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109TH CONGRESS
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S. 148

[Report No. 109–58]

To establish a United States Boxing Commission to administer the Act,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 25, 2005

Mr. MCCAIN (for himself, Mr. STEVENS, and Mr. DORGAN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

APRIL 13, 2005

Reported by Mr. STEVENS, without amendment

A BILL

To establish a United States Boxing Commission to
administer the Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Professional Boxing Amendments Act of 2005”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Amendment of Professional Boxing Safety Act of 1996.
- Sec. 3. Definitions.
- Sec. 4. Purposes.
- Sec. 5. United States Boxing Commission approval, or ABC or commission sanction, required for matches.
- Sec. 6. Safety standards.
- Sec. 7. Registration.
- Sec. 8. Review.
- Sec. 9. Reporting.
- Sec. 10. Contract requirements.
- Sec. 11. Coercive contracts.
- Sec. 12. Sanctioning organizations.
- Sec. 13. Required disclosures by sanctioning organizations.
- Sec. 14. Required disclosures by promoters and broadcasters.
- Sec. 15. Judges and referees.
- Sec. 16. Medical registry.
- Sec. 17. Conflicts of interest.
- Sec. 18. Enforcement.
- Sec. 19. Repeal of deadwood.
- Sec. 20. Recognition of tribal law.
- Sec. 21. Establishment of United States Boxing Commission.
- Sec. 22. Study and report on definition of promoter.
- Sec. 23. Effective date.

3 **SEC. 2. AMENDMENT OF PROFESSIONAL BOXING SAFETY**
 4 **ACT OF 1996.**

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

11 **SEC. 3. DEFINITIONS.**

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

1 **“SEC. 2. DEFINITIONS.**

2 “In this Act:

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

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

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

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

15 “(5) BOXER REGISTRY.—The term ‘boxer reg-
16 istry’ means any entity certified by the Commission
17 for the purposes of maintaining records and identi-
18 fication of boxers.

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

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

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

1 meanings given those terms by paragraphs (4) and
2 (5), respectively, of section 4 of the Indian Gaming
3 Regulatory Act (25 U.S.C. 2703).

4 “(9) LICENSEE.—The term ‘licensee’ means an
5 individual who serves as a trainer, corner man, sec-
6 ond, or cut man for a boxer.

7 “(10) MANAGER.—The term ‘manager’ means a
8 person other than a promoter who, under contract,
9 agreement, or other arrangement with a boxer, un-
10 dertakes to control or administer, directly or indi-
11 rectly, a boxing-related matter on behalf of that
12 boxer, including a person who is a booking agent for
13 a boxer.

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

18 “(12) PHYSICIAN.—The term ‘physician’ means
19 a doctor of medicine legally authorized to practice
20 medicine by the State in which the physician per-
21 forms such function or action and who has training
22 and experience in dealing with sports injuries, par-
23 ticularly head trauma.

24 “(13) PROFESSIONAL BOXING MATCH.—The
25 term ‘professional boxing match’ means a boxing

1 contest held in the United States between individ-
 2 uals for financial compensation. The term ‘profes-
 3 sional boxing match’ does not include a boxing con-
 4 test that is regulated by a duly recognized amateur
 5 sports organization, as approved by the Commission.

6 “(14) PROMOTER.—The term ‘promoter’—

7 “(A) means the person primarily respon-
 8 sible for organizing, promoting, and producing
 9 a professional boxing match; but

10 “(B) does not include a hotel, casino, re-
 11 sort, or other commercial establishment hosting
 12 or sponsoring a professional boxing match un-
 13 less—

14 “(i) the hotel, casino, resort, or other
 15 commercial establishment is primarily re-
 16 sponsible for organizing, promoting, and
 17 producing the match; and

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

21 “(15) PROMOTIONAL AGREEMENT.—The term
 22 ‘promotional agreement’ means a contract, for the
 23 acquisition of rights relating to a boxer’s participa-
 24 tion in a professional boxing match or series of box-

1 ing matches (including the right to sell, distribute,
2 exhibit, or license the match or matches), with—

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

5 “(B) the nominee of a boxer who is to par-
6 ticipate in the match or matches, or the nomi-
7 nee is an entity that is owned, controlled or
8 held in trust for the boxer unless that nominee
9 or entity is a licensed promoter who is con-
10 veying a portion of the rights previously ac-
11 quired.

