

Whereas Major Richard D. Winters (Ret.), a native of Lancaster, Pennsylvania and a graduate of Franklin & Marshall College, served the United States honorably and with great distinction as 1st Lieutenant, Company E, 2nd Battalion, 506th Parachute Infantry Regiment, 101st Airborne Division;

Whereas landing at the town of Ste. Mere-Eglise on June 6, 1944, Lieutenant Winters took command of "Easy Company" following the death of the company commander in the airborne drop, and received orders to destroy a four-gun battery of German 105mm howitzers at a French farmhouse named "Brecourt Manor", 3 kilometers from Ste. Marie-du-Mont;

Whereas Lieutenant Winters, with only 12 men, proceeded to assault this enemy battery which was directing heavy fire against the 4th Infantry Division as they landed on Utah Beach;

Whereas against great odds, and through extraordinary bravery, Lieutenant Winters and his men were able to overcome a platoon of 50 elite German soldiers guarding the battery;

Whereas Lieutenant Winters personally led the attack and repeatedly exposed himself directly to enemy fire while performing his military duties;

Whereas this gallant action by Lieutenant Winters and his men, 4 of whom gave their lives, and 2 of whom were wounded, saved countless lives among the soldiers of the 4th Infantry Division; and

Whereas Lieutenant Richard D. Winters received the Distinguished Service Cross in recognition of his outstanding military service and achievement during the Normandy campaign: Now, therefore, be it

*Resolved*, That the Senate—

(1) salutes the accomplishments of Lieutenant Richard D. Winters and the men of "Easy Company" for their actions to ensure control over Utah Beach at Normandy;

(2) commends the heroism and bravery shown by Lieutenant Richard D. Winters in the face of death and severe hardship to accomplish his mission and save the lives of Allied Forces landing at Utah Beach;

(3) acknowledges the historical achievements of Lieutenant Richard D. Winters and the men of "Easy Company" in assuring the success of the Allied Normandy campaign, begun on June 6, 1944; and

(4) expresses its gratitude for the selfless service of Lieutenant Richard D. Winters, the men of "Easy Company," and all veterans who served in World War II in restoring freedom to the world and for defeating the elements of evil and oppression.

#### SENATE RESOLUTION 482—CONGRATULATING THE BOSTON RED SOX ON WINNING THE 2004 WORLD SERIES

Mr. KENNEDY (for himself, Mr. REED, Mr. KERRY, Mr. DODD, Mr. JEFFORDS, Mr. SUNUNU, and Mr. CHAFEE) submitted the following resolution; which was submitted and read:

S. RES. 482

Whereas on October 27, 2004, the Boston Red Sox won their first World Series title in 86 years in a four-game sweep of the St. Louis Cardinals;

Whereas the Red Sox won their sixth world title in the 104-year history of the storied franchise;

Whereas the 2004 Red Sox World Champion team epitomized sportsmanship, selfless play, team spirit, determination, and heart in the course of winning 98 games in the regular season and clinching the American League Wild Card playoff berth;

Whereas the 2004 Red Sox World Champion team honored the careers of all former Red Sox legends, including Joe Cronin, Bobby Doerr, Carlton Fisk, Jimmie Foxx, Carl Yastrzemski, Cy Young, Johnny Pesky, Dom DiMaggio, Jim Rice, and Ted Williams;

Whereas the 2004 postseason produced new Red Sox legends, including Derek Lowe, Pedro Martinez, Curt Schilling, Tim Wakefield, Jason Varitek, Keith Foulke, Manny Ramirez, David Ortiz, Johnny Damon, Trot Nixon, Orlando Cabrera, Kevin Millar, Mike Timlin, Alan Embree, Mark Bellhorn, Bill Mueller, and Dave Roberts;

Whereas Red Sox Manager Terry Francona brought fresh leadership to the clubhouse this year, and brought together a self-proclaimed "band of idiots" and made them into one of the greatest Red Sox teams of all time;

Whereas Red Sox owners John Henry and Tom Werner and Red Sox President and Chief Executive Officer Larry Lucchino never wavered from their goal of bringing a World Series Championship to Boston;

Whereas Red Sox General Manager Theo Epstein assembled a team with strong pitching, a crushing offense, and most important, the heart and soul of a champion;

Whereas the Red Sox never trailed in any of the 36 innings of the World Series;

Whereas the Red Sox set a new major league record by winning eight consecutive games in the postseason;

Whereas Derek Lowe, Pedro Martinez, and Curt Schilling delivered gutsy pitching performances in the postseason worthy of their status as some of the best pitchers in Red Sox history;

Whereas the Red Sox starting pitching in Games 2, 3, and 4 of the World Series had a combined earned run average of 0.00;

Whereas Manny Ramirez won the 2004 World Series Most Valuable Player award in the World Series after batting .350 in the postseason with two home runs and 11 runs batted in;

Whereas the Red Sox staged the greatest comeback in baseball history in the American League Championship Series against their rivals, the New York Yankees, by winning four consecutive games after losing the first three games of the series;

Whereas the Red Sox prevailed in four consecutive American League Championship Series games, while producing some of the most memorable moments in sports history, including Dave Roberts stealing second base in the bottom of the ninth inning of Game 4, David Ortiz securing a walk-off home run in the 12th inning of Game 4, David Ortiz singling in the winning run in the bottom of the 14th inning in Game 5, and Johnny Damon making a grand slam in Game 7;

Whereas the entire Red Sox organization has a strong commitment to charitable causes in New England, demonstrated by the team's 51-year support of the Dana-Farber Cancer Institute's Jimmy Fund in the fight against childhood cancers;

Whereas fans of the Red Sox do not live only in Boston or New England, but all across the country and the world, and a grateful "Red Sox Nation" thanks the team for bringing a World Championship home to Boston;

Whereas the 2004 Boston Red Sox and their loyal fans believed; and

Whereas this IS next year: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates—

(A) the Boston Red Sox for winning the 2004 Major League Baseball World Series and for their incredible performance during the 2004 Major League Baseball season; and

(B) the eight Major League Baseball teams that played in the postseason;

(2) recognizes the achievements of the Boston Red Sox players, manager, coaches, and support staff whose hard work, dedication, and spirit made this all possible;

(3) commends—

(A) the St. Louis Cardinals for a valiant performance during the 2004 season and the World Series; and

(B) the fans and management of the St. Louis Cardinals for allowing the Red Sox fans from Boston and around the Nation to celebrate their first title in 86 years at their home field; and

(4) directs the Enrolling Clerk of the Senate to transmit an enrolled copy of this resolution to—

(A) the 2004 Boston Red Sox team;

(B) Red Sox Manager Terry Francona;

(C) Red Sox General Manager Theo Epstein;

(D) Red Sox President and Chief Executive Officer Larry Lucchino;

(E) Red Sox Principal Owner John Henry; and

(F) Red Sox Chairman Tom Werner.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 4074. Mr. MCCAIN proposed an amendment to the bill S. 3021, to provide for the protection of intellectual property rights, and for other purposes.

