This is a sad commentary on those innocent people who choose a desperate path of destruction based on the tutelage of someone who simply does not care. Interestingly enough, many of those who are training the suicide bombers stand aside and watch as other innocents kill themselves convinced they are doing something right. How sad that they have twisted the minds of individuals to the degree that they would not only kill themselves but kill other human beings, and they sit there and watch and celebrate after the fact.

We are joined together as the United States of America in this battle not because it is one of our choosing, but it is one we accept based on our ability to help guide and govern the world to a safer, better place for all people.

The Middle East and other places have been rocked by turmoil over decades, but now this greater and growing menace of al Qaeda threatens friends, allies and, yes, even enemies. Even people that may not agree with us on certain geo-political issues may find themselves sacrificed at the hand of this evil group of people.

So I join with King Abdullah in his declaration; and I urge Members of Congress, I know there are political and partisan battles going on, I know there is disagreement on the war in Iraq, I know there is a tendency to sit here and criticize constantly our Commander in Chief, but there is one thing for certain, if we are going to divide, we will not conquer. If we are going to criticize publicly and openly, then we will not give our troops in the field the strength to fight the battle ahead.

However and whatever reasons we came to Iraq, we now know that it is not just about Iraq. The World Trade Center bombings in 1993 and 2001 were not about our presence in Iraq, because we were not there then. Al Qaeda knows no boundaries. They know no group that they will not willingly sacrifice for their higher mission. And when they detonate a bomb in a wedding ceremony among fellow Arabs, among fellow Muslims in order to prove a point that they simply can, indicates how sad and despicable this group is.

So I thank the gentleman from California (Mr. SCHIFF) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) and members of the committee who found it appropriate not only to signal our displeasure but to record in the annals of the CONGRESSIONAL RECORD, because I know in my heart if we stand together we will, in fact, beat this scourge around the world and save humanity.

Mr. SCHIFF. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we now enjoy a tragic kinship with the people of Jordan, just as we enjoy with the people of London, the people of Madrid; and we all remember what it was like on September 11. Perhaps one of the only positive repercussions at the time was the outpouring of support that we enjoyed from around the world as countries around the globe expressed their solidarity with the United States in confronting this new and terrible force.

We now join the people of Jordan in their time of sorrow, in their time of need. We express our solidarity with our Jordanian friends. Our hearts break with their losses and our resolve is united with theirs to combat this terrible evil confronting the world. I want to just, in closing, once again thank our wonderful chairwoman of the subcommittee.

Mr. HOYER. Mr. Speaker, I join my colleagues on both sides of the aisle in supporting this Resolution, which condemns in the strongest possible terms the barbaric terrorist attacks in Jordan last Wednesday.

These attacks at three Amman hotels—including an attack on a wedding party—killed 58 innocent men, women and children, and are yet another demonstration of the uncivilized, unrepentant evil that possesses the Al Qaeda terrorist organization, which claimed responsibility. And this was, sadly, not the first time Jordan has suffered at the hands of terrorists because it maintains close relations with the West.

Mr. Speaker, I also want to commend King Abdullah for his forthright public comments after these attacks. As reported in the Washington Post today, the King stated: "What the attack did was show to everybody what we've been saying—that this is an issue of ideology and the Muslim world can no longer be complacent. People can't sit in the middle."

The fact is, the savage bombings last week in Amman were perpetrated by Muslims, who directed their hatred at Muslims.

The fact is, the entire civilized world—be they Christian, Muslim or Jew—must recognize our common interest in uniting and defeating this mortal threat to our way of life, to the democratic form of government, to basic human decency and to the rule of law.

None of us, as the King said, can be complacent.

Mr. Speaker, the people and the Government of the Hashemite Kingdom of Jordan have been a stalwart ally in the war on terror.

And, I believe it is important today that this Congress condemn these cowardly attacks; express its condolences to the families and friends of those killed, and its sympathies to those injured; express its solidarity and support of the people and Government of Jordan; and express its readiness to assist Jordanian authorities in bringing those responsible for these outrageous attacks to justice.

I urge my colleagues to support this Resolution.

Mr. SCHIFF. Mr. Speaker, I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BASS). The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution, H. Res. 546, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Ms. ROS-LEHTINEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

UNITED STATES BOXING COMMISSION ACT

The SPEAKER pro tempore. Pursuant to House Resolution 553 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 1065.

□ 1556

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1065) to establish the United States Boxing Commission to protect the general welfare of boxers and to ensure fairness in the sport of professional boxing, with Mr. SIMPSON in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

General debate shall not exceed 1 hour, with 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce, and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary.

The gentleman from Florida (Mr. STEARNS) and the gentlewoman from Illinois (Ms. SCHAKOWSKY) each will control 20 minutes, and the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Michigan (Mr. CONYERS) each will control 10 minutes.

The Chair recognizes the gentleman from Florida.

Mr. STEARNS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today to express my strong support for H.R. 1065, the United States Boxing Commission Act.

This bill will establish for the first time the United States Boxing Commission within the Department of Commerce. The USBC will be charged with overseeing licensing and registration of boxers and boxing personnel nationally to improve the current inconsistent and lack of regulation of the sport at the State and also at the local levels.

The sport of boxing with its rich and glorious history is slowly being corroded by corruption and abuse in and outside the ring.

I am no fan of bigger and more intrusive government, but in this case the power and sweep of a Federal regulator can establish a uniform minimum standard for boxing on a national level and will hopefully salvage this great sport and reestablish it as a main

event, not some shady, corrupt business enterprise.

In terms of fiscal impact, there has been a lot of misinformation about this bill, its budgetary impact. But let me be perfectly clear: this bill requires the United States Boxing Commission to be funded through receipts from licensed and registration fees, not from taxpayers' money. The USBC will also sunset in 12 years. Here we have a bill that will sunset. The USBC will not be a drain on government resources. Rather, it will function and operate from revenues derived from its oversight function of licensing and registration.

□ 1600

Later, I intend to offer an amendment to clarify this intent during our consideration. This is an important point to be made and needs to be made crystal clear.

In addition, as I mentioned, professional boxing is suffering today. Boxers are in danger of losing life and limb every day, and likewise, every day, we hear more and more stories about needless injuries and even deaths. We had two boxers die in Nevada just recently.

Boxing obviously is a great American sport, with a rich and glorious tradition, but it is in real danger of becoming marginalized into nothing more than a dangerous and corrupt sideshow. This would be a tragedy.

We have celebrated our Olympic heroes and cheered them when they later fought professionally. I believe that adding a backstop of Federal oversight over the various pockets of inconsistent regulation at the State level will help clean up boxing and honor its positive impact on the lives of young men and women who, despite sometimes difficult financial or social circumstances, achieve greatness through discipline, hard work and simply sheer determination.

One of those obscure fighters that rose to become one of America's most important symbols of athletic and human excellence obviously was Muhammad Ali. He testified at one of our hearings. Unfortunately, he could not testify, so his wife read the speech for him, and this is what he said: ''For all of its difficulties, boxing is still a wonderful sport. It still attracts men and women from all walks of life to reach glory in the ring. For many, it's their first experience with hard work, determination and discipline. For still others, it remains the only way up and out from a life filled with bad choices, failure and worse.''

He went on to say: ''Reform measures are unlikely to succeed unless a U.S. Boxing Commission is created with the authority to oversee a sport that still attracts a disproportionate number of unsavory elements that prey upon the hopes and dreams of young athletes.''

My bill, cosponsored with the gentlewoman from Illinois (Ms. SCHAKOWSKY), my colleague and the ranking member of my subcommittee, and the gentleman from Illinois (Mr. RUSH), my friend and colleague, will push reform and put the weight of uniform national oversight mechanism behind those reforms to ensure that the United States Boxing Commission is successful and those hopes and those dreams are protected.