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

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

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

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

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

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

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

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

15 “(a) IN GENERAL.—Notwithstanding any other pro-
 16 vision of law, a tribal organization may establish a boxing
 17 commission to regulate professional boxing matches held
 18 on Indian land under the jurisdiction of that tribal organi-
 19 zation.

20 “(b) STANDARDS AND LICENSING.—A tribal organi-
 21 zation that establishes a boxing commission shall, by tribal
 22 ordinance or resolution, establish and provide for the im-
 23 plementation of health and safety standards, licensing re-
 24 quirements, and other requirements relating to the con-

1 duct of professional boxing matches that are at least as
2 restrictive as—

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

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

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

13 **SEC. 4. PURPOSES.**

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

16 **SEC. 5. UNITED STATES BOXING COMMISSION APPROVAL,
17 OR ABC OR COMMISSION SANCTION, RE-
18 QUIRED FOR MATCHES.**

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

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

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

25 “(1) is approved by the Commission; and

1 “(2) is held in a State, or on tribal land of a
2 tribal organization, that regulates professional box-
3 ing matches in accordance with standards and cri-
4 teria established by the Commission.

5 “(b) APPROVAL PRESUMED.—

6 “(1) IN GENERAL.—For purposes of subsection
7 (a), the Commission shall be presumed to have ap-
8 proved any match other than—

9 “(A) a match with respect to which the
10 Commission has been informed of an alleged
11 violation of this Act and with respect to which
12 it has notified the supervising boxing commis-
13 sion that it does not approve;

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

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

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

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

22 “(ii) has been knocked out 5 consecu-
23 tive times in professional boxing matches.

24 “(2) DELEGATION OF APPROVAL AUTHORITY.—

25 Notwithstanding paragraph (1), the Commission

1 shall be presumed to have approved a match de-
2 scribed in subparagraph (B), (C), or (D) of para-
3 graph (1) if—

4 “(A) the Commission has delegated its ap-
5 proval authority with respect to that match to
6 a boxing commission; and

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

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

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

17 **SEC. 6. SAFETY STANDARDS.**

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

19 (1) by striking “requirements or an alternative
20 requirement in effect under regulations of a boxing
21 commission that provides equivalent protection of
22 the health and safety of boxers:” and inserting “re-
23 quirements:”;

24 (2) by adding at the end of paragraph (1) “The
25 examination shall include testing for infectious dis-

1 eases in accordance with standards established by
2 the Commission.”;

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

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

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

10 “(3) Emergency medical personnel with appro-
11 priate resuscitation equipment continuously present
12 on site.”; and

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

16 **SEC. 7. REGISTRATION.**

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

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

20 (2) by striking the first sentence of subsection
21 (c) and inserting “A boxing commission shall, in ac-
22 cordance with requirements established by the Com-
23 mission, make a health and safety disclosure to a
24 boxer when issuing an identification card to that
25 boxer.”;

1 (3) by striking “should” in the second sentence
2 of subsection (c) and inserting “shall, at a min-
3 imum,”; and

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

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

10 **SEC. 8. REVIEW.**

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

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

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

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

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

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

1 **SEC. 9. REPORTING.**

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

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

5 (2) by striking “bxoing” and inserting “box-
6 ing”; and

7 (3) by striking “each boxer registry.” and in-
8 serting “the Commission.”.

