

**(c) Actions by States**

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

- (1) to enjoin the holding of any professional boxing match which the practice involves;
- (2) to enforce compliance with this chapter;
- (3) to obtain the fines provided under subsection (b) of this section or appropriate restitution; or
- (4) to obtain such other relief as the court may deem appropriate.

**(d) Private right of action**

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

**(e) Enforcement against Federal Trade Commission, State Attorneys General, etc.**

Nothing in this chapter authorizes the enforcement of—

- (1) any provision of this chapter against the Federal Trade Commission, the United States Attorney General, or the chief legal officer of any State for acting or failing to act in an official capacity;
- (2) subsection (d) of this section against a State or political subdivision of a State, or any agency or instrumentality thereof; or
- (3) section 6307b of this title against a boxer acting in his capacity as a boxer.

(Pub. L. 104-272, §18, formerly §10, Oct. 9, 1996, 110 Stat. 3312; renumbered §18 and amended Pub. L. 106-210, §§4(1), 6, May 26, 2000, 114 Stat. 322, 326.)

## AMENDMENTS

2000—Subsec. (b)(1). Pub. L. 106-210, §6(1), inserted “, other than section 6307a(b), 6307b, 6307c, 6307d, 6307e, 6307f, or 6307h of this title,” after “this chapter”.

Subsec. (b)(2). Pub. L. 106-210, §6(3), added par. (2). Former par. (2) redesignated (3).

Subsec. (b)(3), (4). Pub. L. 106-210, §6(2), (4), redesignated pars. (2) and (3) as (3) and (4), respectively, and in par. (3) substituted “section 6308(a)” for “section 6308”.

Subsecs. (c) to (e). Pub. L. 106-210, §6(5), added subsecs. (c) to (e).

**§ 6310. Notification of supervising boxing commission**

Each promoter who intends to hold a professional boxing match in a State that does not have a boxing commission shall, not later than 14 days before the intended date of that match, provide written notification to the supervising boxing commission designated under section 6303 of this title. Such notification shall contain each of the following:

- (1) Assurances that, with respect to that professional boxing match, all applicable requirements of this chapter will be met.
- (2) The name of any person who, at the time of the submission of the notification—
  - (A) is under suspension from a boxing commission; and

(B) will be involved in organizing or participating in the event.

- (3) For any individual listed under paragraph (2), the identity of the boxing commission that issued the suspension described in paragraph (2)(A).

(Pub. L. 104-272, §19, formerly §11, Oct. 9, 1996, 110 Stat. 3312; renumbered §19, Pub. L. 106-210, §4(1), May 26, 2000, 114 Stat. 322.)

**§ 6311. Studies****(a) Pension**

The Secretary of Labor shall conduct a study on the feasibility and cost of a national pension system for boxers, including potential funding sources.

**(b) Health, safety, and equipment**

The Secretary of Health and Human Services shall conduct a study to develop recommendations for health, safety, and equipment standards for boxers and for professional boxing matches.

**(c) Reports**

Not later than one year after October 9, 1996, the Secretary of Labor shall submit a report to the Congress on the findings of the study conducted pursuant to subsection (a) of this section. Not later than 180 days after October 9, 1996, the Secretary of Health and Human Services shall submit a report to the Congress on the findings of the study conducted pursuant to subsection (b) of this section.

(Pub. L. 104-272, §20, formerly §12, Oct. 9, 1996, 110 Stat. 3313; renumbered §20, Pub. L. 106-210, §4(1), May 26, 2000, 114 Stat. 322.)

**§ 6312. Professional boxing matches conducted on Indian reservations****(a) Definitions**

For purposes of this section, the following definitions shall apply:

**(1) Indian tribe**

The term “Indian tribe” has the same meaning as in section 450b(e) of title 25.

**(2) Reservation**

The term “reservation” means the geographically defined area over which a tribal organization exercises governmental jurisdiction.

**(3) Tribal organization**

The term “tribal organization” has the same meaning as in section 450b(l) of title 25.

**(b) Requirements****(1) In general**

Notwithstanding any other provision of law, a tribal organization of an Indian tribe may, upon the initiative of the tribal organization—

- (A) regulate professional boxing matches held within the reservation under the jurisdiction of that tribal organization; and
- (B) carry out that regulation or enter into a contract with a boxing commission to carry out that regulation.