Specifically, the manager's amendment I am offering will do the following:

First and foremost, it makes it clear that the United States Boxing Commission will be funded largely through revenues generated by licenses and registrations so that it is essentially self-funding. Specifically, section 5 of the bill has been amended to clarify that fees authorized and collected shall be available to fund the operation of the commission and the administration of the Act. Section 14 of the bill was amended to clarify that offsetting collections are available to the commission subject to appropriations.

The next thing, it empowers the United States Boxing Commission to promulgate uniform standards for professional boxing and oversee all professional boxing in the United States.

It ensures that Federal and State laws applicable to boxing are enforced and requires and issues licenses for all professional boxers and, importantly, boxing personnel.

It allows the United States Boxing Commission to suspend or revoke a license if it finds the holder has violated provisions of this Act.

It requires a study and report on health and safety aspects related to boxing, as well as on the definition of a promoter.

It requires the United States Boxing Commission to provide an annual report to Congress on its activities.

I think Mr. Bruce Spizler, chair of the Legal Committee of the Association of Boxing Commissioners and a former member of the National Association of Attorneys General Task Force on Boxing, in his testimony to our subcommittee, summed up the current situation best when he said: ''The regulation of the sport of professional boxing has been left to those individual States and, more recently, tribal organizations, which, legislatively, have provided for its own boxing commission to regulate the sport in its own particular jurisdiction. Thus, considering that the authority of each regulatory component is restricted by its territorial borders, the effective regulation of the sport of professional boxing in the United States is only as strong as its weakest link; leaving 'venue shopping' as an effective tool for those seeking a lighter regulatory 'punch.' The glaring absence of regulatory uniformity, together with the difficulty, and varying degrees, of effective enforcement, has lent itself to a perpetuation of the inequities, lack of integrity and, in some instances, non-adherence to health and safety measures for which the inherently dangerous sport of professional boxing, unfortunately,'' by its reputation ''has become known.''

I cannot think of a more powerful argument in favor of a Federal commission, that is sunset, designed to oversee the sport of boxing and ensure uniform minimum standards, especially for those States that do not have programs or have inferior ones. States with mature programs, in my opinion, should be supportive because they are already leading and serving as benchmarks.

In addition to the support of the Association of Boxing Commissioners, this bill has been endorsed by the American College of Sports Medicine and the American Association of Professional Ringside Physicians.

In closing, this is an important opportunity to save a sport that has brought so much pride and glory to the United States. Boxing is suffering from problems that stretch far beyond the boundaries of State regulation. It is a sport worth saving that will need the power of our Federal Government oversight to clean up its act and ensure the safety of all its athletes. All the great champions that have paved the way for the sport should be able to count on us to provide a minimum amount of oversight in this situation.

I urge my colleagues to consider this bill, H.R. 1065, the United States Boxing Commission.

Mr. Chairman, I reserve the balance of my time.

Ms. SCHAKOWSKY. Mr. Chairman, I yield myself as much time as I may consume.

I rise in strong support of H.R. 1065, the U.S. Boxing Commission Act, which would establish a national regulatory body for the sport that has been riddled with corruption, scandals and lax enforcement of regulations, putting the lives of contenders on the line.

I want to thank the chairman of the subcommittee Chairman STEARNS with, whom I worked closely on this legislation in a bipartisan way, to produce a product that I hope that our colleagues on both sides of the aisle will readily support.

I want to thank in addition to the bipartisan staff who worked on this legislation, I would like to thank our legislative counsel, Brady Young, for his advice, expertise and the patience that is often required when working with our bipartisan team.

I know that there are some in this body who have just wondered why we are addressing this particular issue of boxing when they argue there are more important issues facing our country. I would respectfully point out that it certainly is not the least important issue that we find time to deal with in this body, and that, in fact, it does deal with the health and the safety of literally thousands of people in our country. So I am happy to be supporting this bill right now.

With the passage of the Professional Boxing Safety Act of 1996 and the Muhammad Ali Act in 2000, minimum Federal standards were set to protect the physical and economic well-being of boxers, and State boxing commissions

were charged with meeting those standards. Some States have strong boxing commissions such as New York, Pennsylvania and Nevada that not only require the Federal standards but set additional regulations beyond the minimum requirements.

I want to point out that nothing in this legislation would prevent those that have stronger regulations from using those. Let me read directly from the legislation on minimum standards: Nothing in this Act prohibits any boxing commission from enforcing local standards and requirements that exceed the minimum standards or requirements promulgated by the commission under this Act.

What we found, however, was that there are too many other States that are ignoring the rules, and boxers are the ones who are paying the price.

Many argue that federally mandated health and safety standards are not being adhered to because no corresponding national regulatory body exists. Let me quote from the letter I received from the College of Sports Medicine, who heavily supports this legislation, when they say that, professional boxing is the only major sport which does not have a governing body to establish and enforce rules and practices. It is the only major sport that does not have that.

When the greatest and prettiest of all times, Muhammad Ali, tells you, ''Boxing reform measures are unlikely to succeed unless a U.S. Boxing Commission is created with authority to oversee a sport that still attracts a disproportionate number of unsavory elements that prey upon the hopes and dreams of young athletes,'' when Muhammad Ali tells you that, as he did to us in our hearing, one listens, and that is what Chairman STEARNS and I did with the drafting of H.R. 1065.

Boxing is an enormous enterprise. The sport generates over $500 million in revenues each year. However, because so many parties have a financial stake in each boxing match and because competing interests often run counter to the boxers' well-being and because not every manager is as upright as Clint Eastwood in ''Million Dollar Baby,'' many contenders end up destitute.

In this sense, boxers are like many other kinds of talent or workers. Their gifts and their hard work are others' fortunes, and they are treated as disposable assets.

Boxing is also unlike many other sports in that there are very serious physical repercussions. If health and safety standards are not being met, boxers could die, and they do.

Over the past 50 years, more than 130 fighters have died due to boxing-related injuries in the United States. In 2005, we lost the first woman to boxing, Becky Zerlentes. Dr. Zerlentes, a professor of geography, got her Ph.D. at my alma mater, the University of Illinois at Urbana-Champaign.

I believe that it is our responsibility to ensure that boxers are not being put in the ring without being protected, both physically and economically. We know it is a dangerous sport by its nature, but it is our responsibility to ensure that laws that are already on the books are enforced. That is why I joined Chairman STEARNS in drafting H.R. 1065 to establish the United States Boxing Commission. This bill will help to ensure that standards are uniform and enforced and that boxers are protected.

The formation of a national regulatory body is supported by the Association of Boxing Commissioners, the organization of State boxing commissioners. They love their sport, and they want to make sure that the laws that govern it are being enforced, keeping the sport safe and respectable. Our bill also enjoys the support of those who say that boxers' health must come first, the American College of Sports Medicine and the American Association of Professional Ringside Physicians.

Finally, it would be a tribute to the greatest of all times, to Muhammad Ali, who lent his name to the law that is meant to protect boxers from those who see them as just a commodity and is not being enforced as it should be.

We need to pass this bill to do a service to the boxers, to the young athletes who see their dreams and their hopes come to life when they are in the center of that ring and the bell signals the first round.

I urge my colleagues to join in this bipartisan leadership of this legislation and support H.R. 1065.

Mr. Chairman, I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Chairman, I yield myself as much time as I may consume.

Mr. Chairman, I rise in opposition to H.R. 1065, the United States Boxing Commission Act. This is a big government bill that creates a new Federal agency that provides for more regulation and is not self-financing as has been intimated.

The top of page 13 of the Energy and Commerce Committee's report uses a CBO estimate that says: ''Assuming appropriation of the necessary amounts, CBO estimates that implementing H.R. 1065 would cost $5 million in 2006 and $26 million over the 2006–2010 period.''

□ 1615

That means that we are adding $26 million to the deficit to regulate one sport. That is not right. The Judiciary Committee received the sequential referral of this bill to consider several provisions within the legislation. The Judiciary Committee has long been involved in issues relating to professional sports, including oversight of the U.S. Olympic Committee, Major League Baseball, and the NCAA.