9 **SEC. 10. CONTRACT REQUIREMENTS.**

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

12 **“SEC. 9. CONTRACT REQUIREMENTS.**

13 “(a) IN GENERAL.—The Commission, in consultation
14 with the Association of Boxing Commissions, shall develop
15 guidelines for minimum contractual provisions that shall
16 be included in each bout agreement, boxer-manager con-
17 tract, and promotional agreement. Each boxing commis-
18 sion shall ensure that these minimal contractual provisions
19 are present in any such agreement or contract submitted
20 to it.

21 **“(b) FILING AND APPROVAL REQUIREMENTS.—**

22 “(1) COMMISSION.—A manager or promoter
23 shall submit a copy of each boxer-manager contract
24 and each promotional agreement between that man-
25 ager or promoter and a boxer to the Commission,

1 and, if requested, to the boxing commission with ju-
2 risdiction over the bout.

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

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

13 **SEC. 11. COERCIVE CONTRACTS.**

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

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

16 (2) by inserting “OR ELIMINATION” after “MAN-
17 DATORY” in the heading of subsection (b); and

18 (3) by inserting “or elimination” after “manda-
19 tory” in subsection (b).

20 **SEC. 12. SANCTIONING ORGANIZATIONS.**

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

23 **“SEC. 11. SANCTIONING ORGANIZATIONS.**

24 “(a) OBJECTIVE CRITERIA.—Within 1 year after the
25 date of enactment of the Professional Boxing Amendments

1 Act of 2005, the Commission shall develop guidelines for
2 objective and consistent written criteria for the rating of
3 professional boxers based on the athletic merits and pro-
4 fessional record of the boxers. Within 90 days after the
5 Commission’s promulgation of the guidelines, each sanc-
6 tioning organization shall adopt the guidelines and follow
7 them.

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

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

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

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

22 “(4) apply the objective criteria for ratings re-
23 quired under subsection (a) in considering any such
24 appeal.

1 “(c) CHALLENGE OF RATING.—If, after disposing
2 with an appeal under subsection (b)(3), a sanctioning or-
3 ganization receives a petition from a boxer challenging
4 that organization’s rating of the boxer, it shall (except to
5 the extent otherwise required by the Commission), within
6 7 days after receiving the petition—

7 “(1) provide to the boxer a written explanation
8 under penalty of perjury of the organization’s rating
9 criteria, its rating of the boxer, and the rationale or
10 basis for its rating (including a response to any spe-
11 cific questions submitted by the boxer); and

12 “(2) submit a copy of its explanation to the As-
13 sociation of Boxing Commissions and the Commis-
14 sion for their review.”.

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

17 (1) by striking “FEDERAL TRADE COMMIS-
18 sION,” in the subsection heading and inserting
19 “UNITED STATES BOXING COMMISSION”; and

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

23 **SEC. 13. REQUIRED DISCLOSURES BY SANCTIONING ORGA-**
24 **NIZATIONS.**

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

1 (1) by striking the matter preceding paragraph
 2 (1) and inserting “Within 7 days after a professional
 3 boxing match of 10 rounds or more, the sanctioning
 4 organization, if any, for that match shall provide to
 5 the Commission, and, if requested, to the boxing
 6 commission in the State or on Indian land respon-
 7 sible for regulating the match, a written statement
 8 of—”;

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

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

13 **SEC. 14. REQUIRED DISCLOSURES BY PROMOTERS AND**
 14 **BROADCASTERS.**

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

16 (1) by striking “**PROMOTERS.**” in the sec-
 17 tion caption and inserting “**PROMOTERS AND**
 18 **BROADCASTERS.**”;

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

21 “(a) **DISCLOSURES TO BOXING COMMISSIONS AND**
 22 **THE COMMISSION.**—Within 7 days after a professional
 23 boxing match of 10 rounds or more, the promoter of any
 24 boxer participating in that match shall provide to the
 25 Commission, and, if requested, to the boxing commission

1 in the State or on Indian land responsible for regulating
2 the match—”;

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

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

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

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

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

22 (8) by striking “match;” in subsection (b)(1)
23 and inserting “match, and that the promoter has
24 paid, or agreed to pay, to any other person in con-
25 nection with the match;” and