SA 4075. Mr. MCCAIN (for Ms. COLLINS) proposed an amendment to the bill S. 2657, to amend part III of title 5, United States Code, to provide for the establishment of programs under which supplemental dental and vision benefits are made available to Federal employees, retirees, and their dependents, to expand the contracting authority of the Office of Personnel Management, and for other purposes.

SA 4076. Mr. STEVENS proposed an amendment to the concurrent resolution H. Con. Res. 528, Official Title Not Available.

SA 4077. Mr. FRIST (for Ms. COLLINS (for herself and Mr. BINGAMAN)) proposed an amendment to the bill S. 2635, to establish an intergovernmental grant program to identify and develop homeland security information, equipment, capabilities, technologies, and services to further the homeland security needs of the United States and to address the homeland security needs of Federal, State, and local governments.

SA 4078. Mr. FRIST (for Mr. INOUE) proposed an amendment to the bill S. 2488, to establish a program within the National Oceanic and Atmospheric Administration and the United States Coast Guard to help identify, assess, reduce, and prevent marine debris and its adverse impacts on the marine environment and navigation safety, in coordination with non-Federal entities, and for other purposes.

SA 4079. Mr. FRIST proposed an amendment to the concurrent resolution H. Con. Res. 529, Official Title Not Available.

#### TEXT OF AMENDMENTS

SA 4074. Mr. MCCAIN proposed an amendment to the bill S. 3021, to provide for the protection of intellectual property rights, and for other purposes; as follows:

#### TITLE II—PROFESSIONAL BOXING SAFETY SEC. 201. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This title may be cited as the "Professional Boxing Amendments Act of 2004".

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

Sec. 201. Short title; table of contents.

Sec. 202. Amendment of Professional Boxing Safety Act of 1996.

Sec. 203. Definitions.

Sec. 204. Purposes.

Sec. 205. United States Boxing Commission approval, or ABC or commission sanction, required for matches.

Sec. 206. Safety standards.

Sec. 207. Registration.

Sec. 208. Review.

Sec. 209. Reporting.

Sec. 210. Contract requirements.

Sec. 211. Coercive contracts.

Sec. 212. Sanctioning organizations.

Sec. 213. Required disclosures by sanctioning organizations.

Sec. 214. Required disclosures by promoters and broadcasters.

Sec. 215. Judges and referees.

Sec. 216. Medical registry.

Sec. 217. Conflicts of interest.

Sec. 218. Enforcement.

Sec. 219. Repeal of deadwood.

Sec. 220. Recognition of tribal law.

Sec. 221. Establishment of United States Boxing Commission.

Sec. 222. Study and report on definition of promoter.

Sec. 223. Effective date.

**SEC. 202. AMENDMENT OF PROFESSIONAL BOXING SAFETY ACT OF 1996.**

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Professional Boxing Safety Act of 1996 (15 U.S.C. 6301 et seq.).

**SEC. 203. DEFINITIONS.**

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

**“SEC. 2. DEFINITIONS.**

“In this Act:

“(1) COMMISSION.—The term ‘Commission’ means the United States Boxing Commission.

“(2) BOUT AGREEMENT.—The term ‘bout agreement’ means a contract between a promoter and a boxer that requires the boxer to participate in a professional boxing match for a particular date.

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

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

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

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

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

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

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

“(10) MANAGER.—The term ‘manager’ means a person other than a promoter 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, in-

cluding a person who is a booking agent for a boxer.

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

“(12) PHYSICIAN.—The term ‘physician’ means a doctor of medicine legally authorized to practice medicine by the State in which the physician performs such function or action and who has training and experience in dealing with sports injuries, particularly head trauma.

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

“(14) PROMOTER.—The term ‘promoter’—

“(A) means the person primarily responsible for organizing, promoting, and producing a professional boxing match; but

“(B) does not include a hotel, casino, resort, or other commercial establishment hosting or sponsoring a professional boxing match unless—

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

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

“(15) PROMOTIONAL AGREEMENT.—The term ‘promotional agreement’ means a contract, for the acquisition of rights relating to a boxer’s participation in a professional boxing match or series of boxing matches (including the right to sell, distribute, exhibit, or license the match or matches), with—

“(A) the boxer who is to participate in the match or matches; or

“(B) the nominee of a boxer who is to participate in the match or matches, or the nominee is an entity that is owned, controlled or held in trust for the boxer unless that nominee or entity is a licensed promoter who is conveying a portion of the rights previously acquired.

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

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

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

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

“(18) SUSPENSION.—The term ‘suspension’ includes within its meaning the temporary revocation of a boxing license.

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

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

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

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

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

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

“(2) the guidelines established by the United States Boxing Commission.

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

**SEC. 204. PURPOSES.**

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

**SEC. 205. UNITED STATES BOXING COMMISSION APPROVAL, OR ABC OR COMMISSION SANCTION, REQUIRED FOR MATCHES.**

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

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

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

“(1) is approved by the Commission; and

“(2) is held in a State, or on tribal land of a tribal organization, that regulates professional boxing matches in accordance with standards and criteria established by the Commission.

“(b) APPROVAL PRESUMED.—

“(1) IN GENERAL.—For purposes of subsection (a), the Commission shall be presumed to have approved any match other than—

“(A) a match with respect to which the Commission has been informed of an alleged violation of this Act and with respect to which it has notified the supervising boxing commission that it does not approve;

“(B) a match advertised to the public as a championship match;

“(C) a match scheduled for 10 rounds or more; or

“(D) a match in which 1 of the boxers has—

“(i) suffered 10 consecutive defeats in professional boxing matches; or

“(ii) has been knocked out 5 consecutive times in professional boxing matches.

“(2) DELEGATION OF APPROVAL AUTHORITY.—Notwithstanding paragraph (1), the Commission shall be presumed to have approved a match described in subparagraph (B), (C), or (D) of paragraph (1) if—

“(A) the Commission has delegated in writing its approval authority with respect to that match to a boxing commission; and

“(B) the boxing commission has approved the match.

“(3) KNOCKED-OUT DEFINED.—Except as may be otherwise provided by the Commission by rule, in paragraph (1)(D)(ii), the term ‘knocked out’ means knocked down and unable to continue after a count of 10 by the referee or stopped from continuing because of a technical knockout.”