Many are concerned and have raised serious questions about the commercial and legal aspects within the sport of professional boxing. As a result, some have urged the creation of a Federal boxing commission to regulate this sport. The legislation would accomplish that goal.

Although the creation of the U.S. Boxing Commission itself does not fall within the jurisdiction of the Judiciary Committee, significant provisions relating to title 18 of the U.S. Code, which is the criminal code, and the authority of the Attorney General and the commission's executive director are within the committee's purview.

During the markup of this bill, the Judiciary Committee adopted a technical change to ensure that the use of administrative subpoenas comports with existing title 18 provisions. Additionally, as amended by the committee, the legislation will now allow a designee of the Attorney General to represent the commission in judicial proceedings rather than requiring the Attorney General himself to do so. Finally, the Judiciary Committee amendment removed the authority of the commission's executive director to make unilateral determinations regarding violations of this act or to bring action in Federal court. This means that such determinations will be required to be made by the full commission before action can be taken.

Although these Judiciary Committee amendments improved the legislation, the committee reported the bill with no recommendation, no recommendation, as a result of the concerns of many Members on both sides of the aisle regarding the underlying merits of the legislation. I share these concerns and do not support the goal of the legislation.

Notwithstanding the fact that there are well-founded concerns surrounding the support of boxing, I believe that the creation of a boxing commission is unnecessary and urge my colleagues to oppose this legislation.

Mr. Chairman, I reserve the balance of my time.

Mr. STEARNS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise just in reply to my colleague who is chairman of the Judiciary Committee who made some points in terms of jurisdiction and also made some points that the bill has minimum impact upon the budget.

I have here a copy of the amendment which is part of the manager's amendment that we have next in place, which takes care of the concerns he has by striking a portion of the bill and in place putting it that the bill is self-sufficient and the money that is appropriated comes from the licensure fees. So I would urge the gentleman to vote for the manager's amendment, which will be coming up shortly. That will take care of his main concern, which appears to be that he is concerned it was $5 million the first year and the GAO audit indicated more money thereafter. But with this manager's amendment, the GAO audit is nullified and we have a self-sufficient bill.

Another point I would like to make is the basic thrust of the bill is a 12-year supervision with three appointees

on the commission from the President of the United States with 3-year duration of tenure. At that point they can be reappointed, or they can continue at the President's request. We have in place something here that is very rare on the House floor, and that is something that is sunsetted. So when people talk about a new Federal bureaucracy, let me be perfectly clear. This is a very, very light, temporary government oversight committee to bring accountability and to bring justice to a great American sport. Everybody in the business who testified wants this type of temporary structure. So I think in a larger sense we have to say to ourselves now is the time to do this and, in so doing, in this way we will do the least amount of harm by making it temporary and at the same time asking them to pick up the ball and run with this as a voluntary organization much like other professional sports do.

So I am glad to rise to point out to my colleague that it is going to be amended so that it is budget neutral; and, two, to point out to him that this is not a new Federal bureaucracy, but instead an oversight board to help guide this sport to its ultimate success.

Mr. Chairman, I reserve the balance of my time.

Ms. SCHAKOWSKY. Mr. Chairman, I yield myself such time as I may consume.

I am aware of some concerns raised by the Governor's office in New Jersey about this legislation, where they are concerned about what they say is the erosion of State authority. So I want to be very clear about this and once again read from the bill and read an additional section from it:

''Section 9, Noninterference with Boxing Commissions. Paragraph a, Noninterference: Nothing in this act prohibits any boxing commission from exercising any of its powers, duties, or functions with respect to the regulation or supervision of professional boxing or professional boxing matches to the extent not inconsistent with the provisions of this act.'' By that we mean anything that has more enforcement powers. We are just setting a floor and the States can exercise all their powers, duties, or functions in addition to that.

And ''b, Minimum Standards: Nothing in this act prohibits any boxing commission from enforcing local standards or requirements that exceed the minimum standards or requirements promulgated by the commission under this act.''

A State like New Jersey that contends that they are doing a good job, we say go ahead and do it. We welcome that. We acknowledge that, and we hope that they will continue to do it. But the fact of the matter is that the vast majority of States, despite the passage of the acts of 1996 and the Muhammad Ali Act in 2000, are not doing that; and that is why most people associated with this sport including State commissioners, including State commissioners have weighed in in support of this legislation and look forward to the Federal Government seeing that boxing alone is not without some kind of national standards, and that is why this commission is so important.

Mr. Chairman, I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Chairman, I yield such time as he may consume to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. Mr. Chairman, I thank the gentleman from Wisconsin for yielding me this time.

I rise in opposition to this bill, and I first want to say that the gentleman from Florida is my chairman. I am a part of his subcommittee and really respect and appreciate his efforts on this bill. We have just drawn different conclusions.

I think the fundamental question that we have to ask about this bill is whether or not boxing, professional boxing, and that is what we are here to talk about is professional boxing, is worth creating another bureaucracy within the Department of Commerce. No matter how we cloak this, it is creating a new entity of rules and regulation, enforcement within the Department of Commerce to oversee a professional sport, although I will say ''professional sport'' with quotations around it.

Where we have professional sports, all of the professional sports have their own regulatory body where they themselves have gotten together and formed, like the Mayflower Compact, their own regulatory or government overseeing body with their own rules and regulations within that body. To my knowledge, boxing is the only sport that has come before Congress asking us to save the sport from itself.

We held several hearings on this within our committee and subcommittee. We had several big-name people from the sport, Muhammad Ali, commissioners from around the State, promoters. All testified to the corruptness of professional boxing, and I asked the witnesses before us at one of our panels, I said, if professional boxing wants to eliminate any semblance of legitimacy, make themselves in essence the wrestling of that sport, why should we care? They came back and said, Well, because we have to. We cannot, in essence, get our own act together; and it is for the health of the boxers. That is why if it is for the health of the boxers, I suggested that we should just ban professional boxing. I offered an amendment and withdrew it.

But the issue to me is if the boxing profession wants to make itself irrelevant as a legitimate professional sport, let us give them that opportunity to do so. Let us not create a new Federal bureaucracy to save themselves from themselves.

Mr. STEARNS. Mr. Chairman, I yield myself such time as I may consume.

I would point out, as the gentleman from Nebraska did say he offered an amendment to abolish all of boxing, I think in his statement he also made an argument in favor of our bill. When he posed the question why should we care, think about that. Why should we care? That was his question that he asked in the hearing, and it simply came back to him that we should care about these fighters, these young fighters who are starting out, many from very difficult economic situations. We should care. And I think as Members of Congress, I hope they will keep that question in mind when they support the bill and realize that the gentleman from Nebraska really had an amendment to abolish boxing, which is almost in direct counterpoint to the question he posed, Why should we care?

Mr. Chairman, I yield such time as he may consume to the gentleman from Nebraska (Mr. OSBORNE), the former head coach of the Nebraska Cornhuskers.

Mr. OSBORNE. Mr. Chairman, I thank Chairman STEARNS for yielding me this time.

Mr. Chairman, I speak in support of H.R. 1065, the United States Boxing Commission Act.

When we think about boxing, we often think about Jack Dempsey and Gene Tunney, Joe Louis, Max Schmaeling, Muhammad Ali, Sonny Liston. These are all high-profile fights, a lot of press coverage, pretty well attended by trainers and doctors, a lot of money involved. But what we do not see is the low profile, the seamy side of boxing, the mismatches, the dishonesty, the lack of medical attention, sometimes the brain damage, the low pay, the high number of people who leave the sport with absolutely no financial resources and many times in pretty poor shape physically. So sometimes this part of boxing has been called the ''red light district'' of professional sports. And I would have to say from my knowledge of it, somewhat limited, I would agree that that is an apt title.

Professional boxing, as has been mentioned, is the only major U.S. sport that does not have a centralized association or league to establish and enforce uniform rules and practices. In football we have the National Football League; basketball, the National Basketball Association; Major League Baseball; National Collegiate Athletic Association; U.S. Olympic Committee.