1 (9) by adding at the end the following:

2 “(d) REQUIRED DISCLOSURES BY BROADCASTERS.—

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

7 “(A) a statement of any advance, guar-
8 antee, or license fee paid or owed by the broad-
9 caster to a promoter in connection with that
10 match;

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

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

15 “(ii) the boxer’s manager, promoter,
16 promotional company, or other representa-
17 tive or the owner or representative of the
18 site of the match; and

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

21 “(2) COPY TO BOXING COMMISSION.—Upon re-
22 quest from the boxing commission in the State or
23 Indian land responsible for regulating a match to
24 which paragraph (1) applies, a broadcaster shall

1 provide the information described in paragraph (1)
2 to that boxing commission.

3 “(3) CONFIDENTIALITY.—The information pro-
4 vided to the Commission or to a boxing commission
5 pursuant to this subsection shall be confidential and
6 not revealed by the Commission or a boxing commis-
7 sion, except that the Commission may publish an
8 analysis of the data in aggregate form or in a man-
9 ner which does not disclose confidential information
10 about identifiable broadcasters.

11 “(4) TELEVISION BROADCAST RIGHTS.—In
12 paragraph (1), the term ‘television broadcast rights’
13 means the right to broadcast the match, or any part
14 thereof, via a broadcast station, cable service, or
15 multichannel video programming distributor as such
16 terms are defined in section 3(5), 602(6), and
17 602(13) of the Communications Act of 1934 (47
18 U.S.C. 153(5), 602(6), and 602(13), respectively).”.

19 **SEC. 15. JUDGES AND REFEREES.**

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

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

24 (2) by striking “certified and approved” and in-
25 serting “selected”;

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

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

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

12 “(c) ROLE OF SANCTIONING ORGANIZATION.—A
13 sanctioning organization may provide a list of judges and
14 referees deemed qualified by that organization to a boxing
15 commission, but the boxing commission shall select, li-
16 cense, and appoint the judges and referees participating
17 in the match.

18 “(d) ASSIGNMENT OF NONRESIDENT JUDGES AND
19 REFEREES.—A boxing commission may assign judges and
20 referees who reside outside that commission’s State or In-
21 dian land.

22 “(e) REQUIRED DISCLOSURE.—A judge or referee
23 shall provide to the boxing commission responsible for reg-
24 ulating a professional boxing match in a State or on In-
25 dian land a statement of all consideration, including reim-

1 bursement for expenses, that the judge or referee has re-
2 ceived, or will receive, from any source for participation
3 in the match. If the match is scheduled for 10 rounds or
4 more, the judge or referee shall also provide such a state-
5 ment to the Commission.”.

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

8 **SEC. 16. MEDICAL REGISTRY.**

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

11 **“SEC. 14. MEDICAL REGISTRY.**

12 “(a) IN GENERAL.—The Commission shall establish
13 and maintain, or certify a third party entity to establish
14 and maintain, a medical registry that contains comprehen-
15 sive medical records and medical denials or suspensions
16 for every licensed boxer.

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

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

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

1 “(c) CONFIDENTIALITY.—The Commission shall es-
2 tablish confidentiality standards for the disclosure of per-
3 sonally identifiable information to boxing commissions
4 that will—

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

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

10 **SEC. 17. CONFLICTS OF INTEREST.**

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

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

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

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

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

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

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

3 “(2) providing any payment or other compensa-
4 tion to—

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

7 “(B) the boxing commission that will regu-
8 late the bout; or

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

11 **SEC. 18. ENFORCEMENT.**

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

13 (1) by striking “(a) INJUNCTIONS.—” in sub-
14 section (a) and inserting “(a) ACTIONS BY ATTOR-
15 NEY GENERAL.—”;

16 (2) by inserting “any officer or employee of the
17 Commission,” after “laws,” in subsection (b)(3);

18 (3) by inserting “has engaged in or” after “or-
19 ganization” in subsection (c);

