;

24 (2) by inserting “no officer or employee of the
25 Administration,” after “laws,”; and

1 (3) by striking “as described in section 4.” and
2 inserting “ or under the jurisdiction of another trib-
3 al organization.”.

4 **SEC. 18. ENFORCEMENT.**

5 Section 18 (15 U.S.C. 6309) is amended—

6 (1) by striking “(a) INJUNCTION.—” in sub-
7 section (a) and inserting “(a) ACTIONS BY ATTOR-
8 NEY GENERAL.—”;

9 (2) by inserting “or criminal” after “civil” in
10 subsection (a);

11 (3) by inserting “any officer or employee of the
12 Administration,” after “laws,” in subsection (b)(3);

13 (4) by inserting “has engaged in or” after “or-
14 ganization” in subsection (c);

15 (5) by inserting “or criminal” after “civil” in
16 subsection (c);

17 (6) by striking “fines” in subsection (c)(3) and
18 inserting “sanctions”; and

19 (7) by striking “boxer” in subsection (d) and
20 inserting “person”.

21 **SEC. 19. REPEAL OF DEADWOOD.**

22 Section 20 (15 U.S.C. 6311) is repealed.

23 **SEC. 20. RECOGNITION OF TRIBAL LAW.**

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

1 (1) by inserting “**OR TRIBAL**” in the section
2 heading after “**STATE**”; and
3 (2) by inserting “or Indian tribe” after
4 “State”.

5 **SEC. 21. ESTABLISHMENT OF UNITED STATES BOXING AD-**
6 **MINISTRATION.**

7 (a) IN GENERAL.—The Act is amended by adding at
8 the end the following:

9 **“TITLE II—UNITED STATES**
10 **BOXING ADMINISTRATION**

11 **“SEC. 201. PURPOSE.**

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

15 **“SEC. 202. ESTABLISHMENT OF UNITED STATES BOXING AD-**
16 **MINISTRATION.**

17 “(a) IN GENERAL.—The United States Boxing Ad-
18 ministration is established as an administration of the De-
19 partment of Labor.

20 “(b) ADMINISTRATOR.—

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

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

3 “(A) has extensive experience in profes-
4 sional boxing activities or in a field directly re-
5 lated to professional sports;

6 “(B) is of outstanding character and rec-
7 ognized integrity;

8 “(C) is selected on the basis of training,
9 experience, and qualifications and without re-
10 gard to political party affiliation; and

11 “(D) is a United States citizen.

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

15 “The Administrator of the United States Box-
16 ing Administration.”.

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

19 “(c) ASSISTANT ADMINISTRATOR; GENERAL COUN-
20 SEL.—The Administration shall have an Assistant Admin-
21 istrator and a General Counsel, each of whom shall be ap-
22 pointed by the Administrator. The Assistant Adminis-
23 trator shall—

24 “(1) serve as Administrator in the absence of
25 the Administrator, in the event of the inability of the

1 Administrator to carry out the functions of the Ad-
2 ministrator, or in the event of a vacancy in that of-
3 fice; and

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

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

9 **“SEC. 203. FUNCTIONS.**

10 “(a) PRIMARY FUNCTIONS.—The primary functions
11 of the Administration are—

12 “(1) to protect the health, safety, and general
13 interests of boxers consistent with the provisions of
14 this Act; and

15 “(2) to ensure uniformity, fairness, and integ-
16 rity in professional boxing.

17 “(b) SPECIFIC FUNCTIONS.—The Administrator
18 shall—

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

20 “(2) promulgate uniform standards for profes-
21 sional boxing in consultation with the boxing com-
22 missions of the several States and tribal organiza-
23 tions;

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

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

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

9 “(B) to enhance physical, medical, finan-
10 cial, and other safeguards established for the
11 protection of professional boxers; and

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

14 “(5) ensure, through the Attorney General, the
15 chief law enforcement officer of the several States,
16 and other appropriate officers and agencies of Fed-
17 eral, State, and local government, that Federal and
18 State laws applicable to professional boxing matches
19 in the United States are vigorously, effectively, and
20 fairly enforced;

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

1 “(7) serve as the coordinating body for all ef-
2 forts in the United States to establish and maintain
3 uniform minimum health and safety standards for
4 professional boxing;

5 “(8) if the Administrator determines it to be
6 appropriate, publish a newspaper, magazine, or
7 other publication and establish and maintain a
8 website consistent with the purposes of the Adminis-
9 tration;

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

15 “(10) promulgate rules, regulations, and guid-
16 ance, and take any other action necessary and prop-
17 er to accomplish the purposes of, and consistent
18 with, the provisions of this title.