**(2) Standards and licensing**

If a tribal organization regulates professional boxing matches pursuant to paragraph

(1) the tribal organization shall, by tribal ordinance or resolution, establish and provide for the implementation of health and safety standards, licensing requirements, and other requirements relating to the conduct of professional boxing matches that are at least as restrictive as—

(A) the otherwise applicable standards and requirements of a State in which the reservation is located; or

(B) the most recently published version of the recommended regulatory guidelines certified and published by the Association of Boxing Commissions.

(Pub. L. 104-272, §21, formerly §13, Oct. 9, 1996, 110 Stat. 3313; renumbered §21, Pub. L. 106-210, §4(1), May 26, 2000, 114 Stat. 322.)

**§ 6313. Relationship with State law**

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

(Pub. L. 104-272, §22, formerly §14, Oct. 9, 1996, 110 Stat. 3313; renumbered §22, Pub. L. 106-210, §4(1), May 26, 2000, 114 Stat. 322.)

**CHAPTER 90—PROPANE EDUCATION AND RESEARCH**

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**§ 6401. Findings**

The Congress finds that—

(1) propane gas, or liquefied petroleum gas, is an essential energy commodity providing heat, hot water, cooking fuel, and motor fuel among its many uses to millions of Americans;

(2) the use of propane is especially important to rural citizens and farmers, offering an efficient and economical source of gas energy;

(3) propane has been recognized as a clean fuel and can contribute in many ways to reducing the pollution in our cities and towns; and

(4) propane is primarily domestically produced and its use provides energy security and jobs for Americans.

(Pub. L. 104-284, §2, Oct. 11, 1996, 110 Stat. 3370.)

**SHORT TITLE**

Pub. L. 104-284, §1, Oct. 11, 1996, 110 Stat. 3370, provided that: "This Act [enacting this chapter] may be cited as the 'Propane Education and Research Act of 1996'."

**§ 6402. Definitions**

For the purposes of this chapter—

(1) the term "Council" means a Propane Education and Research Council created pursuant to section 6403 of this title;

(2) the term "industry" means those persons involved in the production, transportation, and sale of propane, and in the manufacture and distribution of propane utilization equipment, in the United States;

(3) the term "industry trade association" means an organization exempt from tax, under section 501(c)(3) or (6) of title 26, representing the propane industry;

(4) the term "odorized propane" means propane which has had odorant added to it;

(5) the term "producer" means the owner of propane at the time it is recovered at a gas processing plant or refinery;

(6) the term "propane" means a hydrocarbon whose chemical composition is predominantly C<sup>3</sup>H<sup>8</sup>, whether recovered from natural gas or crude oil, and includes liquefied petroleum gases and mixtures thereof;

(7) the term "public member" means a member of the Council, other than a representative of producers or retail marketers, representing significant users of propane, public safety officials, academia, the propane research community, or other groups knowledgeable about propane;

(8) the term "qualified industry organization" means the National Propane Gas Association, the Gas Processors Association, a successor association of such associations, or a group of retail marketers or producers who collectively represent at least 25 percent of the volume of propane sold or produced in the United States;

(9) the term "retail marketer" means a person engaged primarily in the sale of odorized propane to the ultimate consumer or to retail propane dispensers;

(10) the term "retail propane dispenser" means a person who sells odorized propane to the ultimate consumer but is not engaged primarily in the business of such sales; and

(11) the term "Secretary" means the Secretary of Energy.

(Pub. L. 104-284, §3, Oct. 11, 1996, 110 Stat. 3370.)

**§ 6403. Referenda**

**(a) Creation of program**

The qualified industry organizations may conduct, at their own expense, a referendum among producers and retail marketers for the creation of a Propane Education and Research Council. The Council, if established, shall reimburse the qualified industry organizations for the cost of the referendum accounting and documentation. Such referendum shall be conducted by an independent auditing firm agreed to by the qualified industry organizations. Voting rights in such referendum shall be based on the volume of propane produced or odorized propane sold in the previous calendar year or other representative period. Upon approval of those persons representing two-thirds of the total volume of propane voted in the retail marketer class and two-thirds of all propane voted in the producer class, the Council shall be established, and shall be authorized to levy an assessment on odorized pro-