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

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

1 **SEC. 19. REPEAL OF DEADWOOD.**

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

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

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

5 (1) by inserting “**OR TRIBAL**” in the section
6 heading after “**STATE**”; and

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

9 **SEC. 21. ESTABLISHMENT OF UNITED STATES BOXING COM-**
10 **MISSION.**

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

13 **“TITLE II—UNITED STATES**
14 **BOXING COMMISSION**

15 **“SEC. 201. PURPOSE.**

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

19 **“SEC. 202. UNITED STATES BOXING COMMISSION.**

20 “(a) **IN GENERAL.**—The United States Boxing Com-
21 mission is established as a commission within the Depart-
22 ment of Commerce.

23 “(b) **MEMBERS.**—

24 “(1) **IN GENERAL.**—The Commission shall con-
25 sist of 3 members appointed by the President, by
26 and with the advice and consent of the Senate.

1 “(2) QUALIFICATIONS.—

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

5 “(i) has extensive experience in pro-
6 fessional boxing activities or in a field di-
7 rectly related to professional sports;

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

10 “(iii) is selected on the basis of train-
11 ing, experience, and qualifications and
12 without regard to political party affiliation.

13 “(B) SPECIFIC QUALIFICATIONS FOR CER-
14 TAIN MEMBERS.—At least 1 member of the
15 Commission shall be a former member of a local
16 boxing authority. If practicable, at least 1 mem-
17 ber of the Commission shall be a physician or
18 other health care professional duly licensed as
19 such.

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

23 “(i) be engaged as a professional
24 boxer, boxing promoter, agent, fight man-
25 ager, matchmaker, referee, judge, or in any

1 other capacity in the conduct of the busi-
2 ness of professional boxing;

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

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

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

11 “(4) GEOGRAPHIC BALANCE.—Not more than 2
12 members of the Commission may be residents of the
13 same geographic region of the United States when
14 appointed to the Commission. For purposes of the
15 preceding sentence, the area of the United States
16 east of the Mississippi River is a geographic region,
17 and the area of the United States west of the Mis-
18 sissippi River is a geographic region.

19 “(5) TERMS.—

20 “(A) IN GENERAL.—The term of a mem-
21 ber of the Commission shall be 3 years.

22 “(B) REAPPOINTMENT.—Members of the
23 Commission may be reappointed to the Com-
24 mission.

1 “(C) MIDTERM VACANCIES.—A member of
2 the Commission appointed to fill a vacancy in
3 the Commission occurring before the expiration
4 of the term for which the member’s predecessor
5 was appointed shall be appointed for the re-
6 mainder of that unexpired term.

7 “(D) CONTINUATION PENDING REPLACE-
8 MENT.—A member of the Commission may
9 serve after the expiration of that member’s
10 term until a successor has taken office.

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

13 “(c) EXECUTIVE DIRECTOR.—

14 “(1) IN GENERAL.—The Commission shall em-
15 ploy an Executive Director to perform the adminis-
16 trative functions of the Commission under this Act,
17 and such other functions and duties of the Commis-
18 sion as the Commission shall specify.

19 “(2) DISCHARGE OF FUNCTIONS.—Subject to
20 the authority, direction, and control of the Commis-
21 sion the Executive Director shall carry out the func-
22 tions and duties of the Commission under this Act.

23 “(d) GENERAL COUNSEL.—The Commission shall
24 employ a General Counsel to provide legal counsel and ad-
25 vice to the Executive Director and the Commission in the

1 performance of its functions under this Act, and to carry
2 out such other functions and duties as the Commission
3 shall specify.

4 “(e) STAFF.—The Commission shall employ such ad-
5 ditional staff as the Commission considers appropriate to
6 assist the Executive Director and the General Counsel in
7 carrying out the functions and duties of the Commission
8 under this Act.