So people say, why did boxing not do this? Why would this not be something that would be natural? And the reason is there is a lot more organization in those other sports. NCAA is composed of member institutions. The Olympic Committee has a variety of supporting organizations. Boxing is almost something that one would have to say has total anarchy, and it is spread all over the place. Some of these club fights, obviously, are very low-budget items; and it is almost impossible to get any kind of organization involved.

I have spent most of my life working with young athletes, and some of these

athletes came from backgrounds similar to that of most prizefighters. There is a lot of poverty. There is sometimes very little family support, sometimes poor schools, sometimes gang influence. But with somebody to care and supervise and nurture, many will come out of that environment and do reasonably well. But they need a little bit of guidance. They need a little bit of help. But I would say the exploitation is more often the norm than a good outcome.

So years of corruption and abuse in boxing would indicate that no effective regulation would come from within the sport. We have asked the question, why do they not just take care of it themselves? But how long are we going to wait?

□ 1630

We have had years and years and years of this sport, going back to the 1700s, and we have seen no regulatory body emerge. How many people have to die? How many people have to have their brains scrambled? And how many matches do we have to have with no medical attention before we do something about it? We would not do something like this with animals. We are very much against cockfighting and other kinds of contests, and we regulate, and we make some of those illegal as well.

So H.R. 1065 provides a uniform Federal standard to regulate business practices and safety issues within the boxing world. This is something whose time has come. It establishes the United States Boxing Commission which oversees all boxing matches in the U.S.

This is a good bill. It is a needed bill. I would really like to see the States do this. But States, again, in many cases, have abdicated their responsibility. They are all over the place. What goes in one State does not go in another. Again, the medical supervision is the main thing that I am interested in, and the injury factor and the fact that we are not having adequate supervision.

I urge support of this bill. I realize it does add some government responsibility. Generally, as a Republican, I do not like to see those things, but when health and safety is involved, I think we need to intervene.

Ms. SCHAKOWSKY. Mr. Chairman, I yield myself such time as I may consume.

I would like to say a special thank you to the gentleman from Illinois (Mr. RUSH) for the work he has done on the bill and for his strong support of the legislation.

I would also like to read a statement on behalf of the gentleman from Michigan (Mr. CONYERS) who is the ranking Democrat on the Committee on the Judiciary.

He says, ''I rise in strong support of H.R. 1065, the United States Boxing Commission Act, which establishes a Federal commission with oversight responsibilities for professional boxing in the United States. This much-needed commission will establish uniform minimum standards which States must follow. It will also be empowered to issue additional regulations to improve the integrity and safety of the sport.

''Further, the commission will establish a Federal licensing requirement for participation in United States matches for certain boxing personnel, including boxers, managers, promoters, match makers, referees, judges and sanctioning.

''In July 2003, the GAO issued a report on professional boxing and listed elements identified by industry experts as essential to improving the health, safety and economic interests of boxers: medical examinations, monitoring of training injuries, assessments of medical risks, health and life insurance, the presence of appropriate medical personnel and equipment, and enforcement of suspensions for injuries.

''Additionally, the GAO found that industry experts believe additional changes are required in boxing and listed the following needed changes: one, require pension plans for boxers; two, require full disclosure of purses and payments; three, require minimum uniform contractual terms between boxers and promoters; and, four, prohibit conflicts of interest.

''While the Federal law has created requirements for States to follow, these laws are largely being ignored. H.R. 1065 will aid in correcting this injustice.

''Boxers often have little or nothing to show from their match proceeds, despite others earning vast wealth off the boxers' talents. We owe it to our athletes to create laws that protect their interests and to make sure those laws are enforced. I urge my colleagues to support H.R. 1065 and to support professional boxers.''

Mr. CONYERS was unable to come down to the floor himself and wanted to make sure that this strong support of the legislation was placed in the RECORD.

Mr. Chairman, I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Chairman, I yield back the balance of my time.

Mr. STEARNS. Mr. Chairman, I yield such time as he may consume to the gentleman from Hawaii (Mr. ABERCROMBIE).

(Mr. ABERCROMBIE asked and was given permission to revise and extend his remarks.)

Mr. ABERCROMBIE. Mr. Chairman, this legislation may seem a bit esoteric to some not only in Congress here but in the public at large. But this issue, and I want to commend you and the ranking member for bringing it to our attention, this legislation could not be more crucial in terms of what our national responsibilities are.

Boxing and some of the so-called sports that are now associated with physical contact, things called the extreme sports, are interstate in nature, almost by definition. And because they are interstate, without regulation or oversight by the Congress, that means that many of the people associated with, in particular in this instance, the boxers, are in a sense victimized by our failure to take this up as a national question.

The stories may be instructive that are associated with boxing and boxing history. They may be even redemptive in terms of our contemplation of them: People struggling up from the bottom of the economic and social scale, sometimes tragic in nature in terms of those that have succeeded, and then are undone by success. For example, it is well known that the great heavyweight challenger Joe Louis Barrow was considered not only a great champion and a great personality, but was associated in many people's minds symbolically with being able to rise above race to be a symbol for brotherhood, someone who sacrificed financially for the United States by joining the Army during the war. And his reward was to be persecuted by the Internal Revenue Service for not paying taxes on purses and funds that he earned during that period of time. As a result, it had tragic dimensions for him in later life.

These kinds of stories can be replicated over and over again throughout the history of boxing. So what we have right now is the opportunity, Mr. Chairman, for us to put together a commission that will deal with some of the fundamental issues within the purview of the Congress in terms of interstate regulation.

This has to do with health care and the capacity to see to it that anybody engaged in boxing has access to and provision for health care and for pensions for that time when they have to retire. There is no reason why a percentage of every purse cannot be put into some kind of fund that will guarantee a pension and access to a pension for those engaged in boxing.

We have had great champions in Hawaii. Everyone has a story in this regard, Stan Harrington and Bobo Olson, some of the folks that I had an opportunity to know, and some of our champions right now, and potential champions in Hawaii and elsewhere across the country. I ask that everyone give us a chance to move this legislation along so we can complete the opportunity that is before us.

Ms. SCHAKOWSKY. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I want to thank the gentleman from Hawaii (Mr. ABERCROMBIE), who is himself a champion weight lifter, for weighing in on this legislation. I appreciate it very much.

There are literally millions of people who enjoy the sport of boxing, who watch it and follow it and who want to see that there is some integrity in that sport. A lot has been said about the contenders themselves, about the boxers. I would echo what my chairman, Mr. STEARNS, has said in response to

the question, why should we care? We should care about these young boxers who are trying to follow their dreams and to help create a sport that does guarantee them some level of standards of health and safety and opportunity. And we should also care because it is a $500 million industry in this country that has been plagued with lots of scandals and irregularities.

So we are not talking about creating a major bureaucracy to oversee this, we are looking at a self-funding body that would now add professional boxing to every other sport that has some national standards and national rules and regulations. I think it is fairly modest in its construction, and I would certainly urge all Members on both sides of the aisle to join us, and thank Members on both sides who came down and supported this regulation.

Mr. Chairman, I yield back the balance of my time.

Mr. PICKERING. Mr. Chairman, some might not know this, but my State of Mississippi has a great history of boxing. Archie Moore, from Benoit, Mississippi, participated in professional boxing for over 27 years, holding the title of light heavyweight champion, and facing the likes of Rocky Marciano and Cassius Clay, during his career. While he went on to train Foreman and Ali, he will probably be best remembered as holding the record for the most knockouts in a career at 141. What I think is more important and that he may not be remembered as much for was his integrity in such a scandalous and corrupt sport during the years he boxed from 1936 to 1963. While we would have hoped boxing would have progressed and reformed over the years, it has not. The sport is still riddled with many problems, not the least is the exploited nature of its athletes. Muhammed Ali once said this: "I say get an education. Become an electrician, a mechanic, a doctor, a lawyer—anything but a fighter. In this trade, it's the managers that make the money and last the longest." This seemingly benign statement illustrates one small problem among the multitude of problems the sport of boxing faces.