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

**SEC. 206. SAFETY STANDARDS.**

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

(1) by striking “requirements or an alternative requirement in effect under regulations of a boxing commission that provides equivalent protection of the health and safety of boxers;” and inserting “requirements;”;

(2) by adding at the end of paragraph (1) “The examination shall include testing for

infectious diseases in accordance with standards established by the Commission.”;

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

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

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

“(3) Emergency medical personnel with appropriate resuscitation equipment continuously present on site.”; and

(5) by striking “match.” in paragraph (5), as redesignated, and inserting “match in an amount prescribed by the Commission.”.

#### SEC. 207. REGISTRATION.

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

(1) by inserting “or Indian tribe” after “State” the second place it appears in subsection (a)(2);

(2) by striking the first sentence of subsection (c) and inserting “A boxing commission shall, in accordance with requirements established by the Commission, make a health and safety disclosure to a boxer when issuing an identification card to that boxer.”;

(3) by striking “should” in the second sentence of subsection (c) and inserting “shall, at a minimum.”; and

(4) by adding at the end the following:

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

#### SEC. 208. REVIEW.

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

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

(2) by striking paragraphs (3) and (4) of subsection (a) and inserting the following:

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

(3) by striking subsection (b); and

(4) by striking “(a) PROCEDURES.—”.

#### SEC. 209. REPORTING.

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

(1) by striking “48 business hours” and inserting “2 business days”;

(2) by striking “bboing” and inserting “boxing”; and

(3) by striking “each boxer registry.” and inserting “the Commission.”.

#### SEC. 210. CONTRACT REQUIREMENTS.

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

##### “SEC. 9. CONTRACT REQUIREMENTS.

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

“(b) FILING AND APPROVAL REQUIREMENTS.—

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

“(2) BOXING COMMISSION.—A boxing commission may not approve a professional box-

ing match unless a copy of the bout agreement related to that match has been filed with it and approved by it.

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

#### SEC. 211. COERCIVE CONTRACTS.

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

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

(2) by inserting “OR ELIMINATION” after “MANDATORY” in the heading of subsection (b); and

(3) by inserting “or elimination” after “mandatory” in subsection (b).

#### SEC. 212. SANCTIONING ORGANIZATIONS.

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

##### “SEC. 11. SANCTIONING ORGANIZATIONS.

“(a) OBJECTIVE CRITERIA.—Within 1 year after the date of enactment of the Professional Boxing Amendments Act of 2004, the Commission shall develop guidelines for objective and consistent written criteria for the rating of professional boxers based on the athletic merits and professional record of the boxers. Within 90 days after the Commission’s promulgation of the guidelines, each sanctioning organization shall adopt the guidelines and follow them.

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

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

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

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

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

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

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

“(2) submit a copy of its explanation to the Association of Boxing Commissions and the Commission for their review.”.

(b) CONFORMING AMENDMENTS.—Section 18(e) (15 U.S.C. 6309(e)) is amended—

(1) by striking “FEDERAL TRADE COMMISSION,” in the subsection heading and inserting “UNITED STATES BOXING COMMISSION”; and

(2) by striking “Federal Trade Commission,” in paragraph (1) and inserting “United States Boxing Commission.”.

#### SEC. 213. REQUIRED DISCLOSURES BY SANCTIONING ORGANIZATIONS.

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

(1) by striking the matter preceding paragraph (1) and inserting “Within 7 days after a professional boxing match of 10 rounds or more, the sanctioning organization, if any,

for that match shall provide to the Commission, and, if requested, to the boxing commission in the State or on Indian land responsible for regulating the match, a written statement of—”;

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

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

#### SEC. 214. REQUIRED DISCLOSURES BY PROMOTERS AND BROADCASTERS.

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

(1) by striking “promoters.” in the section caption and inserting “promoters and broadcasters.”;

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

“(a) DISCLOSURES TO BOXING COMMISSIONS AND THE COMMISSION.—Within 7 days after a professional boxing match of 10 rounds or more, the promoter of any boxer participating in that match shall provide to the Commission, and, if requested, to the boxing commission in the State or on Indian land responsible for regulating the match—”;

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

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

(5) by inserting “a written statement of” before “all” in subsection (a)(3)(B);

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

(7) by striking the matter in subsection (b) following “BOXER.—” and preceding paragraph (1) and inserting “Within 7 days after a professional boxing match of 10 rounds or more, the promoter of the match shall provide to each boxer participating in the bout or match with whom the promoter has a bout or promotional agreement a statement of—”;

(8) by striking “match;” in subsection (b)(1) and inserting “match, and that the promoter has paid, or agreed to pay, to any other person in connection with the match.”; and

(9) by adding at the end the following:

“(d) REQUIRED DISCLOSURES BY BROADCASTERS.—

“(1) IN GENERAL.—A broadcaster that owns the television broadcast rights for a professional boxing match of 10 rounds or more shall, within 7 days after that match, provide to the Commission—

“(A) a statement of any advance, guarantee, or license fee paid or owed by the broadcaster to a promoter in connection with that match;

“(B) a copy of any contract executed by or on behalf of the broadcaster with—

“(i) a boxer who participated in that match; or

“(ii) the boxer’s manager, promoter, promotional company, or other representative of the owner or representative of the site of the match; and

“(C) a list identifying sources of income received from the broadcast of the match.

“(2) COPY TO BOXING COMMISSION.—Upon request from the boxing commission in the State or Indian land responsible for regulating a match to which paragraph (1) applies, a broadcaster shall provide the information described in paragraph (1) to that boxing commission.

“(3) CONFIDENTIALITY.—The information provided to the Commission or to a boxing commission pursuant to this subsection shall

be confidential and not revealed by the Commission or a boxing commission, except that the Commission may publish an analysis of the data in aggregate form or in a manner which does not disclose confidential information about identifiable broadcasters.

“(4) TELEVISION BROADCAST RIGHTS.—In paragraph (1), the term ‘television broadcast rights’ means the right to broadcast the match, or any part thereof, via a broadcast station, cable service, or multichannel video programming distributor as such terms are defined in section 3(5), 602(6), and 602(13) of the Communications Act of 1934 (47 U.S.C. 153(5), 602(6), and 602(13), respectively).”

#### SEC. 215. JUDGES AND REFEREES.

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

(1) by inserting “(a) LICENSING AND ASSIGNMENT REQUIREMENT.—” before “No person”;

(2) by striking “certified and approved” and inserting “selected”;

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

(4) by adding at the end the following:

“(b) CHAMPIONSHIP AND 10-ROUND BOUTS.—

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

“(c) ROLE OF SANCTIONING ORGANIZATION.—A sanctioning organization may provide a list of judges and referees deemed qualified by that organization to a boxing commission, but the boxing commission shall select, license, and appoint the judges and referees participating in the match.

“(d) ASSIGNMENT OF NONRESIDENT JUDGES AND REFEREES.—A boxing commission may assign judges and referees who reside outside that commission’s State or Indian land.