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

20 “(1) promote boxing events or rank professional
21 boxers; or

22 “(2) provide technical assistance to, or author-
23 ize the use of the name of the Administration by,
24 boxing commissions that do not comply with require-
25 ments of the Administration.

1 “(d) USE OF NAME.—The Administration shall have
 2 the exclusive right to use the name ‘United States Boxing
 3 Administration’. Any person who, without the permission
 4 of the Administration, uses that name or any other exclu-
 5 sive name, trademark, emblem, symbol, or insignia of the
 6 Administration for the purpose of inducing the sale or ex-
 7 change of any goods or services, or to promote any exhi-
 8 bition, performance, or sporting event, shall be subject to
 9 suit in a civil action by the Administration for the rem-
 10 edies provided in the Act of July 5, 1946 (commonly
 11 known as the ‘Trademark Act of 1946’; 15 U.S.C. 1051
 12 et seq.).

13 **“SEC. 204. LICENSING AND REGISTRATION OF BOXING PER-**
 14 **SONNEL.**

15 “(a) LICENSING.—

16 “(1) REQUIREMENT FOR LICENSE.—No person
 17 may compete in a professional boxing match or serve
 18 as a boxing manager, boxing promoter, or sanc-
 19 tioning organization for a professional boxing match
 20 except as provided in a license granted to that per-
 21 son under this subsection.

22 “(2) APPLICATION AND TERM.—

23 “(A) IN GENERAL.—The Administration
 24 shall—

1 “(i) establish application procedures,
2 forms, and fees;

3 “(ii) establish and publish appropriate
4 standards for licenses granted under this
5 section; and

6 “(iii) issue a license to any person
7 who, as determined by the Administration,
8 meets the standards established by the Ad-
9 ministration under this title.

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

12 “(i) 4-year term for a boxer; and

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

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

18 “(b) LICENSING FEES.—

19 “(1) AUTHORITY.—The Administration may
20 prescribe and charge reasonable fees for the licens-
21 ing of persons under this title. The Administration
22 may set, charge, and adjust varying fees on the
23 basis of classifications of persons, functions, and
24 events determined appropriate by the Administra-
25 tion.

1 “(2) 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 motors pay the largest portion of the fees; and

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

9 “(3) 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.

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

14 “(a) REQUIREMENT FOR REGISTRY.—The Adminis-
15 tration, in consultation with the Association of Boxing
16 Commissions, shall establish and maintain (or authorize
17 a third party to establish and maintain) a unified national
18 computerized registry for the collection, storage, and re-
19 trieval of information related to the performance of its du-
20 ties.

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

23 “(1) BOXERS.—A list of professional boxers
24 and data in the medical registry established under
25 section 114 of this Act, which the Administration

1 shall secure from disclosure in accordance with the
2 confidentiality requirements of section 114(c).

3 “(2) OTHER PERSONNEL.—Information (pertinent to the sport of professional boxing) on boxing
4 promoters, boxing matchmakers, boxing managers,
5 trainers, cut men, referees, boxing judges, physicians, and any other personnel determined by the
6 Administration as performing a professional activity
7 for professional boxing matches.
8

10 **“SEC. 206. CONSULTATION REQUIREMENTS.**

11 “The Administration shall consult with local boxing
12 authorities—

13 “(1) before prescribing any regulation or establishing any standard under the provisions of this
14 title; and
15

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

18 **“SEC. 207. MISCONDUCT.**

19 “(a) SUSPENSION AND REVOCATION OF LICENSE OR
20 REGISTRATION.—

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

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

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

10 “(C) the suspension or revocation is nec-
11 essary for the protection of health and safety or
12 is otherwise in the public interest.

