

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 812

To establish the Congressional Advisory Commission on Amateur Boxing and to amend title 18, United States Code, to prohibit the participation in and promotion of professional boxing.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 4, 1993

Mr. GONZALEZ submitted the following bill; which was referred jointly to the Committees on Education and Labor, Energy and Commerce, and the Judiciary

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## A BILL

To establish the Congressional Advisory Commission on Amateur Boxing and to amend title 18, United States Code, to prohibit the participation in and promotion of professional boxing.

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

3       **TITLE I—CONGRESSIONAL ADVISORY**

4       **COMMISSION ON AMATEUR BOXING**

5       **SEC. 101. SHORT TITLE.**

6       This title may be cited as the “Congressional Advi-  
7       sory Commission on Amateur Boxing Act of 1993”.

1 **SEC. 102. ESTABLISHMENT.**

2 There is established a Commission to be known as  
3 the Congressional Advisory Commission on Amateur Box-  
4 ing (in this title referred to as the “Commission”).

5 **SEC. 103. PURPOSE.**

6 The purpose of the Commission is to conduct studies  
7 and make legislative recommendations to the Congress  
8 based on the studies regarding the establishment of Fed-  
9 eral standards for amateur boxing matches held in the  
10 United States.

11 **SEC. 104. MEMBERSHIP AND ORGANIZATION.**

12 (a) NUMBER AND APPOINTMENT.—The Commission  
13 shall be composed of ten members as follows:

14 (1) HEALTH OFFICIALS.—Two members, one  
15 appointed by the Speaker of the House of Rep-  
16 resentatives and one appointed by the majority lead-  
17 er of the Senate, from a list of six individuals nomi-  
18 nated for appointment jointly by the American Medi-  
19 cal Association and the Association of Ringside Phy-  
20 sicians.

21 (2) STATE ATHLETIC COMMISSIONER.—One  
22 member appointed by the Speaker of the House of  
23 Representatives from among individuals who are or  
24 have been employed as State athletic commissioners.

25 (3) AMATEUR BOXING FEDERATION.—One  
26 member appointed by the majority leader of the Sen-

1       ate from among individuals who are members of the  
2       United States of America Amateur Boxing Federa-  
3       tion, Incorporated.

4           (4) MEDIA.—One member appointed by the  
5       Speaker of the House of Representatives from  
6       among individuals who are employed in the media  
7       and are knowledgeable about boxing.

8           (5) AMATEUR BOXER.—One member appointed  
9       by the majority leader of the Senate from among in-  
10      dividuals with special interests or experience in ama-  
11      teur boxing.

12          (6) PROFESSIONAL BOXERS.—Four members,  
13      two appointed by the Speaker of the House of Rep-  
14      resentatives and two appointed by the majority lead-  
15      er of the Senate, from among individuals with spe-  
16      cial interests or experience in professional boxing.

17          (b) CHAIRMAN AND VICE CHAIRMAN.—The Chair-  
18      man of the Commission shall be designated by the Speaker  
19      of the House of Representatives. The Vice Chairman of  
20      the Commission shall be designated by the majority leader  
21      of the Senate.

22          (c) BASIC PAY.—

23           (1) MEMBERS.—Except as provided in para-  
24      graph (2), members of the Commission shall each be  
25      paid at a rate not to exceed the daily equivalent of

1 the minimum annual rate of basic pay in effect for  
2 grade GS-13 of the General Schedule for each day  
3 (including travel time) during which they are en-  
4 gaged in the actual performance of duties vested in  
5 the Commission.

6 (2) CHAIRMAN AND VICE CHAIRMAN.—The  
7 Chairman and the Vice Chairman of the Commission  
8 shall be paid at a rate not to exceed the daily equiv-  
9 alent of the minimum annual rate of basic pay in ef-  
10 fect for grades GS-15 and GS-14 of the General  
11 Schedule, respectively, for each day (including travel  
12 time) during which they are engaged in the actual  
13 performance of duties vested in the Commission.

14 (d) ORGANIZATIONAL MEETING.—

15 (1) TIME AND PURPOSE.—Not later than thirty  
16 days after all members have been appointed to the  
17 Commission, the Commission shall hold an organiza-  
18 tional meeting to establish the rules and procedures  
19 necessary to carry out its responsibilities under this  
20 title subject to paragraph (2).

21 (2) RULES AND PROCEDURES.—The rules and  
22 procedures shall provide that—

23 (A) all Commission meetings shall be open  
24 to the public;

1 (B) one-half of the total Commission mem-  
2 bership shall constitute a quorum; and

3 (C) a majority of members voting shall be  
4 required to authorize any recommendation or  
5 other official action of the Commission.