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

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

#### SEC. 216. MEDICAL REGISTRY.

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

##### “SEC. 14. MEDICAL REGISTRY.

“(a) IN GENERAL.—The Commission shall establish and maintain, or certify a third party entity to establish and maintain, a medical registry that contains comprehensive medical records and medical denials or suspensions for every licensed boxer.

“(b) CONTENT; SUBMISSION.—The Commission shall determine—

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

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

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

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

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

#### SEC. 217. CONFLICTS OF INTEREST.

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

(1) by striking “enforces State boxing laws,” in subsection (a) and inserting “implements State or tribal boxing laws, no officer or employee of the Commission,”;

(2) by striking “belong to,” and inserting “hold office in,” in subsection (a);

(3) by striking the last sentence of subsection (a);

(4) by striking subsection (b) and inserting the following:

“(b) BOXERS.—A boxer may not own or control, directly or indirectly, an entity that promotes the boxer’s bouts if that entity is responsible for—

“(1) executing a bout agreement or promotional agreement with the boxer’s opponent; or

“(2) providing any payment or other compensation to—

“(A) the boxer’s opponent for participation in a bout with the boxer;

“(B) the boxing commission that will regulate the bout; or

“(C) ring officials who officiate at the bout.”

#### SEC. 218. ENFORCEMENT.

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

(1) by striking “(a) INJUNCTIONS.—” in subsection (a) and inserting “(a) ACTIONS BY ATTORNEY GENERAL.—”;

(2) by striking “enforces State boxing laws,” in subsection (b)(3) and inserting “implements State or tribal boxing laws, any officer or employee of the Commission,”;

(3) by inserting “has engaged in or” after “organization” in subsection (c);

(4) by striking “subsection (b)” in subsection (c)(3) and inserting “subsection (b), a civil penalty, or”; and

(5) by striking “boxer” in subsection (d) and inserting “person”.

#### SEC. 219. REPEAL OF DEADWOOD.

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

#### SEC. 220. RECOGNITION OF TRIBAL LAW.

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

(1) by insert “or tribal” in the section heading after “state”; and

(2) by inserting “or Indian tribe” after “State”.

#### SEC. 221. ESTABLISHMENT OF UNITED STATES BOXING COMMISSION.

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

##### “TITLE II—UNITED STATES BOXING COMMISSION

##### “SEC. 201. PURPOSE.

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

##### “SEC. 202. UNITED STATES BOXING COMMISSION.

“(a) IN GENERAL.—The United States Boxing Commission is established as a commission within the Department of Commerce.

“(b) MEMBERS.—

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

“(2) QUALIFICATIONS.—

“(A) IN GENERAL.—Each member of the Commission shall be a citizen of the United States who—

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

“(ii) is of outstanding character and recognized integrity; and

“(iii) is selected on the basis of training, experience, and qualifications and without regard to political party affiliation.

“(B) SPECIFIC QUALIFICATIONS FOR CERTAIN MEMBERS.—At least 1 member of the Commission shall be a former member of a local

boxing authority. If practicable, at least 1 member of the Commission shall be a physician or other health care professional duly licensed as such.

“(C) DISINTERESTED PERSONS.—No member of the Commission may, while serving as a member of the Commission—

“(i) be engaged as a professional boxer, boxing promoter, agent, fight manager, matchmaker, referee, judge, or in any other capacity in the conduct of the business of professional boxing;

“(ii) have any pecuniary interest in the earnings of any boxer or the proceeds or outcome of any boxing match; or

“(iii) serve as a member of a boxing commission.

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

“(4) GEOGRAPHIC BALANCE.—Not more than 2 members of the Commission may be residents of the same geographic region of the United States when appointed to the Commission. For purposes of the preceding sentence, the area of the United States east of the Mississippi River is a geographic region, and the area of the United States west of the Mississippi River is a geographic region.

“(5) TERMS.—

“(A) IN GENERAL.—The term of a member of the Commission shall be 3 years.

“(B) REAPPOINTMENT.—Members of the Commission may be reappointed to the Commission.

“(C) MIDTERM VACANCIES.—A member of the Commission appointed to fill a vacancy in the Commission occurring before the expiration of the term for which the member’s predecessor was appointed shall be appointed for the remainder of that unexpired term.

“(D) CONTINUATION PENDING REPLACEMENT.—A member of the Commission may serve after the expiration of that member’s term until a successor has taken office.

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

“(c) EXECUTIVE DIRECTOR.—

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

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

“(d) GENERAL COUNSEL.—The Commission shall employ a General Counsel to provide legal counsel and advice to the Executive Director and the Commission in the performance of its functions under this Act, and to carry out such other functions and duties as the Commission shall specify.

“(e) STAFF.—The Commission shall employ such additional staff as the Commission considers appropriate to assist the Executive Director and the General Counsel in carrying out the functions and duties of the Commission under this Act.

“(f) COMPENSATION.—

“(1) MEMBERS OF COMMISSION.—

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

“(B) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of

agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

“(2) EXECUTIVE DIRECTOR AND STAFF.—The Commission shall fix the compensation of the Executive Director, the General Counsel, and other personnel of the Commission. The rate of pay for the Executive Director, the General Counsel, and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code.

**“SEC. 203. FUNCTIONS.**

“(a) PRIMARY FUNCTIONS.—The primary functions of the Commission are—

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

“(2) to ensure uniformity, fairness, and integrity in professional boxing.

“(b) SPECIFIC FUNCTIONS.—The Commission shall—

“(1) administer title I of this Act;

“(2) promulgate uniform standards for professional boxing in consultation with the Association of Boxing Commissions;

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

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

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

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

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

“(5) ensure, in cooperation with the Attorney General (who shall represent the Commission in any judicial proceeding under this Act), the chief law enforcement officer of the several States, and other appropriate officers and agencies of Federal, State, and local government, that Federal and State laws applicable to professional boxing matches in the United States are vigorously, effectively, and fairly enforced;

“(6) review boxing commission regulations for professional boxing and provide assistance to such authorities in meeting minimum standards prescribed by the Commission under this title;

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

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

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

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

“(c) PROHIBITIONS.—The Commission may not—

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

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

“(d) USE OF NAME.—The Commission shall have the exclusive right to use the name ‘United States Boxing Commission’. Any per-

son who, without the permission of the Commission, uses that name or any other exclusive name, trademark, emblem, symbol, or insignia of the Commission for the purpose of inducing the sale or exchange of any goods or services, or to promote any exhibition, performance, or sporting event, shall be subject to suit in a civil action by the Commission for the remedies provided in the Act of July 5, 1946 (commonly known as the ‘Trade-mark Act of 1946’; 15 U.S.C. 1051 et seq.).

