

may receive any compensation, gift, or benefit, directly or indirectly, from a promoter, boxer, or manager.

(2) Exceptions

Paragraph (1) does not apply to—

(A) the receipt of payment by a promoter, boxer, or manager of a sanctioning organization's published fee for sanctioning a professional boxing match or reasonable expenses in connection therewith if the payment is reported to the responsible boxing commission; or

(B) the receipt of a gift or benefit of de minimis value.

(Pub. L. 104-272, §17, formerly §9, Oct. 9, 1996, 110 Stat. 3311; renumbered §17 and amended Pub. L. 106-210, §§4(1), 5, May 26, 2000, 114 Stat. 322, 325.)

Editorial Notes

AMENDMENTS

2000—Pub. L. 106-210, §5, designated existing provisions as subsec. (a), inserted subsec. heading, and added subsecs. (b) and (c).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective July 1, 1997, and not applicable to an otherwise authorized boxing commission in the Commonwealth of Virginia until July 1, 1998, see section 23(1), (2) of Pub. L. 104-272, set out as a note under section 6301 of this title.

§ 6309. Enforcement

(a) Injunctions

Whenever the Attorney General of the United States has reasonable cause to believe that a person is engaged in a violation of this chapter, the Attorney General may bring a civil action in the appropriate district court of the United States requesting such relief, including a permanent or temporary injunction, restraining order, or other order, against the person, as the Attorney General determines to be necessary to restrain the person from continuing to engage in, sanction, promote, or otherwise participate in a professional boxing match in violation of this chapter.

(b) Criminal penalties

(1) Managers, promoters, matchmakers, and licensees

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

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

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

(A) \$100,000; and

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

(3) Conflict of interest

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

(4) Boxers

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

(c) Actions by States

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

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

(2) to enforce compliance with this chapter;

(3) to obtain the fines provided under subsection (b) 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.)

Editorial Notes

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).

¹ So in original. Section 6307a does not contain a subsec. (b).

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).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Jan. 1, 1997, see section 23 of Pub. L. 104-272, set out as a note under section 6301 of this title.

§ 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.)

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Jan. 1, 1997, see section 23 of Pub. L. 104-272, set out as a note under section 6301 of this title.

§ 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). 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).

(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.)

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Jan. 1, 1997, see section 23 of Pub. L. 104-272, set out as a note under section 6301 of this title.

§ 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 5304(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 5304(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.)

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Jan. 1, 1997, see section 23 of Pub. L. 104-272, set out as a note under section 6301 of this title.

§ 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.