

FEDERAL REGULATION OF BOXING

The Muhammad Ali Act and (Mis) use of the National Suspension List

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SELECTED HISTORY OF FEDERAL INVOLVEMENT IN BOXING

1. United States v. International Boxing Club , 348 U.S. 236 (1955) – The Department of Justice utilizes anti-trust laws to tackle mob control of boxing
2. The Kefauver Hearings- In 1960 Senator Estes Kefauver holds hearing related to Mob influence in boxing and health and safety concerns. He sponsors bills calling for a national commission and uniform health and safety regulations. He dies before passage of any of his bills.
3. 1970's and 1980's – Various Federal proposals are made. Non gain traction.
4. The Roth Hearings- Prompted by a controversial fight result between Dave Tiberi and James Toney, Senator William Roth holds hearings regarding whether states were uniform in regulation and whether boxers were being exploited. The committee found forum shopping, conflicts of interest, and “widespread corruption”. It was notable that Bob Lee, then head of the IBF took the Fifth Amendment. Senator Roth, in 1992, introduced a bill for a national commission but it died.
5. The Professional Boxing Health and Safety Act- First introduced by Senator John McCain and Senator Richard Bryan of Nevada in 1994. Bill passed in 1996 and was signed into law on October 6, 1996.

6. National Association of Attorneys General task force on Boxing- A task force by the Association of States Attorneys General was formed in 1998 to examine boxing, both from a health and safety perspective and a business perspective. The report was formally issued in 2000 but sections were publicly available prior thereto. It influenced the subsequent Muhammad Ali Act.
7. United States v. Lee, et al. was the federal prosecution of then IBF President Bob Lee and other IBF officials- In August of 2000 Bob Lee of the IBF was convicted of six charges relating to fixing the rankings in exchange for payments (bribes).
8. In 1998 the first version of the Muhammad Ali Act was introduced. A subsequent version was ultimately signed into law in May of 2000.
9. In 2002 Senator McCain introduced legislation which would have formed the United States Boxing Administration (USBA) with oversight to "protect the health, safety and general interests of boxers". It would have oversight authority over the Sport. Though hearings were held the bill did not advance to a full Senate vote. With the death of Senator McCain it is unlikely at the present time that his goal of having a USBA will advance.

PURPOSE OF PROFESSIONAL BOXING SAFETY ACT

On March 25, 1994, John McCain introduced a bipartisan measure with then Senator Richard Bryan of Nevada-the Professional Boxing Safety Act (PBSA)-in an effort to establish minimum uniform federal standards to protect the welfare of the athletes who sustain the sport of professional boxing. He later wrote, "While many states had boxing laws on their books at the time of the PBSA's introduction, some states required little if any public oversight of the sport. This vacuum of state regulation invited forum shopping by unscrupulous promoters and managers and also provided a fertile breeding ground for fixed bouts, the exploitation of boxers, and a lack of adequate medical services at many events."

The PBSA, among other things:

1. required state athletic commissions to oversee all professional boxing events;
2. prohibited medically-suspended fighters from participating in boxing matches in other states and assures that states are aware that a fighter may be suspended in another state;
3. required that adequate medical services be available at ringside;
4. required all boxers to register for an identification card issued by the boxing commission of the state in which the boxer is domiciled, or if the boxer is a foreign resident or lives in a state without a boxing commission, any state commission; and
5. included a conflict of interest provision that prohibits state commissioners from receiving compensation from business interests in the industry.

SECTION 1. SHORT TITLE.

This Act may be cited as the ‘Muhammad Ali Boxing Reform Act’.

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) Professional boxing differs from other major, interstate professional sports industries in the United States in that it operates without any private sector association, league, or centralized industry organization to establish uniform and appropriate business practices and ethical standards. This has led to repeated occurrences of disreputable and coercive business practices in the boxing industry, to the detriment of professional boxers nationwide.

(2) State officials are the proper regulators of professional boxing events, and must protect the welfare of professional boxers and serve the public interest by closely supervising boxing activity in their jurisdiction. State boxing commissions do not currently receive adequate information to determine whether boxers competing in their jurisdiction are being subjected to contract terms and business practices which may violate State regulations, or are onerous and confiscatory.