**“SEC. 204. LICENSING AND REGISTRATION OF BOXING PERSONNEL.**

“(a) LICENSING.—

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

“(2) APPLICATION AND TERM.—

“(A) IN GENERAL.—The Commission shall—

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

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

“(iii) issue a license to any person who, as determined by the Commission, meets the standards established by the Commission under this title.

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

“(i) 4-year term for a boxer; and

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

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

“(b) LICENSING FEES.—

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

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

“(A) club boxing is not adversely effected;

“(B) sanctioning organizations and promoters pay comparatively the largest portion of the fees; and

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

“(3) COLLECTION.—Fees established under this subsection may be collected through boxing commissions or by any other means determined appropriate by the Commission.

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

“(a) REQUIREMENT FOR REGISTRY.—The Commission shall establish and maintain (or authorize a third party to establish and maintain) a unified national computerized registry for the collection, storage, and retrieval of information related to the performance of its duties.

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

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

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

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

“The Commission shall consult with the Association of Boxing Commissions—

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

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

**“SEC. 207. MISCONDUCT.**

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

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

“(A) the license holder has violated any provision of this Act;

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

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

“(2) PERIOD OF SUSPENSION.—

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

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

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

“(b) INVESTIGATIONS AND INJUNCTIONS.—

“(1) AUTHORITY.—The Commission may—

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

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

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

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

“(2) POWERS.—

“(A) IN GENERAL.—For the purpose of any investigation under paragraph (1) or any other proceeding under this title—

“(i) any officer designated by the Commission may administer oaths and affirmations, subpoena or otherwise compel the attendance of witnesses, take evidence, and require the production of any books, papers, correspondence, memoranda, or other records the Commission considers relevant or material to the inquiry; and

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

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

“(3) ENFORCEMENT OF SUBPOENAS.—

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

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

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

“(4) EVIDENCE OF CRIMINAL MISCONDUCT.—

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

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

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

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

“(c) INTERVENTION IN CIVIL ACTIONS.—

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

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

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

“SEC. 208. NONINTERFERENCE WITH BOXING COMMISSIONS.

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

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

“SEC. 209. ASSISTANCE FROM OTHER AGENCIES.

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

“SEC. 210. REPORTS.

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

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

“(2) an overview of the licensing and enforcement activities of the State and tribal organization boxing commissions.

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

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

“SEC. 211. INITIAL IMPLEMENTATION.

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

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

“(A) the date on which the license expires; or

“(B) the date that is 2 years after the date of the enactment of the Professional Boxing Amendments Act of 2004.

“SEC. 212. AUTHORIZATION OF APPROPRIATIONS.

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

“(b) RECEIPTS CREDITED AS OFFSETTING COLLECTIONS.—Notwithstanding section 3302

of title 31, United States Code, any fee collected under this title—

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

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

“(3) shall remain available until expended.”

(b) CONFORMING AMENDMENTS.—

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

(A) by striking section 1 and inserting the following:

“SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

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

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

“Section 1. Short title; table of contents.

“Sec. 2. Definitions.

“TITLE I—PROFESSIONAL BOXING SAFETY

“Sec. 101. Purposes.

“Sec. 102. Approval or sanction requirement.

“Sec. 103. Safety standards.

“Sec. 104. Registration.

“Sec. 105. Review.

“Sec. 106. Reporting.

“Sec. 107. Contract requirements.

“Sec. 108. Protection from coercive contracts.

“Sec. 109. Sanctioning organizations.

“Sec. 110. Required disclosures to State boxing commissions by sanctioning organizations.

“Sec. 111. Required disclosures by promoters and broadcasters.

“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 COMMISSION

“Sec. 201. Purpose.

“Sec. 202. United States Boxing Commission.

“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 boxing commissions

“Sec. 209. Assistance from other agencies.

“Sec. 210. Reports.

“Sec. 211. Initial implementation.

“Sec. 212. Authorization of appropriations.”;

(B) by inserting before section 3 the following:

“TITLE I—PROFESSIONAL BOXING SAFETY”;

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

(D) by striking subsection (a) of section 113, as redesignated, and inserting the following:

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

(E) by striking “section 13” in subsection (b) of section 113, as redesignated, and inserting “section 111”;



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

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

(H) by striking “section 17(a)” in subsection (b)(3) of section 116, as redesignated, and inserting “section 115(a)”;

(I) by striking “section 10” in subsection (e)(3) of section 116, as redesignated, and inserting “section 108”; and

(J) by striking “of this Act” each place it appears in sections 101 through 120, as redesignated, and inserting “of this title”.

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

“Members of the United States Boxing Commission.”.

#### SEC. 222. STUDY AND REPORT ON DEFINITION OF PROMOTER.

(a) STUDY.—The United States Boxing Commission shall conduct a study on how the term “promoter” should be defined for purposes of the Professional Boxing Safety Act.

(b) HEARINGS.—As part of that study, the Commission shall hold hearings and solicit testimony at those hearings from boxers, managers, promoters, premium, cable, and satellite program service providers, hotels, casinos, resorts, and other commercial establishments that host or sponsor professional boxing matches, and other interested parties with respect to the definition of that term as it is used in the Professional Boxing Safety Act.

(c) REPORT.—Not later than 12 months after the date of the enactment of this Act, the Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the study conducted under subsection (a). The report shall—

(1) set forth a proposed definition of the term “promoter” for purposes of the Professional Boxing Safety Act; and

(2) describe the findings, conclusions, and rationale of the Commission for the proposed definition, together with any recommendations of the Commission, based on the study.

#### SEC. 223. EFFECTIVE DATE.

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

(b) 1-YEAR DELAY FOR CERTAIN TITLE II PROVISIONS.—Sections 205 through 212 of the Professional Boxing Safety Act of 1996, as added by section 221(a) of this title, shall take effect 1 year after the date of enactment of this Act.

**SA 4075.** Mr. MCCAIN (for Ms. COLLINS) proposed an amendment to the bill S. 2657, to amend part III of title 5, United States Code, to provide for the establishment of programs under which supplemental dental and vision benefits are made available to Federal employees, retirees, and their dependents, to expand the contracting authority of the Office of Personnel Management, and for other purposes; as follows:

On page 3, line 10, insert “or an employee organization defined under section 8901(8)” after “companies”.

On page 8, line 9, insert “area” after “delivery”.

On page 12, line 15, strike “General Accounting Office” and insert “Government Accountability Office”.

On page 13, line 1, strike “General Accounting Office” and insert “Government Accountability Office”.

On page 15, line 4, insert “or an employee organization defined under section 8901(8)” after “companies”.

On page 19, line 20, “area” after “delivery”.

On page 23, line 25, strike “General Accounting Office” and insert “Government Accountability Office”.