13 “(2) PERIOD OF SUSPENSION.—

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

18 “(B) SUSPENSION FOR MEDICAL REA-
19 SONS.—In the case of a suspension or denial of
20 the license of a boxer for medical reasons by the
21 Administration, the Administration may termi-
22 nate the suspension or denial at any time that
23 a physician certifies that the boxer is fit to par-
24 ticipate in a professional boxing match. The
25 Administration shall prescribe the standards

1 and procedures for accepting certifications
2 under this subparagraph.

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

6 “(b) INVESTIGATIONS AND INJUNCTIONS.—

7 “(1) AUTHORITY.—The Administration may—

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

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

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

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

1 legislation concerning the matters to which this
2 Act relates.

3 “(2) POWERS.—

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

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

20 “(3) ENFORCEMENT OF SUBPOENAS.—

21 “(A) CIVIL ACTION.—In case of contumacy
22 by, or refusal to obey a subpoena issued to, any
23 person, the Administration may file an action in
24 any district court of the United States within
25 the jurisdiction of which an investigation or

1 proceeding is carried out, or where that person
2 resides or carries on business, to enforce the at-
3 tendance and testimony of witnesses and the
4 production of books, papers, correspondence,
5 memorandums, and other records. The court
6 may issue an order requiring the person to ap-
7 pear before the Administration to produce
8 records, if so ordered, or to give testimony con-
9 cerning the matter under investigation or in
10 question.

11 “(B) FAILURE TO OBEY.—Any failure to
12 obey an order issued by a court under subpara-
13 graph (A) may be punished as contempt of that
14 court.

15 “(C) PROCESS.—All process in any con-
16 tempt case under subparagraph (A) may be
17 served in the judicial district in which the per-
18 son is an inhabitant or in which the person may
19 be found.

20 “(4) EVIDENCE OF CRIMINAL MISCONDUCT.—

21 “(A) IN GENERAL.—No person may be ex-
22 cused from attending and testifying or from
23 producing books, papers, contracts, agreements,
24 and other records and documents before the
25 Administration, in obedience to the subpoena of

1 the Administration, or in any cause or pro-
2 ceeding instituted by the Administration, on the
3 ground that the testimony or evidence, docu-
4 mentary or otherwise, required of that person
5 may tend to incriminate the person or subject
6 the person to a penalty or forfeiture.

7 “(B) LIMITED IMMUNITY.—No individual
8 may be prosecuted or subject to any penalty or
9 forfeiture for, or on account of, any transaction,
10 matter, or thing concerning the matter about
11 which that individual is compelled, after having
12 claimed a privilege against self-incrimination, to
13 testify or produce evidence, documentary or
14 otherwise, except that the individual so testi-
15 fying shall not be exempt from prosecution and
16 punishment for perjury committed in so testi-
17 fying.

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

1 States courts of any territory or other place subject
2 to the jurisdiction of the United States, to enjoin the
3 act or practice, and upon a proper showing, the
4 court shall grant without bond a permanent or tem-
5 porary injunction or restraining order.

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

15 “(c) INTERVENTION IN CIVIL ACTIONS.—

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

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

1 “(d) HEARINGS BY ADMINISTRATION.—Hearings
2 conducted by the Administration under this Act shall be
3 public and may be held before any officer of the Adminis-
4 tration. The Administration shall keep appropriate records
5 of the hearings.

6 **“SEC. 208. NONINTERFERENCE WITH LOCAL BOXING AU-**
7 **THORITIES.**

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

14 “(b) MINIMUM STANDARDS.—Nothing in this Act
15 prohibits any local boxing authority from enforcing local
16 standards or requirements that exceed the minimum
17 standards or requirements promulgated by the Adminis-
18 tration under this Act.