9 “(f) COMPENSATION.—

10 “(1) MEMBERS OF COMMISSION.—

11 “(A) IN GENERAL.—Each member of the
12 Commission shall be compensated at a rate
13 equal to the daily equivalent of the annual rate
14 of basic pay prescribed for level IV of the Exec-
15 utive Schedule under section 5315 of title 5,
16 United States Code, for each day (including
17 travel time) during which such member is en-
18 gaged in the performance of the duties of the
19 Commission.

20 “(B) TRAVEL EXPENSES.—The members
21 of the Commission shall be allowed travel ex-
22 penses, including per diem in lieu of subsist-
23 ence, at rates authorized for employees of agen-
24 cies under subchapter I of chapter 57 of title 5,
25 United States Code, while away from their

1 homes or regular places of business in the per-
2 formance of services for the Commission.

3 “(2) EXECUTIVE DIRECTOR AND STAFF.—The
4 Commission shall fix the compensation of the Execu-
5 tive Director, the General Counsel, and other per-
6 sonnel of the Commission. The rate of pay for the
7 Executive Director, the General Counsel, and other
8 personnel may not exceed the rate payable for level
9 V of the Executive Schedule under section 5316 of
10 title 5, United States Code.

11 **“SEC. 203. FUNCTIONS.**

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

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

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

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

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

22 “(2) promulgate uniform standards for profes-
23 sional boxing in consultation with the Association of
24 Boxing Commissions;

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

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

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

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

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

14 “(5) ensure, in cooperation with the Attorney
15 General (who shall represent the Commission in any
16 judicial proceeding under this Act), the chief law en-
17 forcement officer of the several States, and other ap-
18 propriate officers and agencies of Federal, State,
19 and local government, that Federal and State laws
20 applicable to professional boxing matches in the
21 United States are vigorously, effectively, and fairly
22 enforced;

23 “(6) review boxing commission regulations for
24 professional boxing and provide assistance to such

1 authorities in meeting minimum standards pre-
2 scribed by the Commission under this title;

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

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

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

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

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

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

23 “(2) provide technical assistance to, or author-
24 ize the use of the name of the Commission by, box-

1 ing commissions that do not comply with require-
2 ments of the Commission.

3 “(d) USE OF NAME.—The Commission shall have the
4 exclusive right to use the name ‘United States Boxing
5 Commission’. Any person who, without the permission of
6 the Commission, uses that name or any other exclusive
7 name, trademark, emblem, symbol, or insignia of the Com-
8 mission for the purpose of inducing the sale or exchange
9 of any goods or services, or to promote any exhibition, per-
10 formance, or sporting event, shall be subject to suit in a
11 civil action by the Commission for the remedies provided
12 in the Act of July 5, 1946 (commonly known as the
13 ‘Trademark Act of 1946’; 15 U.S.C. 1051 et seq.).

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

16 “(a) LICENSING.—

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

23 “(2) APPLICATION AND TERM.—

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

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

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

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

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

12 “(i) 4-year term for a boxer; and

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

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

18 “(b) LICENSING FEES.—

19 “(1) AUTHORITY.—The Commission may pre-
20 scribe and charge reasonable fees for the licensing of
21 persons under this title. The Commission may set,
22 charge, and adjust varying fees on the basis of clas-
23 sifications of persons, functions, and events deter-
24 mined appropriate by the Commission.

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

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

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

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

10 “(3) COLLECTION.—Fees established under this
11 subsection may be collected through boxing commis-
12 sions or by any other means determined appropriate
13 by the Commission.

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

15 “(a) REQUIREMENT FOR REGISTRY.—The Commis-
16 sion shall establish and maintain (or authorize a third
17 party to establish and maintain) a unified national com-
18 puterized registry for the collection, storage, and retrieval
19 of information related to the performance of its duties.

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

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

1 secure from disclosure in accordance with the con-
2 fidentiality requirements of section 114(c).

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

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

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

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

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

18 **“SEC. 207. MISCONDUCT.**

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

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

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

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

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

13 “(2) PERIOD OF SUSPENSION.—

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

18 “(B) SUSPENSION FOR MEDICAL REA-
19 SONS.—In the case of a suspension or denial of
20 the license of a boxer for medical reasons by the
21 Commission, the Commission may terminate
22 the suspension or denial at any time that a phy-
23 sician certifies that the boxer is fit to partici-
24 pate in a professional boxing match. The Com-
25 mission shall prescribe the standards and proce-

1 dures for accepting certifications under this
2 subparagraph.

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

6 “(b) INVESTIGATIONS AND INJUNCTIONS.—

7 “(1) AUTHORITY.—The Commission may—

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

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

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

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

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

3 “(2) POWERS.—

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

7 “(i) any officer designated by the
8 Commission may administer oaths and af-
9 firmations, subpoena or otherwise compel
10 the attendance of witnesses, take evidence,
11 and require the production of any books,
12 papers, correspondence, memoranda, or
13 other records the Commission considers
14 relevant or material to the inquiry; and

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

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

24 “(3) ENFORCEMENT OF SUBPOENAS.—

1 “(A) CIVIL ACTION.—In case of contumacy
2 by, or refusal to obey a subpoena issued to, any
3 person, the Commission may file an action in
4 any district court of the United States within
5 the jurisdiction of which an investigation or
6 proceeding is carried out, or where that person
7 resides or carries on business, to enforce the at-
8 tendance and testimony of witnesses and the
9 production of books, papers, correspondence,
10 memorandums, and other records. The court
11 may issue an order requiring the person to ap-
12 pear before the Commission to produce records,
13 if so ordered, or to give testimony concerning
14 the matter under investigation or in question.

15 “(B) FAILURE TO OBEY.—Any failure to
16 obey an order issued by a court under subpara-
17 graph (A) may be punished as contempt of that
18 court.

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

24 “(4) EVIDENCE OF CRIMINAL MISCONDUCT.—

1 “(A) IN GENERAL.—No person may be ex-
2 cused from attending and testifying or from
3 producing books, papers, contracts, agreements,
4 and other records and documents before the
5 Commission, in obedience to the subpoena of
6 the Commission, or in any cause or proceeding
7 instituted by the Commission, on the ground
8 that the testimony or evidence, documentary or
9 otherwise, required of that person may tend to
10 incriminate the person or subject the person to
11 a penalty or forfeiture.

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

23 “(5) INJUNCTIVE RELIEF.—If the Commission
24 determines that any person is engaged or about to
25 engage in any act or practice that constitutes a vio-

1 lation of any provision of this Act, or of any regula-
2 tion prescribed under this Act, the Commission may
3 bring an action in the appropriate district court of
4 the United States, the United States District Court
5 for the District of Columbia, or the United States
6 courts of any territory or other place subject to the
7 jurisdiction of the United States, to enjoin the act
8 or practice, and upon a proper showing, the court
9 shall grant without bond a permanent or temporary
10 injunction or restraining order.

11 “(6) MANDAMUS.—Upon application of the
12 Commission, the district courts of the United States,
13 the United States District Court for the District of
14 Columbia, and the United States courts of any terri-
15 tory or other place subject to the jurisdiction of the
16 United States, shall have jurisdiction to issue writs
17 of mandamus commanding any person to comply
18 with the provisions of this Act or any order of the
19 Commission.

20 “(c) INTERVENTION IN CIVIL ACTIONS.—

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

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

5 “(d) **HEARINGS BY COMMISSION.**—Hearings con-
6 ducted by the Commission under this Act shall be public
7 and may be held before any officer of the Commission.
8 The Commission shall keep appropriate records of the
9 hearings.

10 **“SEC. 208. NONINTERFERENCE WITH BOXING COMMIS-**
11 **SIONS.**

12 “(a) **NONINTERFERENCE.**—Nothing in this Act pro-
13 hibits any boxing commission from exercising any of its
14 powers, duties, or functions with respect to the regulation
15 or supervision of professional boxing or professional box-
16 ing matches to the extent not inconsistent with the provi-
17 sions of this Act.

18 “(b) **MINIMUM STANDARDS.**—Nothing in this Act
19 prohibits any boxing commission from enforcing local
20 standards or requirements that exceed the minimum
21 standards or requirements promulgated by the Commis-
22 sion under this Act.

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

24 “Any employee of any executive department, agency,
25 bureau, board, commission, office, independent establish-

1 ment, or instrumentality may be detailed to the Commis-
2 sion, upon the request of the Commission, on a reimburs-
3 able or nonreimbursable basis, with the consent of the ap-
4 propriate authority having jurisdiction over the employee.
5 While so detailed, an employee shall continue to receive
6 the compensation provided pursuant to law for the employ-
7 ee's regular position of employment and shall retain, with-
8 out interruption, the rights and privileges of that employ-
9 ment.

10 **“SEC. 210. REPORTS.**

11 “(a) ANNUAL REPORT.—The Commission shall sub-
12 mit a report on its activities to the Senate Committee on
13 Commerce, Science, and Transportation and the House of
14 Representatives Committee on Commerce each year. The
15 annual report shall include—

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

18 “(2) an overview of the licensing and enforce-
19 ment activities of the State and tribal organization
20 boxing commissions.

21 “(b) PUBLIC REPORT.—The Commission shall annu-
22 ally issue and publicize a report of the Commission on the
23 progress made at Federal and State levels and on Indian
24 lands in the reform of professional boxing, which shall in-

1 clude comments on issues of continuing concern to the
2 Commission.

3 “(c) FIRST ANNUAL REPORT ON THE COMMIS-
4 SION.—The first annual report under this title shall be
5 submitted not later than 2 years after the effective date
6 of this title.

7 **“SEC. 211. INITIAL IMPLEMENTATION.**

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

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

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

19 “(2) the date that is 2 years after the date of
20 the enactment of the Professional Boxing Amend-
21 ments Act of 2005.

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

23 “(a) IN GENERAL.—There are authorized to be ap-
24 propriated for the Commission for each fiscal year such

1 sums as may be necessary for the Commission to perform
2 its functions for that fiscal year.

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

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

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

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

13 (b) CONFORMING AMENDMENTS.—

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

17 (A) by amending section 1 to read as fol-
18 lows:

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

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

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

“Sec. 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.”;

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

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

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

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

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

6 (E) by striking “section 13” in subsection
7 (b) of section 113, as redesignated, and insert-
8 ing “section 111”;

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

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

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

20 (I) by striking “section 10” in subsection
21 (e)(3) of section 116, as redesignated, and in-
22 serting “section 108”; and

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

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

4 “Members of the United States Boxing Commis-
5 sion.”.

6 **SEC. 22. STUDY AND REPORT ON DEFINITION OF PRO-**
7 **MOTER.**

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

12 (b) HEARINGS.—As part of that study, the Commis-
13 sion shall hold hearings and solicit testimony at those
14 hearings from boxers, managers, promoters, premium,
15 cable, and satellite program service providers, hotels, casi-
16 nos, resorts, and other commercial establishments that
17 host or sponsor professional boxing matches, and other in-
18 terested parties with respect to the definition of that term
19 as it is used in the Professional Boxing Safety Act.

20 (c) REPORT.—Not later than 12 months after the
21 date of the enactment of this Act, the Commission shall
22 submit to the Committee on Commerce, Science, and
23 Transportation of the Senate and the Committee on En-
24 ergy and Commerce of the House of Representatives a re-

1 port on the study conducted under subsection (a). The re-
2 port shall—

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

6 (2) describe the findings, conclusions, and ra-
7 tionale of the Commission for the proposed defini-
8 tion, together with any recommendations of the
9 Commission, based on the study.

10 **SEC. 23. EFFECTIVE DATE.**

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

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

Calendar No. 72

109TH CONGRESS
1ST Session

S. 148

[Report No. 109-58]

A BILL

To establish a United States Boxing Commission to administer the Act, and for other purposes.

APRIL 13, 2005

Reported without amendment