6 **SEC. 105. ADMINISTRATIVE POWERS.**

7 (a) APPOINTMENT AND COMPENSATION OF STAFF.—

8 (1) IN GENERAL.—Subject to rules prescribed  
9 by the Commission, the Chairman may appoint and  
10 fix the pay of staff as the Chairman considers ap-  
11 propriate.

12 (2) APPLICABILITY OF CERTAIN CIVIL SERVICE  
13 LAWS.—The staff of the Commission shall be ap-  
14 pointed subject to the provisions of title 5, United  
15 States Code, governing appointments in the competi-  
16 tive service, and shall be paid in accordance with the  
17 provisions of chapter 51 and subchapter III of chap-  
18 ter 53 of such title relating to classification and  
19 General Schedule pay rates.

20 (b) EXPERTS AND CONSULTANTS.—Subject to rules  
21 prescribed by the Commission, the Chairman may procure  
22 temporary and intermittent services under section 3109(b)  
23 of title 5, United States Code.

24 (c) STAFF OF FEDERAL AGENCIES.—Upon request  
25 of the Commission, the head of any Federal agency is au-

1 thORIZED to detail, on a reimbursable basis, any of the per-  
2 sonnel of the agency to the Commission to assist the Com-  
3 mission in carrying out its duties under this title.

4 (d) **MAILS.**—The Commission may use the United  
5 States mails in the same manner and under the same con-  
6 ditions as other Federal agencies.

7 (e) **ADMINISTRATIVE SUPPORT SERVICES.**—The Ad-  
8 ministrator of General Services shall provide to the Com-  
9 mission, on a reimbursable basis, administrative support  
10 services requested by the Commission.

11 **SEC. 106. INVESTIGATIVE POWERS.**

12 (a) **HEARINGS AND SESSIONS.**—The Commission  
13 may, for the purpose of carrying out this title, hold such  
14 hearings, sit and act at such times and places, take such  
15 testimony, and receive such evidence, as the Commission  
16 considers appropriate.

17 (b) **OBTAINING OFFICIAL DATA.**—The Commission  
18 may secure directly from any Federal agency information  
19 necessary to enable it to carry out this title. Upon request  
20 of the Chairman of the Commission, the head of the agen-  
21 cy shall furnish the information to the Commission.

22 (c) **SUBPOENA POWER.**—

23 (1) **ISSUANCE.**—The Commission may issue  
24 subpoenas requiring the attendance and testimony of  
25 witnesses and the production of any evidence that

1 relates to any matter under investigation by the  
2 Commission. The attendance of witnesses and the  
3 production of evidence may be required from any  
4 place within a judicial district at any designated  
5 place of hearing within the judicial district.

6 (2) ENFORCEMENT.—If a person issued a sub-  
7 poena under paragraph (1) refuses to obey the sub-  
8 poena or is guilty of contumacy, any court of the  
9 United States within the judicial district within  
10 which the hearing is conducted or within the judicial  
11 district within which the person is found or resides  
12 or transacts business may (upon application by the  
13 Commission) order the person to appear before the  
14 Commission to produce evidence or to give testimony  
15 relating to the matter under investigation. Any fail-  
16 ure to obey the order of the court may be punished  
17 by the court as a contempt of the court.

18 (3) MANNER OF SERVICE.—A subpoena of the  
19 Commission shall be served in the manner provided  
20 for subpoenas issued by a United States district  
21 court under the Federal Rules of Civil Procedure for  
22 the United States district courts.

23 (4) PLACE OF SERVICE.—All process of any  
24 court to which application may be made under this  
25 section may be served in the judicial district in

1       which the person required to be served resides or  
2       may be found.

3       **SEC. 107. REPORT.**

4       Not later than nine months after the organizational  
5       meeting of the Commission is held under section 104(d),  
6       the Commission shall submit to the Congress a report that  
7       contains a detailed statement of the findings and conclu-  
8       sions of the Commission, together with its recommenda-  
9       tions for legislation it considers appropriate with respect  
10      to the following:

11           (1) LICENSING REQUIREMENTS.—Licensing re-  
12           quirements, including proficiency standards and  
13           evaluation for boxers, promoters, referees, judges,  
14           ringside physicians, timekeepers, and all other ring  
15           officials.

16           (2) HEALTH AND MEDICAL REQUIREMENTS.—  
17           Health and medical requirements, including provi-  
18           sion for prefight testing and examination of referees  
19           by physicians and for prefight and postfight testing  
20           and examination of boxers by physicians specializing  
21           in cardiological, neurological, and ophthalmological  
22           treatment.

23           (3) SAFETY AND PERFORMANCE STANDARDS.—  
24           Safety requirements and performance standards for  
25           equipment and facilities used in boxing matches.

1           (4) BONDING REQUIREMENTS.—Requirements  
2 for bonding of promoters of boxing matches.

3           (5) INSURANCE REQUIREMENTS.—Health, life,  
4 and accident insurance requirements for boxers.

5           (6) TRAINING PROGRAMS.—Training programs  
6 and standards for referees, judges, and other appro-  
7 priate ring officials.

8           (7) CLASSIFICATION AND RANKING GUIDE-  
9 LINES.—Guidelines and standards governing the  
10 classification and ranking of boxers and the estab-  
11 lishment of a national authority to maintain an ac-  
12 curate and current account of the classifications and  
13 rankings.

14           (8) NATIONAL DATA BASE.—Establishment of a  
15 national data base of information on the health and  
16 medical condition, background, and ring record of  
17 boxers.

18           (9) REPORTING REQUIREMENTS.—Require-  
19 ments governing the reporting of information needed  
20 to fulfill the requirements of paragraphs (7) and (8).

21           (10) FINES AND PENALTIES.—Fines and pen-  
22 alties for violations of the national standards estab-  
23 lished under Federal law.

1 **SEC. 108. TERMINATION.**

2 The Commission shall cease to exist sixty days after  
3 submitting its report pursuant to section 107.

4 **SEC. 109. AUTHORIZATION OF APPROPRIATIONS.**

5 There is authorized to be appropriated \$2,000,000 to  
6 carry out this title.

7 **TITLE II—PROHIBITION OF**  
8 **PROFESSIONAL BOXING**

9 **SEC. 201. SHORT TITLE.**

10 This title may be cited as the “Federal Professional  
11 Boxing Prohibition Act of 1993”.

12 **SEC. 202. FINDINGS AND PURPOSE.**

13 (a) FINDINGS.—The Congress finds that—

14 (1) although many sports may have higher  
15 death and injury rates, the injuries are coincidental  
16 to the purpose of the sport; the object of profes-  
17 sional boxing is to inflict pain and physical damage  
18 to the extent of rendering the opponent senseless,  
19 defenseless, and unconscious;

20 (2) head blows and knockouts, which eventually  
21 result in brain damage, are the most prevalent and  
22 direct means for a professional boxer to attain vic-  
23 tory;

24 (3) existing medical and safety controls are in-  
25 adequate to prevent chronic brain damage in profes-  
26 sional boxers;

1 (4) the longer the boxing career of an individ-  
2 ual, the greater the likelihood of brain damage to  
3 the individual; and

4 (5) cumulative brain damage in professional  
5 boxers is not usually identified until its later stages,  
6 when it is generally considered irreversible.

7 (b) PURPOSE.—The purpose of this title is to make  
8 unlawful the participation in or promotion of professional  
9 boxing in order to save lives, protect the health of prospec-  
10 tive professional boxers, and prevent exploitation of pro-  
11 spective participants in professional boxing.

12 **SEC. 203. PROHIBITION OF PARTICIPATION IN OR PRO-**  
13 **MOTION OF PROFESSIONAL BOXING.**

14 (a) IN GENERAL.—Chapter 89 of title 18, United  
15 States Code, is amended by inserting after section 1821  
16 the following new section:

17 **“§ 1822. Participation in or promotion of professional**  
18 **boxing**

19 “(a) OFFENSE.—Whoever participates in a profes-  
20 sional boxing match in any capacity (including participa-  
21 tion as a coach, fighter, judge, physician, referee, or time-  
22 keeper) or promotes a professional boxing match—

23 “(1) shall be fined not more than \$10,000 or  
24 imprisoned for not more than one year, or both; and

1           “(2) shall be required to forfeit any financial  
2 gain realized or to be realized as a direct result of  
3 the professional boxing match.

4           “(b) DEFINITIONS.—For purposes of this section:

5           “(1) BOXING.—The term ‘boxing’ means the  
6 sport of fighting with fists (with or without boxing  
7 gloves).

8           “(2) PROFESSIONAL BOXING MATCH.—The  
9 term ‘professional boxing match’ means a boxing  
10 match for which any financial gain (including any  
11 salary, gift, prize, or paid expenses) is received for  
12 participation in the boxing match. The term does  
13 not include an amateur boxing match.

14           “(3) PROMOTES.—The term ‘promotes’ means  
15 initiates, directs, aids, or participates in organizing  
16 or financially supporting.

17           “(c) NONAPPLICABILITY OF STANDARD FINES.—  
18 Section 3571 shall not apply to an offense under this sec-  
19 tion.”.

20           (b) CONFORMING AMENDMENT.—The table of sec-  
21 tions at the beginning of chapter 89 of title 18, United  
22 States Code, is amended by inserting after the item relat-  
23 ing to section 1821 the following:

“1822. Participation in or promotion of professional boxing.”.

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