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

20 “Any employee of any executive department, agency,
21 bureau, board, commission, office, independent establish-
22 ment, or instrumentality may be detailed to the Adminis-
23 tration, upon the request of the Administration, on a reim-
24 bursable or nonreimbursable basis, with the consent of the
25 appropriate authority having jurisdiction over the em-

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

6 **“SEC. 210. REPORTS.**

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

11 The annual report shall include—

12 “(1) a detailed discussion of the activities of the
13 Administration for the year covered by the report;
14 and

15 “(2) an overview of the licensing and enforce-
16 ment activities of the State and tribal organization
17 boxing commissions.

18 “(b) PUBLIC REPORT.—The Administration shall an-
19 nually issue and publicize a report of the Administration
20 on the progress made at Federal and State levels and on
21 Indian lands in the reform of professional boxing, which
22 shall include comments on issues of continuing concern to
23 the Administration.

24 “(c) FIRST ANNUAL REPORT ON THE ADMINISTRA-
25 TION.—The first annual report under this title shall be

1 submitted not later than 2 years after the effective date
2 of this title.

3 **“SEC. 211. INITIAL IMPLEMENTATION.**

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

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

14 “(1) the date on which the license expires; or

15 “(2) the date that is 2 years after the date of
16 the enactment of the Professional Boxing Amend-
17 ments Act of 2003.

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

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

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

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

4 “(2) shall be available for expenditure only to
 5 pay the costs of activities and services for which the
 6 fee is imposed; and

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

8 (b) CONFORMING AMENDMENTS.—

9 (1) PBSA.—The Professional Boxing Safety
 10 Act of 1996, as amended by this Act, is further
 11 amended—

12 (A) by amending section 1 to read as fol-
 13 lows:

14 **“SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

15 “(a) SHORT TITLE.—This Act may be cited as the
 16 ‘Professional Boxing Safety Act’.

17 “(b) TABLE OF CONTENTS.—The table of contents
 18 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 sanc-
 tioning 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.”;

1 (B) by inserting before section 3 the fol-
 2 lowing:

3 **“TITLE I—PROFESSIONAL**
 4 **BOXING SAFETY”;**

5 (C) by redesignating sections 3, 4, 5, 6, 7,
 6 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 21, and
 7 22 as sections 101 through 118, respectively;

8 (D) by striking subsection (a) of section
 9 113, as redesignated, and inserting the fol-
 10 lowing:

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

1 (E) by striking “section 13” in subsection
2 (b) of section 113, as redesignated, and insert-
3 ing “section 111”;

4 (F) by striking “9(b), 10, 11, 12, 13, 14,
5 or 16,” in paragraph (1) of section 116(b), as
6 redesignated, and inserting “107, 108, 109,
7 110, 111, or 114,”;

8 (G) by striking “9(b), 10, 11, 12, 13, 14,
9 or 16” in paragraph (2) of section 116(b), as
10 redesignated, and inserting “107, 108, 109,
11 110, 111, or 114”;

12 (H) by striking “section 17(a)” in sub-
13 section (b)(3) of section 116, as redesignated,
14 and inserting “section 115(a)”;

15 (I) by striking “section 10” in subsection
16 (e)(3) of section 116, as redesignated, and in-
17 serting “section 108”; and

18 (J) by striking “of this Act” each place it
19 appears in sections 101 through 120, as redesi-
20 gnated, and inserting “of this title”.

21 (2) COMPENSATION OF ADMINISTRATOR.—Sec-
22 tion 5315 of title 5, United States Code, is amended
23 by adding at the end the following:

24 “The Administrator of the United States Boxing
25 Administration.”.

1 **SEC. 22. EFFECTIVE DATE.**

2 (a) IN GENERAL.—Except as provided in subsection
3 (b), the amendments made by this Act shall take effect
4 on the date of enactment of this Act.

5 (b) 1-YEAR DELAY FOR CERTAIN TITLE II PROVI-
6 SIONS.—Sections 205 through 212 of the Professional
7 Boxing Safety Act of 1996, as added by section 21(a) of
8 this Act, shall take effect 1 year after the date of enact-
9 ment of this Act.

○