On page 24, line 11, strike “General Accounting Office” and insert “Government Accountability Office”.

On page 25, line 18, strike all through page 26, line 19.

On page 26, line 20, strike “SEC. 7.” and insert “SEC. 6.”.

On page 27, line 7, strike “SEC. 8.” and insert “SEC. 7.”.

**SA 4076.** Mr. STEVENS proposed an amendment to the concurrent resolution H. Con. Res. 528, Official Title Not Available; as follows:

Strike Section 222 of Title II of Division H.

**SA 4077.** Mr. FRIST (for Ms. COLLINS (for herself and Mr. BINGAMAN)) proposed an amendment to the bill S. 2635, to establish an intergovernmental grant program to identify and develop homeland security information, equipment, capabilities, technologies, and services to further the homeland security needs of the United States and to address the homeland security needs of Federal, State, and local governments; as follows:

On page 9, line 10, after “institution,” insert “Department of Energy national laboratory.”.

**SA 4078.** Mr. FRIST (for Mr. INOUE) proposed an amendment to the bill S. 2488, to establish a program within the National Oceanic and Atmospheric Administration and the United States Coast Guard to help identify, assess, reduce, and prevent marine debris and its adverse impacts on the marine environment and navigation safety, in coordination with non-Federal entities, and for other purposes; as follows:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Marine Debris Research Prevention and Reduction Act”.

#### SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress makes the following findings:

(1) The oceans, which comprise nearly three quarters of the Earth’s surface, are an important source of food and provide a wealth of other natural products that are important to the economy of the United States and the world.

(2) Ocean and coastal areas are regions of remarkably high biological productivity, are of considerable importance for a variety of recreational and commercial activities, and provide a vital means of transportation.

(3) Ocean and coastal resources are limited and susceptible to change as a direct and indirect result of human activities, and such changes can impact the ability of the ocean to provide the benefits upon which the Nation depends.

(4) Marine debris, including plastics, derelict fishing gear, and a wide variety of other objects, has a harmful and persistent effect on marine flora and fauna and can have adverse impacts on human health.

(5) Marine debris is also a hazard to navigation, putting mariners and rescuers, their vessels, and consequently the marine environment at risk, and can cause economic loss due to entanglement of vessel systems.

(6) Modern plastic materials persist for decades in the marine environment and

therefore pose the greatest potential for long-term damage to the marine environment.

(7) Insufficient knowledge and data on the source, movement, and effects of plastics and other marine debris in marine ecosystems has hampered efforts to develop effective approaches for addressing marine debris.

(8) Lack of resources, inadequate attention to this issue, and poor coordination at the Federal level has undermined the development and implementation of a Federal program to address marine debris, both domestically and internationally.

(b) PURPOSES.—The purposes of this Act are—

(1) to establish programs within the National Oceanic and Atmospheric Administration and the United States Coast Guard to help identify, determine sources of, assess, reduce, and prevent marine debris and its adverse impacts on the marine environment and navigation safety, in coordination with other Federal and non-Federal entities;

(2) to re-establish the Inter-agency Marine Debris Coordinating Committee to ensure a coordinated government response across Federal agencies;

(3) to develop a Federal information clearinghouse to enable researchers to study the sources, scale and impact of marine debris more efficiently; and

(4) to take appropriate action in the international community to prevent marine debris and reduce concentrations of existing debris on a global scale.

#### SEC. 3. NOAA MARINE DEBRIS PREVENTION AND REMOVAL PROGRAM.

(a) ESTABLISHMENT OF PROGRAM.—There is established, within the National Oceanic and Atmospheric Administration, a Marine Debris Prevention and Removal Program to reduce and prevent the occurrence and adverse impacts of marine debris on the marine environment and navigation safety.

(b) PROGRAM COMPONENTS.—Through the Marine Debris Prevention and Removal Program, the Under Secretary for Oceans and Atmosphere (Under Secretary) shall carry out the following activities:

(1) MAPPING, IDENTIFICATION, IMPACT ASSESSMENT, REMOVAL, AND PREVENTION.—The Under Secretary shall, in consultation with relevant Federal agencies, undertake marine debris mapping, identification, impact assessment, prevention, and removal efforts, with a focus on marine debris posing a threat to living marine resources (particularly endangered or protected species) and navigation safety, including—

(A) the establishment of a process, building on existing information sources maintained by Federal agencies such as the Environmental Protection Agency and the Coast Guard, for cataloguing and maintaining an inventory of marine debris and its impacts found in the United States navigable waters and the United States exclusive economic zone, including location, material, size, age, and origin, and impacts on habitat, living marine resources, human health, and navigation safety;

(B) measures to identify the origin, location, and projected movement of marine debris within the United States navigable waters, the United States exclusive economic zone, and the high seas, including the use of oceanographic, atmospheric, satellite, and remote sensing data; and

(C) development and implementation of strategies, methods, priorities, and a plan for preventing and removing marine debris from United States navigable waters and within

the United States exclusive economic zone, including development of local or regional protocols for removal of derelict fishing gear.

(2) **REDUCING AND PREVENTING LOSS OF GEAR.**—The Under Secretary shall improve efforts and actively seek to prevent and reduce fishing gear losses, as well as to reduce adverse impacts of such gear on living marine resources and navigation safety, including—

(A) research and development of alternatives to gear posing threats to the marine environment, and methods for marking gear used in specific fisheries to enhance the tracking, recovery, and identification of lost and discarded gear; and

(B) development of voluntary or mandatory measures to reduce the loss and discard of fishing gear, and to aid its recovery, such as incentive programs, reporting loss and recovery of gear, observer programs, toll-free reporting hotlines, computer-based notification forms, and providing adequate and free disposal receptacles at ports.

(3) **OUTREACH.**—The Under Secretary shall undertake outreach and education of the public and other stakeholders, such as the fishing industry, fishing gear manufacturers, and other marine-dependent industries, on sources of marine debris, threats associated with marine debris and approaches to identify, determine sources of, assess, reduce, and prevent marine debris and its adverse impacts on the marine environment and navigational safety. Including outreach and education activities through public-private initiatives. The Under Secretary shall coordinate outreach and education activities under this paragraph with any outreach programs conducted under section 2204 of the Marine Plastic Pollution Research and Control Act of 1987 (33 U.S.C. 1915).

(c) **GRANTS.**—

(1) **IN GENERAL.**—The Under Secretary shall provide financial assistance, in the form of grants, through the Marine Debris Prevention and Removal Program for projects to accomplish the purposes of this Act.

(2) **50 PERCENT MATCHING REQUIREMENT.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), Federal funds for any project under this section may not exceed 50 percent of the total cost of such project. For purposes of this subparagraph, the non-Federal share of project costs may be provided by in-kind contributions and other noncash support.

(B) **WAIVER.**—The Under Secretary may waive all or part of the matching requirement under subparagraph (A) if the Under Secretary determines that no reasonable means are available through which applicants can meet the matching requirement and the probable benefit of such project outweighs the public interest in such matching requirement.

(3) **AMOUNTS PAID AND SERVICES RENDERED UNDER CONSENT.**—

(A) **CONSENT DECREES AND ORDERS.**—The non-Federal share of the cost of a project carried out under this Act may include money paid pursuant to, or the value of any in-kind service performed under, an administrative order on consent or judicial consent decree that will remove or prevent marine debris.

(B) **OTHER DECREES AND ORDERS.**—The non-Federal share of the cost of a project carried out under this Act may not include any money paid pursuant to, or the value of any in-kind service performed under, any other administrative order or court order.

(4) **ELIGIBILITY.**—Any natural resource management authority of a State, Federal or other government authority whose activities directly or indirectly affect research or regulation of marine debris, and any educational

or nongovernmental institutions with demonstrated expertise in a field related to marine debris, are eligible to submit to the Under Secretary a marine debris proposal under the grant program.

(5) **GRANT CRITERIA AND GUIDELINES.**—Within 180 days after the date of enactment of this Act, the Under Secretary shall promulgate necessary guidelines for implementation of the grant program, including development of criteria and priorities for grants. Such priorities may include proposals that would reduce new sources of marine debris and provide additional benefits to the public, such as recycling of marine debris or use of biodegradable materials. In developing those guidelines, the Under Secretary shall consult with—

(A) the Interagency Marine Debris Committee;

(B) regional fishery management councils established under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.);

(C) State, regional, and local governmental entities with marine debris experience;

(D) marine-dependent industries; and

(E) non-governmental organizations involved in marine debris research, prevention, or removal activities.

(6) **PROJECT REVIEW AND APPROVAL.**—The Under Secretary shall review each marine debris project proposal to determine if it meets the grant criteria and supports the goals of the Act. Not later than 120 days after receiving a project proposal under this section, the Under Secretary shall—

(A) provide for external merit-based peer review of the proposal;

(B) after considering any written comments and recommendations based on the review, approve or disapprove the proposal; and

(C) provide written notification of that approval or disapproval to the person who submitted the proposal.

(7) **PROJECT REPORTING.**—Each grantee under this section shall provide periodic reports as required by the Under Secretary. Each report shall include all information required by the Under Secretary for evaluating the progress and success in meeting its stated goals, and impact on the marine debris problem.

#### SEC. 4. COAST GUARD PROGRAM.

The Commandant of the Coast Guard shall, in cooperation with the Under Secretary, undertake measures to reduce violations of MARPOL Annex V and the Act to Prevent Pollution from Ships (33 U.S.C. 1901 et seq.) with respect to the discard of plastics and other garbage from vessels. The measures shall include—

(1) the development of a strategy to improve monitoring and enforcement of current laws, as well as recommendations for statutory or regulatory changes to improve compliance and for the development of any appropriate amendments to MARPOL;

(2) regulations to address implementation gaps with respect to the requirement of MARPOL Annex V and section 6 of the Act to Prevent Pollution from Ships (33 U.S.C. 1905) that all United States ports and terminals maintain receptacles for disposing of plastics and other garbage, which may include measures to ensure that a sufficient quantity of such facilities exist at all such ports and terminals, requirements for logging the waste received, and for Coast Guard comparison of vessel and port log books to determine compliance;

(3) regulations to close record keeping gaps, which may include requiring fishing vessels under 400 gross tons entering United States ports to maintain records subject to Coast Guard inspection on the disposal of

plastics and other garbage, that, at a minimum, include the time, date, type of garbage, quantity, and location of discharge by latitude and longitude or, if discharged on land, the name of the port where such material is offloaded for disposal;

(4) regulations to improve ship-board waste management, which may include expanding to smaller vessels existing requirements to maintain ship-board receptacles and maintain a ship-board waste management plan, taking into account potential economic impacts and technical feasibility;

(5) the development, through outreach to commercial vessel operators and recreational boaters, of a voluntary reporting program, along with the establishment of a central reporting location, for incidents of damage to vessels caused by marine debris, as well as observed violations of existing laws and regulations relating to disposal of plastics and other marine debris; and

(6) a voluntary program encouraging United States flag vessels to inform the Coast Guard of any ports in other countries that lack adequate port reception facilities for garbage.

#### SEC. 5. INTERAGENCY COORDINATION.

(a) **INTERAGENCY MARINE DEBRIS COMMITTEE ESTABLISHED.**—There is established an Interagency Committee on Marine Debris to coordinate a comprehensive program of marine debris research and activities among Federal agencies, in cooperation and coordination with non-governmental organizations, industry, universities, and research institutions, State governments, Indian tribes, and other nations, as appropriate, and to foster cost-effective mechanisms to identify, determine sources of, assess, reduce, and prevent marine debris, and its adverse impact on the marine environment and navigational safety, including the joint funding of research and mitigation and prevention strategies.

(b) **MEMBERSHIP.**—The Committee shall include a senior official from—

(1) the National Oceanic and Atmospheric Administration, who shall serve as the chairperson of the Committee;

(2) the United States Coast Guard;

(3) the Environmental Protection Agency;

(4) the United States Navy;

(5) the Maritime Administration of the Department of Transportation;

(6) the National Aeronautics and Space Administration;

(7) the U.S. Fish and Wildlife Service;

(8) the Department of State;

(9) the Marine Mammal Commission; and

(10) such other Federal agencies that have an interest in ocean issues or water pollution prevention and control as the Secretary of Commerce determines appropriate.

(c) **MEETINGS.**—The Committee shall meet at least twice a year to provide a public, interagency forum to ensure the coordination of national and international research, monitoring, education, and regulatory actions addressing the persistent marine debris problem.

(d) **DEFINITION.**—The Committee shall develop and promulgate through regulation a definition of the term “marine debris”.

(e) **REPORTING.**—

(1) **INTERAGENCY REPORT ON MARINE DEBRIS IMPACTS AND STRATEGIES.**—Not later than 12 months after the date of the enactment of this Act, the Committee, through the chairperson, and in cooperation with the coastal States, Indian tribes, local governments, and non-governmental organizations, shall complete and submit to the Congress a report identifying the source of marine debris, examining the ecological and economic impact of marine debris, alternatives for reducing, mitigating, preventing, and controlling the



harmful affects of marine debris, the social and economic costs and benefits of such alternatives, and recommendations regarding both domestic and international marine debris issues.

(2) **CONTENTS.**—The report submitted under paragraph (1) shall provide recommendations on—

(A) establishing priority areas for action to address leading problems relating to marine debris;

(B) developing an effective strategy and approaches to preventing, reducing, removing, and disposing of marine debris, including through private-public partnerships;

(C) providing appropriate infrastructure for effective implementation and enforcement of measures to prevent and remove marine debris, especially the discard and loss of fishing gear;

(D) establishing effective and coordinated education and outreach activities; and

(E) ensuring Federal cooperation with, and assistance to, the coastal States (as defined in section 304(4) of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453(4))), Indian tribes, and local governments in the identification, determination of sources, prevention, reduction, management, mitigation, and control of marine debris and its adverse impacts.

(3) **ANNUAL PROGRESS REPORTS.**—Not later than 2 years after the date of the enactment of this Act, and every year thereafter, the Committee, through the chairperson, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Resources of the House of Representatives a report that evaluates United States and international progress in meeting the purposes of this Act. The report shall include—

(A) the status of implementation of the recommendations of the Committee and analysis of their effectiveness;

(B) a summary of the marine debris inventory to be maintained by the National Oceanic and Atmospheric Administration;

(C) a review of the National Oceanic and Atmospheric Administration program authorized by section 3 of this Act, including projects funded and accomplishments relating to reduction and prevention of marine debris;

(D) a review of United States Coast Guard programs and accomplishments relating to marine debris removal, including enforcement and compliance with MARPOL requirements; and

(E) estimated Federal and non-Federal funding provided for marine debris and recommendations for priority funding needs.

(f) **MONITORING.**—The Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration and in cooperation with the Administrator of the Environmental Protection Agency, shall utilize the marine debris data derived under this Act and title V of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 2801 et seq.) to assist—

(1) the Committee in ensuring coordination of research, monitoring, education, and regulatory actions; and

(2) the United States Coast Guard in assessing the effectiveness of this Act and the

Act to Prevent Pollution from Ships (33 U.S.C. 1901 et seq.) in ensuring compliance under section 2201 of the Marine Plastic Pollution Research and Control Act of 1987 (33 U.S.C. 1913).

(g) **CONFORMING AMENDMENT.**—Section 2203 of the Marine Plastic Pollution Research and Control Act of 1987 (33 U.S.C. 1914) is repealed.

#### **SEC. 6. INTERNATIONAL COOPERATION.**

The Interagency Marine Debris Committee shall develop a strategy and pursue in the International Maritime Organization and other appropriate international and regional forums, international action to reduce the incidence of marine debris, including—

(1) the inclusion of effective and enforceable marine debris prevention and removal measures in international and regional agreements, including fisheries agreements and maritime agreements;

(2) measures to strengthen and to improve compliance with MARPOL Annex V;

(3) national reporting and information requirements that will assist in improving information collection, identification and monitoring of marine debris;

(4) the establishment of an international database, consistent with the information clearinghouse established under section 7, that will provide current information on location, source, prevention, and removal of marine debris;

(5) the establishment of public-private partnerships and funding sources for pilot programs that will assist in implementation and compliance with marine debris requirements in international agreements and guidelines;

(6) the identification of possible amendments to and provisions in the International Maritime Organization Guidelines for the Implementation of Annex V of MARPOL for potential inclusion in Annex V; and

(7) when appropriate assist the responsible Federal agency in bilateral negotiations to effectively enforce marine debris prevention.

#### **SEC. 7. FEDERAL INFORMATION CLEARINGHOUSE.**

The Under Secretary, in coordination with the Committee, shall maintain a Federal information clearinghouse on marine debris that will be available to researchers and other interested parties to improve source identification, data sharing, and monitoring efforts through collaborative research and open sharing of data. The clearinghouse shall include—

(1) standardized protocols to map locations of commercial fishing and aquaculture activities using Geographic Information System techniques;

(2) a world-wide database which describes fishing gear and equipment, and fishing practices, including information on gear types and specifications;

(3) guidance on the identification of types of fishing gear fragments and their sources developed in consultation with persons of relevant expertise; and

(4) the data on mapping and identification of marine debris to be developed pursuant to section 3(b)(1) of this Act.

#### **SEC. 8. DEFINITIONS.**

In this Act:

(1) **UNDER SECRETARY.**—The term “Under Secretary” means the Under Secretary for Oceans and Atmosphere of the Department of Commerce.

(2) **COMMITTEE.**—The term “Committee” means the Interagency Marine Debris Committee established by section 5 of this Act.

(3) **UNITED STATES EXCLUSIVE ECONOMIC ZONE.**—The term “United States exclusive economic zone” means the zone established by Presidential Proclamation Numbered 5030, dated March 10, 1983, including the ocean waters of the areas referred to as “eastern special areas” in Article 3(1) of the Agreement between the United States of America and the Union of Soviet Socialist Republics on the Maritime Boundary, signed June 1, 1990.

(4) **MARPOL; ANNEX V; CONVENTION.**—The terms “MARPOL”, “Annex 5”, and “Convention” have the meaning given those terms in paragraphs (3) and (4) of section 2(a) of the Act to Prevent Pollution from Ships (33 U.S.C. 1901(a)).

#### **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated for each fiscal year 2005 through 2009

(1) to the Secretary of Commerce for the purpose of carrying out sections 3 and 7 of this Act, \$10,000,000, of which no more than 10 percent may be for administrative costs; and

(2) to the Secretary of the Department in which the Coast Guard is operating, for the use of the Commandant of the Coast Guard in carrying out sections 4 and 6 of this Act, \$5,000,000, of which no more than 10 percent may be used for administrative costs.

Amend the title so as to read: “A Bill To establish a program within the National Oceanic and Atmospheric Administration and the United States Coast Guard to help identify, determine sources of, assess, reduce, and prevent marine debris and its adverse impacts on the marine environment and navigation safety, in coordination with non-Federal entities, and for other purposes.

**SA 4079.** Mr. FRIST proposed an amendment to the concurrent resolution H. Con. Res. 529, Official Title Not Available; as follows:

On page 1, line 2, strike from “that” through the end of page 2, line 9 and insert in lieu thereof the following:

“When the House adjourns on Wednesday, November 24, 2004, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Monday, December 6, 2004, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and when the Senate recesses or adjourns from Saturday, November 20, 2004, through Wednesday, November 24, 2004, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, December 6, 2004, or Tuesday, December 7, 2004, or until such other time as may be specified by the Majority Leader or his designee in the motion to recess or adjourn, or until the time of reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.”

### **FOREIGN TRAVEL FINANCIAL REPORTS**

In accordance with the appropriate provisions of law, the Secretary of the Senate herewith submits the following reports for standing committees of the Senate, certain joint committees of the Congress, delegations and groups, and select and special committees of the Senate, relating to expenses incurred in the performance of authorized foreign travel: