

BILL TO REQUIRE ALL PROFESSIONAL BOXERS IN UNITED STATES TO WEAR HEADGEAR

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Mr. TRAFICANT. Mr. Speaker, today I am introducing legislation to require all professional boxers to wear headgear during all professional fights held in the United States. Under my bill, all professional fighters in the United States would have to wear headgear that meets the standards established by the International Olympic Committee. Any State or tribal boxing authority that allows a professional boxer to fight in a professional fight without headgear would be subject to a Federal fine of up to \$1,000,000.

The recent incident in the super-middle-weight championship fight between Gerald McClellan and Nigel Benn is yet another reminder that something must be done to better protect professional boxers from head injuries. After being knocked out in the 10th round of what was described by the British press as one of the most brutal fights of the century, McClellan collapsed in his corner. He was rushed to the hospital and underwent emergency surgery to remove a blood clot in his brain. He is still in critical condition.

While headgear alone will not prevent all head injuries in boxing, it will go a long way in protecting boxers. Amateur boxing requires all fighters to wear headgear, and the number of serious head injuries in amateur boxing is significantly lower than in professional boxing. According to an article that appeared in the British Medical Journal on June 18, 1994,

During boxing training sessions head protection is regularly worn and is now a feature of the Olympic Games. In countries where headgear is compulsory there has been a reduction in the number of facial cuts and knockouts.

My legislation, Professional Boxing Safety Act of 1995, is a modest measure that will provide professional boxers in this country with some protection against head injuries. I urge my colleagues to cosponsor this bill. The full text of the legislation appears below:

H.R. —

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Professional Boxing Safety Act of 1995".

SEC. 2. HEADGEAR REQUIREMENT FOR PROFESSIONAL BOXERS.

Any individual who participates as a boxer in a professional boxing match shall, during such participation, wear headgear that meets the standards established by the International Olympic Committee.

SEC. 3. CIVIL PENALTY.

The Attorney General of the United States may impose a civil monetary penalty against any State boxing authority if the Attorney General determines on the record after opportunity for an agency hearing that the State boxing authority has allowed a boxer to participate in a professional boxing match without the headgear required by section 2. The civil monetary penalty may not exceed \$1,000,000 for each violation.

SEC. 4. DEFINITIONS.

For purposes of this Act:

(1) **PROFESSIONAL BOXING MATCH.**—The term "professional boxing match" means a boxing contest held in a State between individuals for compensation or a prize, and does not include any amateur boxing match.

(2) **STATE.**—

(A) **IN GENERAL.**—The term "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, Virgin Islands, any other territory or possession of the United States, and any Indian tribe.

(B) **INDIAN TRIBE.**—The term "Indian tribe" means any Indian tribe, band, nation, pueblo, or other organized group or community which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians and is recognized as possessing powers of self-government.

(3) **STATE BOXING AUTHORITY.**—The term "State boxing authority" means a State agency with authority to regulate professional boxing.

SEC. 5. EFFECTIVE DATE.

Sections 2 and 3 shall take effect 90 days after the date of the enactment of this Act.

THE ATTORNEY ACCOUNTABILITY ACT

HON. EARL POMEROY

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Mr. POMEROY. Mr. Chairman, I rise today in opposition to the bill, H.R. 988, the Attorney Accountability Act.

The authors of this bill would have you believe this legislation is intended to reduce the number of frivolous lawsuits. This bill would more likely discourage average Americans—most likely middle-income citizens—from seeking redress in our judicial system. As the bill is written plaintiff's whose cases were found to have merit would actually be punished under this legislation.

This bill alters the playing field between parties to a lawsuit and gives all the benefits to the large financially secure party. While a family would potentially risk all of their assets if a jury would rule against them, a large corporation could easily absorb these costs. Accordingly, the large corporation would have a tremendous advantage in a pretrial settlement conference in light of the dire risks the family would have with an adverse jury ruling.