(3) Promoters who engage in illegal, coercive, or unethical business practices can take advantage of the lack of equitable business standards in the sport by holding boxing events in States with weaker regulatory oversight.

(4) The sanctioning organizations which have proliferated in the boxing industry have not established credible and objective criteria to rate professional boxers, and operate with virtually no industry or public oversight. Their ratings are susceptible to manipulation, have deprived boxers of fair opportunities for advancement, and have undermined public confidence in the integrity of the sport.

(5) Open competition in the professional boxing industry has been significantly interfered with by restrictive and anticompetitive business practices of certain promoters and sanctioning bodies, to the detriment of the athletes and the ticket-buying public. Common practices of promoters and sanctioning organizations represent restraints of interstate trade in the United States.

(6) It is necessary and appropriate to establish national contracting reforms to protect professional boxers and prevent exploitive business practices, and to require enhanced financial disclosures to State athletic commissions to improve the public oversight of the sport.

§ 6302. Purposes

The purposes of this chapter are—

- (1) to improve and expand the system of safety precautions that protects the welfare of professional boxers; and
- (2) to assist State boxing commissions to provide proper oversight for the professional boxing industry in the United States.

§ 6303. Boxing matches in States without boxing commissions

(a) No person may arrange, promote, organize, produce, or fight in a professional boxing match held in a State that does not have a boxing commission unless the match is supervised by a boxing commission from another State and subject to the most recent version of the recommended regulatory guidelines certified and published by the Association of Boxing Commissions as well as any additional relevant professional boxing regulations and requirements of such other State.

(b) For the purpose of this chapter, if no State commission is available to supervise a boxing match according to subsection (a) of this section, then—

(1) the match may not be held unless it is supervised by an association of boxing commissions to which at least a majority of the States belong; and

(2) any reporting or other requirement relating to a supervising commission allowed under this section shall be deemed to refer to the entity described in paragraph (1).

§ 6304. Safety standards

No person may arrange, promote, organize, produce, or fight in a professional boxing match without meeting each of the following requirements or an alternative requirement in effect under regulations of a boxing commission that provides equivalent protection of the health and safety of boxers:

- (1) A physical examination of each boxer by a physician certifying whether or not the boxer is physically fit to safely compete, copies of which must be provided to the boxing commission.
- (2) Except as otherwise expressly provided under regulation of a boxing commission promulgated subsequent to October 9, 1996, an ambulance or medical personnel with appropriate resuscitation equipment continuously present on site.
- (3) A physician continuously present at ringside.
- (4) Health insurance for each boxer to provide medical coverage for any injuries sustained in the match.

§ 6305. Registration

(a) Requirements

Each boxer shall register with—

- ☐ **(1)** the boxing commission of the State in which such boxer resides; or
- ☐ **(2)** in the case of a boxer who is a resident of a foreign country, or a State in which there is no boxing commission, the boxing commission of any State that has such a commission.

(b) Identification card

(1) Issuance

A boxing commission shall issue to each professional boxer who registers in accordance with subsection (a) of this section, an identification card that contains each of the following:

- ☐ **(A)** A recent photograph of the boxer.
- ☐ **(B)** The social security number of the boxer (or, in the case of a foreign boxer, any similar citizen identification number or professional boxer number from the country of residence of the boxer).
- ☐ **(C)** A personal identification number assigned to the boxer by a boxing registry.

(2) Renewal

Each professional boxer shall renew his or her identification card at least once every 4 years.

□(3) Presentation

Each professional boxer shall present his or her identification card to the appropriate boxing commission not later than the time of the weigh-in for a professional boxing match.

□(c) Health and safety disclosures

It is the sense of the Congress that a boxing commission should, upon issuing an identification card to a boxer under subsection (b)(1) of this section, make a health and safety disclosure to that boxer as that commission considers appropriate. The health and safety disclosure should include the health and safety risks associated with boxing, and, in particular, the risk and frequency of brain injury and the advisability that a boxer periodically undergo medical procedures designed to detect brain injury.

(a) Procedures

Each boxing commission shall establish each of the following procedures:

(1) Procedures to evaluate the professional records and physician's certification of each boxer participating in a professional boxing match in the State, and to deny authorization for a boxer to fight where appropriate.

(2) Procedures to ensure that, except as provided in subsection (b) of this section, no boxer is permitted to box while under suspension from any boxing commission due to—

(A) a recent knockout or series of consecutive losses;

(B) an injury, requirement for a medical procedure, or physician denial of certification;

(C) failure of a drug test;

(D) the use of false aliases, or falsifying, or attempting to falsify, official identification cards or documents; or

(E) unsportsmanlike conduct or other inappropriate behavior inconsistent with generally accepted methods of competition in a professional boxing match.

(3) Procedures to review a suspension where appealed by a boxer, licensee, manager, matchmaker, promoter, or other boxing service provider, including an opportunity for a boxer to present contradictory evidence.

(4) Procedures to revoke a suspension where a boxer—

(A) was suspended under subparagraph (A) or (B) of paragraph (2) of this subsection, and has furnished further proof of a sufficiently improved medical or physical condition; or

(B) furnishes proof under subparagraph (C) or (D) of paragraph (2) that a suspension was not, or is no longer, merited by the facts.

(b) Suspension in another State

A boxing commission may allow a boxer who is under suspension in any State to participate in a professional boxing match—

(1) for any reason other than those listed in subsection (a) of this section if such commission notifies in writing and consults with the designated official of the suspending State's boxing commission prior to the grant of approval for such individual to participate in that professional boxing match; or

(2) if the boxer appeals to the Association of Boxing Commissions, and the Association of Boxing Commissions determines that the suspension of such boxer was without sufficient grounds, for an improper purpose, or not related to the health and safety of the boxer or the purposes of this chapter.

6307. Reporting

Not later than 48 business hours after the conclusion of a professional boxing match, the supervising boxing commission shall report the results of such boxing match and any related suspensions to each boxer registry.

§ 6307b. Protection from coercive contracts

(a) General rule

(1)

(A) A contract provision shall be considered to be in restraint of trade, contrary to public policy, and unenforceable against any boxer to the extent that it—

(i) is a coercive provision described in subparagraph (B) and is for a period greater than 12 months; or

(ii) is a coercive provision described in subparagraph (B) and the other boxer under contract to the promoter came under that contract pursuant to a coercive provision described in subparagraph (B).

(B) A coercive provision described in this subparagraph is a contract provision that grants any rights between a boxer and a promoter, or between promoters with respect to a boxer, if the boxer is required to grant such rights, or a boxer's promoter is required to grant such rights with respect to a boxer to another promoter, as a condition precedent to the boxer's participation in a professional boxing match against another boxer who is under contract to the promoter.

(2) This subsection shall only apply to contracts entered into after May 26, 2000.

(3) No subsequent contract provision extending any rights or compensation covered in paragraph (1) shall be enforceable against a boxer if the effective date of the contract containing such provision is earlier than 3 months before the expiration of the relevant time period set forth in paragraph (1).

(b) Promotional rights under mandatory bout contracts

No boxing service provider may require a boxer to grant any future promotional rights as a requirement of competing in a professional boxing match that is a mandatory bout under the rules of a sanctioning organization.

(c) Protection from coercive contracts with broadcasters

Subsection (a) of this section applies to any contract between a commercial broadcaster and a boxer, or granting any rights with respect to that boxer, involving a broadcast in or affecting interstate commerce, regardless of the broadcast medium. For the purpose of this subsection, any reference in subsection (a)(1)(B) of this section to "promoter" shall be considered a reference to "commercial broadcaster".

(a) Disclosures to the boxing commissions

A promoter shall not be entitled to receive any compensation directly or indirectly in connection with a boxing match until it provides to the boxing commission responsible for regulating the match in a State a statement of—

- (1)** a copy of any agreement in writing to which the promoter is a party with any boxer participating in the match;
- (2)** a statement made under penalty of perjury that there are no other agreements, written or oral, between the promoter and the boxer with respect to that match; and
- (3)**
 - (A)** all fees, charges, and expenses that will be assessed by or through the promoter on the boxer pertaining to the event, including any portion of the boxer's purse that the promoter will receive, and training expenses;
 - (B)** all payments, gifts, or benefits the promoter is providing to any sanctioning organization affiliated with the event; and
 - (C)** any reduction in a boxer's purse contrary to a previous agreement between the promoter and the boxer or a purse bid held for the event.

(b) Disclosures to the boxer

A promoter shall not be entitled to receive any compensation directly or indirectly in connection with a boxing match until it provides to the boxer it promotes—

(1) the amounts of any compensation or consideration that a promoter has contracted to receive from such match;

(2) all fees, charges, and expenses that will be assessed by or through the promoter on the boxer pertaining to the event, including any portion of the boxer's purse that the promoter will receive, and training expenses; and

(3) any reduction in a boxer's purse contrary to a previous agreement between the promoter and the boxer or a purse bid held for the event.

(c) Information to be available to State Attorney General

A promoter shall make information required to be disclosed under this section available to the chief law enforcement officer of the State in which the match is to be held upon request of such officer.

§ 6307h. Judges and referees

No person may arrange, promote, organize, produce, or fight in a professional boxing match unless all referees and judges participating in the match have been certified and approved by the boxing commission responsible for regulating the match in the State where the match is held.

(a) Regulatory personnel

No member or employee of a boxing commission, no person who administers or enforces State boxing laws, and no member of the Association of Boxing Commissions may belong to, contract with, or receive any compensation from, any person who sanctions, arranges, or promotes professional boxing matches or who otherwise has a financial interest in an active boxer currently registered with a boxer registry. For purposes of this section, the term “compensation” does not include funds held in escrow for payment to another person in connection with a professional boxing match. The prohibition set forth in this section shall not apply to any contract entered into, or any reasonable compensation received, by a boxing commission to supervise a professional boxing match in another State as described in section 6303 of this title.

(b) Firewall between promoters and managers

(1) In general

It is unlawful for—

(A) a promoter to have a direct or indirect financial interest in the management of a boxer; or

(B) a manager—

☐ **(i)** to have a direct or indirect financial interest in the promotion of a boxer; or

☐ **(ii)** to be employed by or receive compensation or other benefits from a promoter, except for amounts received as consideration under the manager’s contract with the boxer.

(2) Exceptions

Paragraph (1)—

- ☐ **(A)** does not prohibit a boxer from acting as his own promoter or manager; and
- ☐ **(B)** only applies to boxers participating in a boxing match of 10 rounds or more.

(c) Sanctioning organizations

(1) Prohibition on receipts

Except as provided in paragraph (2), no officer or employee of a sanctioning organization may receive any compensation, gift, or benefit, directly or indirectly, from a promoter, boxer, or manager.

(2) Exceptions

Paragraph (1) does not apply to—

- ☐ **(A)** the receipt of payment by a promoter, boxer, or manager of a sanctioning organization's published fee for sanctioning a professional boxing match or reasonable expenses in connection therewith if the payment is reported to the responsible boxing commission; or
- ☐ **(B)** the receipt of a gift or benefit of de minimis value.

§ 6309. Enforcement

(b) Criminal penalties

(1) Managers, promoters, matchmakers, and licensees

Any manager, promoter, matchmaker, and licensee who knowingly violates, or coerces or causes any other person to violate, any provision of this chapter, other than section 6307a (b), [1] 6307b, 6307c, 6307d, 6307e, 6307f, or 6307h of this title, shall, upon conviction, be imprisoned for not more than 1 year or fined not more than \$20,000, or both.

(2) Violation of antiexploitation, sanctioning organization, or disclosure provisions

Any person who knowingly violates any provision of section 6307a (b), [1] 6307b, 6307c, 6307d, 6307e, 6307f, or 6307h of this title shall, upon conviction, be imprisoned for not more than 1 year or fined not more than—

(A) \$100,000; and

(B) if a violation occurs in connection with a professional boxing match the gross revenues for which exceed \$2,000,000, an additional amount which bears the same ratio to \$100,000 as the amount of such revenues compared to \$2,000,000, or both.