Today, many fans are saddened and upset by the lack of integrity they see in professional boxing that has significantly weakened the sport—the most deplorable problem of which is the treatment of the sport's athletes. Without a doubt, professional boxers are the most exploited athletes in our Nation. While Congress has made efforts to protect professional boxers before, through the Professional Boxing Safety Act of 1996 and the Muhammad Ali Boxing Reform Act of 2000, these are not enough. The real problem today is the ineffective and inconsistent oversight of professional boxing, which has led to continuing scandals, controversies, unethical practices, and unnecessary injuries and deaths in the sport. That is why we are here today.

Mr. Chairman, through the leadership of members of Congress like Senator JOHN MCCAIN, Representative CLIFF STEARNS and Representative PETER KING, Congress is addressing and hopefully rectifying this harrowing situation. In order to better protect boxers and the integrity of professional boxing, we must establish a Federal regulatory entity to oversee professional boxing and set basic uniform standards for certain aspects of the sport. Consider this—professional boxing remains the only major sport in the United States that does not have a strong, centralized association, league, or other regulatory body to establish and enforce uniform rules and practices. And because a powerful few benefit greatly from the current system of patchwork compliance and enforcement of Federal boxing law, a national self-regulating organization—although preferable to Federal government oversight—is not a realistic option.

Mr. Chairman, I was an original co-sponsor to Representative KING's bill, "The Professional Boxing Amendments Act of 2005," which would also establish a United States Boxing Commission that perform substantially similar functions. I am very pleased that this idea is finally being considered on the House floor. The troubles that plague the sport of professional boxing undermine its credibility in the eyes of the public and—more importantly—compromise the health and safety of boxers. The creation of a Federal boxing commission would effectively curb these problems. The Senate has passed Senator MCCAIN's boxing bill, S. 148, the Professional Boxing Amendments Act of 2005, and I think it will be a travesty if the House does not do the same. Therefore, Mr. Chairman, I rise in great support of this legislation today and urge my colleagues to swiftly and expeditiously approve this legislation.

HOUSE OF REPRESENTATIVES, COMMITTEE ON EDUCATION AND THE WORKFORCE,
Washington, DC, September 28, 2005.

Hon. JOE BARTON,
Chairman, Committee on Energy and Commerce, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN BARTON: I am writing to confirm our mutual understanding with respect to consideration of H.R. 1065, the United States Boxing Commission Act, which was referred to the Committee on Energy and Commerce and in addition the Committee on Education and the Workforce. The Committee on Energy and Commerce reported this bill on July 28, 2005.

As you know, provisions within H.R. 1065, directing a United States Boxing Commission to establish health and safety standards and a licensing registry for boxing personnel, fall within the jurisdiction of the Committee on Education and the Workforce. In addition, section 11 of the bill requires the Commission to study and report to Congress on health and safety standards in the boxing industry; this provision likewise falls within the jurisdiction of the Committee on Education and the Workforce.

I do not intend to delay consideration of H.R. 1065, nor will I object to the scheduling of this bill for consideration in the House of Representatives. However, I do so only with the understanding that this procedural route should not be construed to prejudice the Committee on Education and the Workforce's jurisdictional interest and prerogatives on these provisions or any other similar legislation, and will not be considered as precedent for consideration of matters of jurisdiction to my committee in the future. Further, this understanding is based on the agreement reached between our staffs to provide that the study commissioned in section 11 of the bill is transmitted to the Committee on Education and the Workforce, as well as your committee. Finally, we would expect you to support our request for appointment of conferees on these provisions should a conference arise with the Senate.

I would ask that you include a copy of our exchange of letters in the Congressional Record on this bill. Thank you for your consideration and cooperation in this matter.

Sincerely,

JOHN A. BOEHNER,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, October 5, 2005.

Hon. JOHN BOEHNER,
Chairman, Committee on Education and the Workforce, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN BOEHNER: Thank you for your letter in regards to H.R. 1065, the United States Boxing Commission Act, which the Committee on Energy and Commerce ordered reported on June 29, 2005.

As the Committee on Education and the Workforce was named as an additional Committee of jurisdiction upon the bill's introduction, I acknowledge and appreciate your willingness to not exercise your full referral on the bill. In doing so, I agree that your decision to forgo further action on the bill will not prejudice the Committee on Education and the Workforce with respect to its jurisdictional prerogatives on this legislation or similar legislation. Specifically, I agree that the study commissioned in section 11 of the bill should also be transmitted to the Committee on Education and the Workforce. Further, I recognize your right to request conferees on those provisions within the Committee on Education and the Workforce's jurisdiction should they be the subject of a House-Senate conference on this or similar legislation.

I'm pleased that we can continue to move this bill forward, and I look forward to working with you in that process. Per your request, I will include your letter and this response during consideration of H.R. 1065 on the House floor.

Sincerely,

JOE BARTON,
Chairman.

The CHAIRMAN. All time for general debate has expired.

In lieu of the amendments recommended by the Committees on Energy and Commerce and the Judiciary printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute printed in part A of House Report 109–295. That amendment in the nature of a substitute shall be considered read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 1065

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

Strike all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''United States Boxing Commission Act''.

SEC. 2. DEFINITIONS.

As used in this Act, the following definitions apply:

(1) COMMISSION.—The term ''Commission'' means the United States Boxing Commission established under section 3.

(2) BOXER.—The term ''boxer'' means an individual who fights in a professional boxing match.

(3) BOXING COMMISSION.—The term ''boxing commission'' means an entity authorized under State or tribal law to regulate professional boxing matches.

(4) INDIAN LANDS.—The term ''Indian lands'' has the meanings given that terms by

paragraphs (4) of section 4 of the Indian Gaming Regulatory Act (25 U.S.C. 2703).

(5) JUDGE.—The term ''judge'' means an official who scores a boxing match to determine the winner.

(6) MANAGER.—The term ''manager'' means a person other than a promoter who, under contract, agreement, or other arrangement with a boxer, undertakes to control or administer, directly or indirectly, a boxing-related matter on behalf of that boxer, including a person who is a booking agent for a boxer.

(7) MATCHMAKER.—The term ''matchmaker'' means a person that proposes, selects, and arranges for boxers to participate in a professional boxing match. Such term does not include a hotel, casino, resort, or other commercial establishment hosting or sponsoring a professional boxing match, or a provider of cable, satellite, or network television programming, unless—

(A) the hotel, casino, resort, or other commercial establishment, or provider of cable, satellite, or network television programming is primarily responsible for proposing, selecting, and arranging for boxers to participate in the professional boxing match; and

(B) there is no other person primarily responsible for proposing, selecting, and arranging for boxers to participate in the match.

(8) REFEREE.—The term ''referee'' means the official inside the boxing ring who supervises the boxing match.

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

(10) PROMOTER.—The term ''promoter''—

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

(B) does not include a hotel, casino, resort, or other commercial establishment hosting or sponsoring a professional boxing match, or a provider of cable, satellite, or network television programming, unless—

(i) the hotel, casino, resort, or other commercial establishment, or provider of cable, satellite, or network television programming is primarily responsible for organizing, promoting, and producing the match; and

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

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

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

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

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

(13) SUSPENSION.—The term ''suspension'' includes within its meaning the temporary revocation of a boxing license.

(14) TRIBAL ORGANIZATION.—The term ''tribal organization'' has the same meaning as in section 4(l) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(l)).

SEC. 3. ESTABLISHMENT OF UNITED STATES BOXING COMMISSION.

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

(b) MEMBERS.—

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

(2) QUALIFICATIONS.—No member of the Commission may, while serving as a member of the Commission—

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

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

(C) serve as a member of a boxing commission.

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

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

(5) TERMS.—

(A) IN GENERAL.—The term of a member of the Commission shall be 3 years. No member of the Commission shall serve more than 2 terms.

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

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

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

(c) EXECUTIVE DIRECTOR.—

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

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

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

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

(f) MEETINGS.—The Commission shall hold its first meeting no later than 30 days after all members shall have been appointed, and shall meet thereafter not less frequently than once every 60 days.

(g) COMPENSATION.—

(1) MEMBERS OF COMMISSION.—

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

(B) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

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

SEC. 4. FUNCTIONS.

(a) GENERAL FUNCTIONS.—The general functions of the Commission are—

(1) to protect the general interests of boxers consistent with the provisions of this Act;

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

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

(b) INITIAL RULEMAKING.—Not later than 180 days after the date on which the Commission shall hold its first meeting, the Commission shall, by rule promulgate uniform standards for professional boxing in consultation with the Association of Boxing Commissions.

(c) ADDITIONAL FUNCTIONS.—In addition to its general functions under subsection (a), the Commission shall—

(1) work with the boxing commissions of the several States and tribal organizations to improve the status and standards of professional boxing in the United States;

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

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

(4) if the Commission determines appropriate, publish a newspaper, magazine, or other publication and establish and maintain an Internet website consistent with the provisions of this Act; and

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

(d) PROHIBITIONS.—The Commission may not—

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

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

SEC. 5. LICENSING AND REGISTRATION OF BOXING PERSONNEL.

(a) LICENSING.—

(1) REQUIREMENT FOR LICENSE.—Beginning 1 year after the date of enactment of this Act, no person may compete in a professional boxing match or serve as a boxing manager, boxing promoter, matchmaker, judge, referee, or sanctioning organization for a professional boxing match except as provided in a license granted to that person under this subsection.

(2) APPLICATION AND TERM.—

(A) IN GENERAL.—The Commission shall—

(i) establish application procedures, forms, and fees for licenses granted under this section;

(ii) establish and publish appropriate standards for such licenses;

(iii) issue a license to any person who, as determined by the Commission, meets the standards established by the Commission under this Act; and

(iv) begin issuing such licenses not later than 270 days after the date on which Commission holds its first meeting.

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

(i) 4-year term for a boxer; and

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

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

(b) LICENSING FEES.—

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

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

(A) club boxing is not adversely effected;

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

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

SEC. 6. NATIONAL REGISTRY OF BOXING PERSONNEL.

The Commission shall establish and maintain (or authorize a third party to establish and maintain) a unified national computerized registry for the collection, storage, and retrieval of such information as the Commission shall prescribe by rule related to the performance of its duties.

SEC. 7. CONSULTATION REQUIREMENTS.

The Commission shall consult with the Association of Boxing Commissions—

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

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

SEC. 8. MISCONDUCT.

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

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

(A) finds that the license holder has violated any provision of this Act or a standard prescribed under this Act;

(B) reasonably believes that a standard prescribed by the Commission under this Act is not being met, or that bribery, collusion, intentional losing, racketeering, extortion, or the use of unlawful threats, coercion, or intimidation have occurred in connection with a license; or

(C) finds that the suspension or revocation is in the public interest.

(2) PERIOD OF SUSPENSION.—A suspension of a license under this section shall be effective for a period determined appropriate by the Commission.

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

(b) INVESTIGATIONS AND INJUNCTIONS.—

(1) AUTHORITY.—The Commission may—

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

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

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

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

(2) POWERS.—

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

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

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

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

(3) ENFORCEMENT OF SUBPOENAS.—

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

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

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

(D) ADMINISTRATIVE SUBPOENAS.—The requirements of section 3486 of title 18, United States Code, shall apply to the administration and enforcement of subpoenas under this Act.

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

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

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

(c) INTERVENTION IN CIVIL ACTIONS.—

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

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

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

SEC. 9. NONINTERFERENCE WITH BOXING COMMISSIONS.

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

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

SEC. 10. ASSISTANCE FROM OTHER AGENCIES.

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

SEC. 11. STUDIES.

(a) HEALTH AND SAFETY STUDY.—

(1) STUDY.—The Commission shall conduct a study on the health and safety aspects of boxing, including an examination of—

(A) the risks or serious injury and the nature of potential injuries, including risks particular to boxers of each sex;

(B) the long term effect of boxing on the health of boxers;

(C) the availability of health insurance for boxers;

(D) the extent to which differences in equipment effect the risks of potential injury; and

(E) the effectiveness of safety standards and regulations.

(2) REPORT.—Not later than 1 year after the date of enactment of this Act, the Commission shall submit a report on the study required by this section to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives, including recommendations to improve the health and safety aspects of boxing.

(b) STUDY ON THE DEFINITION OF PROMOTER.—

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

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

(3) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the study conducted under subsection (a). The report shall—

(A) set forth a proposed definition of the term ''promoter'' for purposes of the United States Boxing Commission Act; and

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

SEC. 12. REPORTS.

(a) ANNUAL REPORT.—Not later than 2 years after the date of enactment of this Act, and each year thereafter, the Commission shall submit a report on its activities to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives. The annual report shall include—

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

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

(3) recommendations regarding additional persons or entities within the sport of boxing over whom to extend the licensing requirement established by this Act.

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

SEC. 13. SUNSET PROVISION.

This Act shall cease to have effect 12 years after the date of enactment of this Act.

SEC. 14. AUTHORIZATION OF APPROPRIATIONS.

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

(b) RECEIPTS CREDITED AS OFFSETTING COLLECTIONS.—Notwithstanding section 3302 of title 31, United States Code, any fee collected under this Act—

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

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

(3) shall remain available until expended.

The CHAIRMAN. No amendment to that amendment shall be in order except those printed in part B of the report. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered read, debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. STEARNS

Mr. STEARNS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 1 printed in House Report 109–295 offered by Mr. STEARNS:

In the heading of subsection (b) of section 5, strike ''LICENSING''.

In section 5(b)(1), strike ''reasonable fees for the licensing of persons under this Act'' and insert '', for the licensing of persons under this Act, reasonable fees sufficient for the operation of the Commission and the administration of this Act''.

In section 14(b), strike ''under this Act—'' and insert ''under this Act shall, subject to appropriations—''.

In section 14(b), strike paragraphs (1) and (2) and insert the following:

(1) be credited as offsetting collections against any amounts appropriated pursuant to subsection (a); and

In section 14(b), strike ''(3) shall remain'' and insert ''(2) remain''.

The CHAIRMAN. Pursuant to House Resolution 553, the gentleman from Florida (Mr. STEARNS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. STEARNS. Mr. Chairman, I yield myself such time as I may consume.

I am offering today a manager's amendment that will perfect the underlying bill to ensure that H.R. 1065 is a fiscally sound piece of legislation that uses a self-funding mechanism for the United States Boxing Commission established under the act.

Let me be crystal clear to my colleagues, taxpayers are not being forced to pay for the USBC. Boxers, boxing personnel and the sanctioning organization, such as the World Boxing Association, WBA, the International Boxing Federation, IBF, and so on, will provide the funds, through payment of license and other fees, which will be collected by the USBC.

Specifically, my amendment will do the following: Section 5 of the bill will be amended to clarify that fees authorized and collected shall be available to fund the operation of the United States Boxing Commission and administration of this act.

Section 14 of the bill will be amended to clarify that offsetting collections are available to the USBC subject to appropriation. This is a very good amendment. It is bipartisan. The bill itself will save lives, protect vulnerable athletes and help get the sport of boxing back in fighting shape.

First and foremost, it will end the corruption and abuse that has plagued the sport for so long so America will regain its pride in boxing and all of its wonderful champions. Moreover, it will be done in a fiscally responsible way. I urge my colleagues to support this perfecting amendment and support H.R. 1065.

Mr. Chairman, I reserve the balance of my time.

Ms. SCHAKOWSKY. Mr. Chairman, I ask unanimous consent to claim the time in opposition, although I do not oppose the amendment.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Ms. SCHAKOWSKY. Mr. Chairman, I yield myself such time as I may consume.

I just want to make a few remarks in support of the Stearns amendment. The Stearns amendment would ensure that establishment of the boxing commission would not be a burden to the taxpayers. It would require that the fees collected from the licenses go to offset the cost of running the commission. The amendment is fiscally responsible, and it is consistent with PAYGO principles that helped us achieve budget surpluses in the 1990s.