I wholeheartedly support curtailing frivolous lawsuits. Yesterday we had an opportunity to bring this bill back in line with the rhetoric that surrounds it. An amendment offered by Representative MCHALE, as modified by Representative BERMAN, would have replaced the loser pays provisions in H.R. 988 with provisions awarding attorney's fees to a defendant if the court finds the plaintiff's case to be frivolous. The court would entertain this motion anytime in the first 90 days after the complaint was filed. If found to be meritorious, it would put a halt to the nonsense before the parties under went the costly discovery process. More importantly, the claim would be dismissed and all legal costs would be born by the plaintiff.

The McHale-Berman amendment would have given courts discretion to get rid of frivolous lawsuits that are filed in bad faith or with only the intention to harass.

This bill is appropriately called the loser pays bill. Unfortunately, the real loser here is the American people.

TRIBUTE TO ANN LAWSON

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Mr. TOWNS. Mr. Speaker, many of us are public servants, but some of us are God's servant. Mrs. Ann Lawson is indeed one of God's servants. Born in Florence, SC, she later moved to New Jersey.

At an early age she professed her love and devotion to her Lord and joined New Jerusalem Baptist Church. In 1980 she joined New Canaan Baptist Church under the pastorship of the late Dr. Augustus Leon Cunningham. During the same period she met Rev. Richard J. Lawson and they were married. After the death of Dr. Cunningham, Dr. Lawson was installed as the new pastor of the church. As the first lady of New Jerusalem Baptist Church, Mrs. Lawson has been actively involved in various church affairs.

Mrs. Lawson is involved in numerous church activities. She is the acting supervisor for the red circle missionary department, the South Carolina club, and serves as the chairperson for the Woman of the Year Awards. Mrs. Lawson shares her unbridled energy, faith, and love with everyone, especially children. It is my pleasure to recognize the contributions and accomplishments of a remarkable woman, Mrs. Ann Lawson.

THE ATTORNEY ACCOUNTABILITY ACT

HON. BILL BAKER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Mr. BAKER of California. Mr. Chairman, as a member of the Leader's Legal Reform Task Force, I rise in support of H.R. 988, the Attorney Accountability Act.

In this historic 100 days of progress, among the most profound reform measures Congress is enacting is legal reform. The threat of predatory lawsuits looms over every business, organization, and individual. Liability insurance alone increases the costs of doing business for all Americans.

H.R. 988 has three major components: a loser pays provision, the prevention of junk science, and new rules of conduct for attorneys.

The loser pays provision puts a stop to get-rich-quick, lottery-style lawsuits where litigants have little to lose and everything to gain. Plaintiffs would be encouraged to accept reasonable pretrial settlements offers. This incentive would free up our courts for meritorious cases and slow the growth of multimillion dollar awards.

The junk science provision prevents the use of so-called experts in a technical field by either side of a lawsuit. Both plaintiffs and defendants hire potentially biased experts who bring unsubstantiated scientific theories for the purpose of influencing the outcome of the

case. The experts are often paid only if their sides wins. Our legislation lists factors for a judge to consider in weighing the admissibility of a scientific opinion.

The attorney accountability rules, mandate previously optional guidelines set for trial lawyers. There rules require that Federal courts punish attorneys who engage in litigation tactics that harass, make frivolous legal arguments, or unwarranted factual assertions. The punishment is not only to deter this conduct, but to compensate injured parties. The court may order the attorney at fault to pay the opposing party for reasonable expenses as a direct result of the violation.

I strongly urge my colleagues to support H.R. 988, the Attorney Accountability Act. This is the first of three bills that make up the Common Sense Legal Reform Act—a major element of the Contract With America.

TRIBUTE TO RUBY WESTON

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Mr. TOWNS. Mr. Speaker, I would like to highlight the life of Ruby Weston of Brooklyn, NY. Mrs. Weston is an administrator for the Marcus Garvey Nursing Home in Brooklyn. She toils unselfishly to provide for the needs of the patients at the nursing home. Mrs. Weston's generous and caring nature are reflective in her management style. Prior to serving as a nursing home administrator, Ruby Weston was a realty specialist for the U.S. Department of Housing and Urban Development.

Mrs. Weston received her bachelor's of professional studies from Pace University, and her master's in public administration from Long Island University. She holds licenses in nursing home administration, real estate, and insurance.

Mrs. Weston is married to Dr. Peter Weston, and they are parents to five children. She and her husband reside in Brooklyn. I would like to commend her to my colleagues for her work with the Brooklyn elderly.

THE VOICE OF AMERICA: 53 YEARS AT THE MICROPHONES

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Mr. TORRES. Mr. Speaker, as the Voice of America [VOA] steps up to its 53d year at the

microphone, it is talking to nearly 100 million people each week in 46 languages plus English—and its listeners are talking back.

With the end of the cold war and the advent of interactive technology, VOA has engaged in a dialog with its listeners, many of whom are living under very different circumstances than just a few years ago. To that end, the Voice of America is experiencing a renewal, or perhaps, more appropriately, a change in its tone of voice to accommodate the many new missions it has to perform, to fulfill the changing needs and interests of its worldwide audience and to take advantage of new technology to allow for better reception and an increasingly vast global reach. Yet despite these changes, VOA remains evergreen, ever retaining its freshness, relevance and diversity—and its importance as America's voice to the world.

As changes continue to occur in many parts of the world with lightning speed paving the way for the information superhighway, VOA has adapted its programming and how it delivers its message to meet the challenges of the competitive global marketplace with innovation and fervor. VOA has initiated a series of exciting broadcast ventures inviting its listeners to be active participants in the new generation of international broadcasting.

With the placement on the Internet of a text version of VOA's English language programs and VOA audio in 15 languages, listeners can connect with VOA instantaneously, 24 hours a day, to offer feedback on its programming. VOA listeners not only want credible and reliable news of happenings in their country, the United States, and the world, but also practical information on how to build and maintain new democracies and free market economies. They look to the United States, the most powerful and successful example of a working democracy, to learn about its institutions, policies, and way of life. They want to know how to set up a city council, how to start a newspaper, how the stock market works, how to organize a school system, how to get a bank loan, and how to write a constitution. And VOA's programs are there—in their living rooms and grass huts, in their castles and caravans—to provide these new societies with the guidance and support to secure their newfound freedom and independence.

VOA now gives its listeners the opportunity to participate regularly in its programming through a new live international call-in show, "Talk to America," which receives calls in English daily from listeners spanning the globe. VOA listeners want to take part in an open forum to voice their views on the foremost issues affecting the world today—AIDS, drugs, human rights, population, and the environment to name a few—and VOA invites their

discussion and debate. VOA has also rolled out a series of bold new programs to East Asia in eight languages through a \$5 million enhancement from the Congress. In addition, VOA has launched five new thematic programs exploring regional and global economic trends: political and social issues of concern in the United States; the impact of international developments; major news stories from a reporter's perspective; and religion, spirituality, ethics and values.

Mr. Speaker, the Voice of America marked its 53d year milestone on February 24, I hope you will join me in paying tribute to its past success and its bright future as one of the largest and most respected newsgathering organizations in the world. Although we wish that governments that censor the news and miscommunicate the truth would disappear, history has shown us that there will always be a need for a service like the Voice of America—evergreen, ever present, and ever truthful. Through crisis and calm, discovery and disaster, victory and celebration, VOA has continued to uphold its mission established by the intrepid broadcast pioneers who founded America's voice 53 years ago: "The news may be good. The news may be bad. We shall tell you the truth." And VOA, we shall salute you.

TRIBUTE TO EDNA RUSSELL

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Mr. TOWNS. Mr. Speaker, in my district I am fortunate to have individuals dedicated to helping others in the community. Edna Russell has this unyielding dedication. Edna came to New York from Costa Rica, Central America, where she graduated from the Salvation Army School and worked as a nurse in Tony Facio Hospital in Port Limon in Costa Rica.

After Edna arrived in New York, she was employed as a nursing assistant at Jack Low Foundation which is now the New York Community Hospital of Brooklyn. Edna devoted her caring skills in the nursing department for 27 years before transferring to the x-ray department where she is now an x-ray transporter and is also their No. 1199 union representative.

Always giving honor to God, in all that she does, Edna is the first person to give a helping hand whenever a crisis occurs. She is a member of the Sacred Heart Church and is affiliated with the Sacred Heart Shrine. I am proud to recognize Edna Russell for her relentless dedication to the Brooklyn community.