(3) Conflict of interest

Any member or employee of a boxing commission, any person who administers or enforces State boxing laws, and any member of the Association of Boxing Commissions who knowingly violates section 6308 (a) of this title shall, upon conviction, be imprisoned for not more than 1 year or fined not more than \$20,000, or both.

☐ **(4) Boxers**

Any boxer who knowingly violates any provision of this chapter shall, upon conviction, be fined not more than \$1,000.

(c) Actions by States

Whenever the chief law enforcement officer of any State has reason to believe that a person or organization is engaging in practices which violate any requirement of this chapter, the State, as *parens patriae*, may bring a civil action on behalf of its residents in an appropriate district court of the United States—

(1) to enjoin the holding of any professional boxing match which the practice involves;

(2) to enforce compliance with this chapter;

☐ **(3)** to obtain the fines provided under subsection (b) of this section or appropriate restitution; or

☐ **(4)** to obtain such other relief as the court may deem appropriate.

(d) Private right of action

Any boxer who suffers economic injury as a result of a violation of any provision of this chapter may bring an action in the appropriate Federal or State court and recover the damages suffered, court costs, and reasonable attorneys fees and expenses.

§ 6313. Relationship with State law

Nothing in this chapter shall prohibit a State from adopting or enforcing supplemental or more stringent laws or regulations not inconsistent with this chapter, or criminal, civil, or administrative fines for violations of such laws or regulations.



ASSOCIATION OF BOXING COMMISSIONS (ABC)

Boxer's Federal Identification Card Application

FEDERAL ID # _____ EXPIRATION DATE _____

FULL NAME _____
First Middle Last

DATE OF BIRTH ____ / ____ / ____ SOCIAL SECURITY ____ - ____ - ____
Month Day Year

PLACE OF BIRTH Country _____ City _____ State _____

ADDRESS Street _____ City _____ Country _____

State _____ Zip Code _____ Phone
number ____ () _____ Email _____

HEIGHT: _____ WEIGHT: _____ STANCE (check only 1): RIGHT _____ LEFT _____

HAIR COLOR: _____ EYE COLOR: _____

DISTINGUISHING CHARACTERISTICS :(tattoos, scars,
etc) _____

MANAGER Name: _____ E-mail or phone

PROMOTER Name: _____ E-mail or phone

TRAINER Name: _____ E-mail or phone

AMATEUR EXPERIENCE: Yes ____ No ____ Record _____

TERMS AND CONDITIONS ON BACK

1. Boxers must apply for Boxer Federal ID card in the state in which he/she is a resident if it has a Commission or where the Boxer's first bout in the United States is scheduled to occur.

2. Boxer Federal ID card will not be issued unless an accurate and truthful completed application for ABC Boxer Federal ID Card, two passport photos and two forms of ID.

3. Boxer understands that he/she will not be allowed to fight without a Boxer Federal ID Card.

4. Any false or misleading statements on this application may result in the Boxer being placed on the National Suspension list.

5. The use of performance enhancing drugs may result in the Boxer being placed on the National Suspension list.

6. Boxer agrees that the following entities have the authority to place Boxer on the National suspension list with cause and subject to due process:

a) The Commission issuing this ID.

b) Any Commission under whose jurisdiction an alleged rules violation has occurred if the Boxer is scheduled to fight in that jurisdiction, or

c) The ABC.

7. Boxer understands that the ABC with the cooperation with the Boxing Commission that issued the Federal ID Card will settle any disputes or violations of terms and conditions for these cards.

8. Boxer agrees to abide by these terms and conditions and any other rules set forth by the ABC and the Boxing Commission that issued the identification card.

9. The ABC reserves the right to amend these terms and conditions.

I solemnly swear (or affirm) that the statements made on this application are true and the photograph attached is a true likeness of me. By signing this application I agree to be bound by the rules and regulations of the ABC. If I make a false or misleading statement in this application the ABC at any time thereafter may place me on suspension for one year. I acknowledge that I have read, understand, and agree to the terms and conditions of the ABC Boxer Federal Identification Card.

Applicant's Signature _____ Commission Representative _____

Date _____