This amendment was crafted in consultation with the Committee on Appropriations and achieves the stated objective. While I believe that boxing needs to have serious oversight, I also believe it should be paid for by those who profit and promote the ringside event. It is the least they can do for the sport they love, and I urge my colleagues to support this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. STEARNS. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. STEARNS).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MS. SCHAKOWSKY

Ms. SCHAKOWSKY. Mr. Chairman, as the designee of Mr. FILNER of California, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 2 printed in House Report 109–295 offered by Ms. SCHAKOWSKY:

In section 4(c)(4), strike ''; and'' and insert a semicolon.

In section 4(c)(5), strike the period at the end and insert a semicolon.

At the end of section 4(c), insert the following:

(6) require a copy of any contract for a boxing match to be filed with the Commission or

with a state boxing authority at a time and in a manner determined appropriate by the Commission;

(7) establish minimum standards for the availability of medical services at professional boxing matches;

(8) encourage a life, accident, and health insurance fund for professional boxers and other members of the professional boxing community; and

(9) conduct discussions and enter into agreements with foreign boxing entities on methods of applying minimum health and safety standards to foreign boxing events and foreign boxers, trainers, cut men, referees, judges, ringside physicians, and other professional boxing personnel.

In section 12(a)(2), strike ''; and'' and insert a semicolon.

In section 12(a)(3), strike the period and insert ''; and''.

In section 12(a), insert after paragraph (3) the following:

(4) recommendations regarding the feasibility of establishing a pension system for professional boxing participants.

The CHAIRMAN. Pursuant to House Resolution 553, the gentlewoman from Illinois (Ms. SCHAKOWSKY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Illinois.

□ 1645

Ms. SCHAKOWSKY. Mr. Chairman, this amendment enhances safeguards to protect professional boxers. We all know that boxing is a tough sport with even tougher consequences and it is essential that we protect boxers as much as possible.

Unfortunately, there are varying standards among the States on what type of medical services need to be available during boxing matches. Because appropriate medical care is critical in determining whether the fighter injured in the match will recover, suffer permanent damage or will die, depending on the extent of the injury, this amendment would call on the boxing commission to establish minimum standards and what type of medical services must be available at professional boxing matches.

Additionally, many boxers only have insurance coverage the night of the fight. It is not surprising that many insurance companies do not offer boxers health and life insurance policies at affordable rates for the rest of the time. And not every boxer is a prize fighter taking home a big purse. This amendment would simply encourage the Boxing Commission to establish an insurance fund to cover members of the professional boxing community.

We have all heard of the destitute boxer struggling to get by. This amendment would call on the Boxing Commission to come forward on recommendations regarding the feasibility of the pension system for professional boxing participants. Remember, again, this is asking them to come forward simply with a recommendation regarding the feasibility of a pension system.

Finally, like most other sports, boxing is an international business. As such, I believe it is important for the Boxing Commission to enter into agreements with other foreign boxing entities to set minimum health standards for boxers who fight overseas.

All of these measures are important to improve the sport and to provide additional safeguards to boxing, and I urge support of this amendment.

Mr. STEARNS. Mr. Chairman, will the gentlewoman yield?

Ms. SCHAKOWSKY. I yield to the gentleman from Florida.

Mr. STEARNS. Mr. Chairman, I rise in support of my colleague's amendment, and I think I would accept it. Both our staffs have looked at this. We think it is a good improvement on the bill, and so I commend the gentlewoman for her extra work here on the amendment and the gentleman from California (Mr. FILNER) who has also been involved with it.

Ms. SCHAKOWSKY. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Illinois (Ms. SCHAKOWSKY).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MS. SCHAKOWSKY

Ms. SCHAKOWSKY. Mr. Chairman, as the designee of Mr. FILNER of California, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 4 printed in House Report 109–295 offered by Ms. SCHAKOWSKY:

After section 5, insert the following (and redesignate succeeding sections accordingly):

SEC. 6. ARCHIE MOORE CRITERIA FOR RATING BOXERS.

(a) PUBLICATION BY COMMISSION.—Not later than 1 year after the date of enactment of this Act, the Commission shall develop and publish guidelines establishing consistent and objective criteria for the rating of professional boxers.

(b) ADOPTION BY SANCTIONING ORGANIZATIONS.—Beginning 90 days after the promulgation of the guidelines under subsection (a), no sanctioning organization may be issued a license under this Act unless such organization shall adopt and carry out policies and procedures for the rating of professional boxers that are consistent with such guidelines.

The CHAIRMAN. Pursuant to House Resolution 553, the gentlewoman from Illinois (Ms. SCHAKOWSKY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Illinois.

Ms. SCHAKOWSKY. Mr. Chairman, the gentleman from California (Mr. FILNER) named this the Archie Moore Criteria for Rating Boxers. So the reason that he called this amendment the Archie Moore criteria for rating boxers is because Archie Moore, also known as the Old Mongoose, held the light middleweight title for 10 years. By the time of his retirement, after 197 fights, Archie had compiled a truly unassailable sports record of 145 knockouts. All of this is even more remarkable when one considers that he spent a large part of his career, approximately 16 years, traveling to an unending string of boxing honky tonks open to fighters who could not break into the big leagues.

Archie did not get a title shot until he turned 39, a time when most boxers retire. There were many barriers preventing great boxers like Archie from rising through the ranks. One primarily being a broken rating system for boxers.

It is the job of the sanctioning organizations to rate boxers and to designate a champion. Sanctioning organizations make their money by sanctioning champion fights. The higher a fighter is rated, the more likely it will be for him to get high paying fights, especially championship fights.

However, often rankings are not based on objective talent or win-loss records; rather, boxers who belong to certain promoters may be highly ranked regardless of skill and ability. A fighter could be the best in his weight class, but if he is not associated with the right people he may not be ranked and thus lose his chance to further his career.

Previously, Congress passed legislation under the Mohammed Ali act to require all sanctioning organizations to develop credible and consistent ratings criteria. However, there are still problems with the system.

For example, one of the sanctioning organizations had a dead man ranked in the top 10 of a super middle weight division for 4 months. During the 4 months in which the dead man was actually ranked, he moved up in the ratings, going from Number 7 to Number 5.

This is just one incident on a long list of problems associated with the ratings system conducted by boxing sanctioning organizations. Obviously, something is wrong, and something ought to be done.

My amendment will require the Boxing Commission to establish guidelines for rating boxers. These guidelines must be followed by organizations that sanction boxing events. My amendment does not strip boxing sanctioning organizations from ranking boxers; however, it does require them to adhere to a set criteria established by the Boxing Commission.

Boxing will never be the sport it once was until the rating system is made more legitimate and respectable, which is why I am asking you to support my amendment.

Mr. Chairman, I yield to the gentleman from Florida.

Mr. STEARNS. Mr. Chairman, I thank the gentlewoman from Florida for yielding. I do not rise in opposition. I think this amendment is good. We accept it. I would point out, during the hearing, we had a boxer who died of natural causes and as a result of that he rose in the ranking because of the lack of standards that are set. And so I think, in this case, her amendment would be worthwhile, so that this sort

of anomaly does not occur again in which a boxer dies naturally and he rises in rank in the standing in the overall professional standing. So I rise in support of the amendment.

Ms. SCHAKOWSKY. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Illinois (Ms. SCHAKOWSKY).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. SODREL

Mr. SODREL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 5 printed in House Report 109–295 offered by Mr. SODREL:

Strike section 14.

The CHAIRMAN. Pursuant to House Resolution 553, the gentleman from Indiana (Mr. SODREL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

MODIFICATION TO AMENDMENT NO. 5 OFFERED BY MR. SODREL

Mr. SODREL. Mr. Chairman, I ask unanimous consent that the amendment be modified by the modification at the desk.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modification offered by Mr. SODREL:

In lieu of the matter proposed:

In section 14, strike ''**AUTHORIZATION OF APPROPRIATIONS**'' and insert ''**RECEIPTS CREDITED AS OFFSETTING COLLECTIONS**''.

In section 14, strike subsection (a).

In section 14, strike ''(b) RECEIPTS CREDITED AS OFFSETTING COLLECTIONS.—''.

In section 14, strike ''pursuant to subsection (a)'' and insert ''to fund this Act''.

The CHAIRMAN. The gentleman from Indiana is recognized for 5 minutes in support of his amendment, as modified.

Mr. SODREL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the sport of boxing is an amusement. It is a luxury often costing participants hundreds of dollars to attend a single prize fight.

In a time when we are searching for ways to fund necessities, we should not expose the taxpayer to a left hook and the possibility of paying millions of dollars to clean up corruption of a highly profitable business that estimates are brings in a billion dollars a year.

I commend the gentleman from Florida for working with me to ensure that taxpayers keep their guard up to prevent them from sharing the burden of paying for this commission.

I am still uncomfortable with the prospect of the Federal Government serving directly as the referee for licensing and regulating commercial sports.

Other professional sports, baseball, football, hockey, basketball all have their own governing body to thwart the problems now faced by the professional boxing industry.

However, if it must be done, then we must ensure that the costs fall on those that have generated the need for regulation and who benefit the most from boxing industry's revenues.

I believe my amendment will ensure this commission will be funded exclusively by licensing fees on the boxing industry participants and not from appropriations of general funds.

I ask my colleagues to support this amendment to hold the boxing industry accountable to pay for its own regulation.

Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. STEARNS).

Mr. STEARNS. Mr. Chairman, the gentleman's amendment, I think, improves the bill quite a bit, addresses the fee language to ensure that the fees collected pursuant to the act are credited, as the gentleman mentioned, as offsetting collections only for the purpose of funding the commission. It is important to ensure that any fee collected is used expressly for the purpose intended, namely, the funding of this commission.

User fees are common throughout most industries and are often used to fund activities that, other than the purpose of the fee that is collected. We know that. We see that oftentimes in Congress. But this amendment will ensure that this does not happen. So I think it is very good. And I compliment the gentleman for it. It is a good policy. The insurance commission is the only entity that receives the industry fees that it is collecting from. It has bipartisan support, and I appreciate the gentleman working with me and my staff, and I commend my colleagues to vote and support it.

Mr. SODREL. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment, as modified, offered by the gentleman from Indiana (Mr. SODREL).

The amendment, as modified, was agreed to.

The CHAIRMAN. The question is on the amendment in the nature of a substitute, as amended.

The amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PUTNAM) having assumed the chair, Mr. SIMPSON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1065) to establish the United States Boxing Commission to protect the general welfare of boxers and to ensure fairness in the sport of professional boxing, pursuant to House Resolution 553, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. STEARNS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 8 of rule XX, this 15-minute vote on passage of H.R. 1065 will be followed by 5-minute votes on motions to suspend the rules and agree to H. Con. Res. 230 and H. Con. Res. 268.

The vote was taken by electronic device, and there were—yeas 190, nays 233, not voting 10, as follows:

[Roll No. 592]

YEAS—190

Abercrombie
Ackerman
Allen
Baca
Baird
Baldwin
Barrow
Barton (TX)
Bass
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blunt
Boren
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Burgess
Butterfield
Buyer
Capps
Cardin
Carnahan
Castle
Chandler
Clay
Clyburn
Conyers
Cramer
Crowley
Cubin
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Tom
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Dicks
Dingell
Doggett
Doyle
Ehlers
Emanuel
Engel
Eshoo
Evans
Farr
Fattah
Filner
Fitzpatrick (PA)
Fortenberry
Gerlach
Gibbons
Gilchrest
Gillmor
Gonzalez
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Herseth
Higgins
Hinchey
Hinojosa
Holden
Honda
Hooley
Hoyer
Hyde
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kirk
Kucinich
Langevin
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lungren, Daniel E.
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy
McCollum (MN)
McGovern
McIntyre
McKinney
McNulty
Meehan
Meeks (NY)
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Napolitano
Neal (MA)
Oberstar
Obey

Olver
Ortiz
Osborne
Owens
Pascrell
Pelosi
Pickering
Pitts
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rangel
Reyes
Rogers (KY)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Shimkus
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Solis
Spratt
Stearns
Strickland
Stupak
Tauscher
Thomas
Thompson (CA)
Thompson (MS)
Towns
Udall (CO)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Waters
Watson
Waxman
Weiner
Weldon (FL)
Wexler
Whitfield
Woolsey
Wynn
Young (FL)

NAYS—233

Aderholt
Akin
Alexander
Andrews
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Bean
Beauprez
Berry
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blumenauer
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burton (IN)
Calvert
Camp
Cannon
Cantor
Capito
Capuano
Cardoza
Carson
Carter
Case
Chabot
Chocola
Cleaver
Coble
Cole (OK)
Conaway
Cooper
Costa
Costello
Crenshaw
Cuellar
Culberson
Davis (KY)
Davis (TN)
Davis, Jo Ann
Deal (GA)
DeFazio
DeLay
Dent
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Emerson
English (PA)
Etheridge
Everett
Feeney
Ferguson
Flake
Foley
Forbes
Ford
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Holt
Hostettler
Hulshof
Hunter
Inglis (SC)
Istook
Jindal
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
King (IA)
Kingston
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Larsen (WA)
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Mack
Manzullo
Marchant
Marshall
McCaul (TX)
McCotter
McCrery
McDermott
McHenry
McHugh
McKeon
McMorris
Meek (FL)
Melancon
Menendez
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Murphy
Murtha
Musgrave
Myrick
Nadler
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Otter
Oxley
Pallone
Pastor
Paul
Payne
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Platts
Poe
Pombo
Price (GA)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (MI)
Rohrabacher
Ross
Rothman
Royce
Ryan (WI)
Ryun (KS)
Salazar
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shuster
Simpson
Smith (TX)
Snyder
Sodrel
Souder
Sullivan
Sweeney
Tancredo
Tanner
Taylor (NC)
Terry
Thornberry
Tiahrt
Tiberi
Tierney
Turner
Udall (NM)
Walsh
Wamp
Wasserman Schultz
Watt
Weldon (PA)
Weller
Westmoreland
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Young (AK)

NOT VOTING—10

Boswell
Cunningham
Davis (FL)
Edwards
Jenkins
Lantos
Reichert
Ros-Lehtinen
Stark
Taylor (MS)

□ 1727

Mr. FORD, Ms. HART, Mr. BONNER, Mr. RADANOVICH, Mrs. BONO, Messrs. DAVIS of Tennessee, GINGREY, KELLER, McCAUL of Texas, AL GREEN of Texas, CLEAVER, ROGERS of Alabama, SULLIVAN, POMBO, Ms. EDDIE BERNICE JOHNSON of Texas, Messrs. MURTHA, UDALL of New Mexico, GORDON, ADERHOLT, ROSS and Ms. KAPTUR changed their vote from ''yea'' to ''nay.''

Messrs. DAVIS of Illinois, GUTIERREZ, OLVER, HALL, BERMAN, BACA, KENNEDY of Rhode Island, GONZALEZ, LEVIN, GEORGE MILLER of California and KUCINICH changed their vote from ''nay'' to ''yea.''

So the bill was not passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 1234. An act to increase, effective as of December 1, 2005, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans.

The message also announced that the Senate has agreed to a concurrent resolution of the following title in which the concurrence of the House is requested:

S. Con. Res. 62. Concurrent resolution directing the Joint Committee on the Library to procure a statue of Rosa Parks for placement in the Capitol.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2862) ''An Act making appropriations for Science, the Departments of State Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes.''.

EXPRESSING SENSE OF CONGRESS THAT RUSSIAN FEDERATION MUST PROTECT INTELLECTUAL PROPERTY RIGHTS

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 230.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. SHAW) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 230, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 421, nays 2, not voting 10, as follows:

[Roll No. 593]

YEAS—421

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney