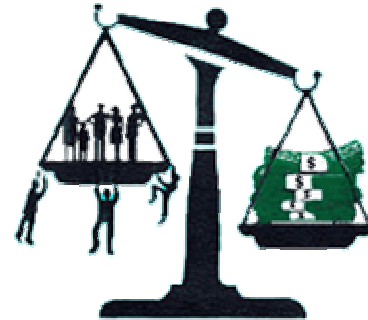


Zuffa, LLC's ("Zuffa")¹ efforts in opening new jurisdictions for, and regulating the sport of mixed martial arts ("MMA") are laudable. MMA is now sanctioned in 32 states, and it is safe to say that is largely due to the efforts of Zuffa. Currently, Zuffa is ambitiously attempting to gain approval for mixed martial arts in the State of New York.

Zuffa's efforts have extended to lobbying members of Congress. Recently, it was reported that Zuffa retained the Washington D.C. firm Brownstein Hyatt Farber Schreck ("Brownstein") to lobby members of Congress. Reportedly, Brownstein's mission is predominantly educational to advise members of Congress how far the UFC has evolved since its inception. Makan Delrahim, a former top Justice Department official who is now a lobbyist at Brownstein stated:



“UFC is at the point where they are one of the fastest-growing sports leagues, and we want to make sure members of Congress are aware of the changes MMA has undergone.”²

Brownstein, however, is also lobbying members of Congress in regards to the Professional Boxing Amendments Act of 2007, introduced by Senator John McCain last year.³ Zuffa's efforts are targeted towards avoiding being placed under the auspices of the Muhammad Ali Boxing Reform Act of 2000 (the "Muhammad Ali Act" or "Act") and the Professional Boxing Amendments Act of 2007, which supplements and adds to the Muhammad Ali Act.

The Professional Boxing Amendments Act of 2007 seeks to create a federal U.S. Boxing Commission to oversee the sport, protect the safety of boxers, and regulate contracts between boxers and promoters. As Delrahim stated:

“Sometimes those types of laws can become vehicles for other things, affecting other sports. Boxing has a whole different story and certain laws may have been appropriate, but it is a whole different operation for MMA; it wouldn't make sense to apply the same rules.”⁴

Is it really a “whole different story?” Should the Muhammad Ali Act apply to MMA? In May of 2008, even Marc Ratner, the Vice President of Regulatory Affairs for Zuffa stated that there “is absolutely no reason that the sport should not be regulated along with the sport of boxing.”⁵ Does this matter to mixed martial artists, and should they care? In

¹ Zuffa owns the Ultimate Fighting Championship (UFC).

² Chi Ha, Kim. “Ultimate Fighting Hires Lobbying Firm,” thehill.com, May 27, 2008. <http://thehill.com/business--lobby/ultimate-fighting-hires-lobbying-firm-2008-05-27.html>.

³ Id.

⁴ Id.

⁵ Id.

short, the answer is yes. The activity undertaken by Zuffa “to do everything they possibly can to not be listed under the Muhammad Ali Boxing Reform Act of 2000” is directly hostile to the interests of mixed martial artists, and the stakes are enormous.⁶

This article primarily focuses on the Muhammad Ali Act, which contains the majority of the substantive legal protections for boxers. The proposed Professional Boxing Amendments Act of 2007 supplements and adds enforcement mechanisms to the Muhammad Ali Act.

I. Summary of Federal Boxing Law.

In 1996, the Professional Boxing Safety Act (the “PBSA”) was signed into law. The PBSA was a Congressional measure that established minimum requirements to protect the health and safety of boxers.⁷ The PBSA also sought to address the lack of public oversight of boxing. The PBSA, among other things, (i) requires State athletic commissions to oversee all professional boxing events; (ii) prohibits medically-suspended fighters from participating in boxing matches; (iii) assures that States are aware that a fighter may be suspended in another State; (iv) requires adequate medical services to be available at ringside; and (v) requires all boxers to be given an identification card issued by their State commission.⁸

Congress, however, sought further reform of the boxing industry. In May of 2000, the Muhammad Ali Act was signed into law. In short, the Muhammad Ali Act protects the rights and welfare of professional boxers by preventing exploitive, oppressive, and unethical business practices and promotes honorable competition to enhance the overall integrity of the boxing industry.

II. The Muhammad Ali Boxing Reform Act of 2000.

Why was the Muhammad Ali Act enacted in the first place? What practices were occurring in boxing that required Congressional involvement? A look at the legislative history of the Muhammad Ali Act details the abuses which prompted Congressional action, and passage of the Act. Indeed, the Congressional findings were inserted directly into the Act itself. As will be seen below, the Congressional findings made in relation to boxing apply almost wholesale to the current status of MMA today. The only ingredient missing is decades of abuse.

In the Senate Report drafted in support of the Muhammad Ali Act, the Committee stated that the Muhammad Ali Act “seeks to remedy many of the anti-competitive, oppressive, and unethical business practices which have cheated professional boxers and denied the public the benefits of a truly honest and legitimate sport.”⁹ The Act “is designed to

⁶ Id.

⁷ Report of the Committee on Commerce, Science, and Transportation on S.84, 110TH Congress 1st Session Report 2007 110–28 Calendar No. 65, Professional Boxing Amendments Act of 2007.

⁸ Id.

⁹ Statements on Introduced Bills and Joint Resolutions, Senate, June 26, 1998, GPO P. S7257.

prohibit the harmful and arbitrary business practices which have clearly hurt the welfare of professional boxers. . .”¹⁰

In a later Senate Committee Report, the Committee reported the purpose of the Act “is to protect professional boxers from coercive and exploitative business practices, reduce interstate restraints of trade, assist state boxing officials to provide proper oversight of the sport, and increase honest competition and the integrity of the industry.”¹¹ The Senate Committee noted that the sport of boxing “**has no league, governing body, or private sector association of industry leaders to establish fair business practices** and discipline improper and arbitrary conduct.”¹² Finally, the Committee specifically “**emphasizes the vulnerability and lack of leverage most professional boxers** have with respect to various arbitrary business practices of these entities in the sport.”¹³

What actions constituted “exploitative business practices,” and what is meant by increasing “honest competition and the integrity of industry?” The Senate Committee Report details each of these items:

- long-term promotional contracts and options hurt the boxer and the sport;
- organizations do not have credible ratings procedures;
- organizations have inconsistent procedures, and state regulations do not adequately regulate promoter contracts;
- difficulty for state commissions to individually monitor promoter-boxer contracts, and necessity of a federal mechanism to prevent hidden agreements; and
- promoters forcing boxers to give options in return for getting a title fight.

Each of the defects noted above applies in full to the current status of mixed martial artists.

III. **Supporters of the Muhammad Ali Act.**

Support for the passage of the Act was widespread, including a list of giants involved with the boxing industry. **Frederic G. Levin**, current WAMMA Executive Legal Counsel, and counsel for **Roy Jones Jr.**, testified that long term promotional contracts and options hurt the boxer and the sport and that no credible rankings procedures exist. Mr. Levin recommended that all options and promotional rights gained from a boxer

¹⁰ Id.

¹¹ Senate Report 106-083, Muhammad Ali Boxing Reform Act, Report of the Committee on Commerce, Science, and Transportation on S.305, June 21, 1999.

¹² Id.

¹³ Id.

seeking to compete in a particular fight be prohibited.¹⁴ Roy Jones Jr. also submitted written testimony calling for “options” in boxer contracts to be prohibited.

Likewise, attorney **Patrick C. English**, who has represented promoters and boxers in the sport, testified that state regulations do not adequately regulate promoter contracts. Famed boxing manager Mr. **Shelly Finkel**, a manager of several world champions, submitted testimony stating that the bill would help end the exploitation of boxers. Former commissioner **Larry Hazzard** of New Jersey testified that the Act would help the New Jersey State Board of Athletic Control protect boxers from coercive and unfair business practices.¹⁵

Marc Ratner, currently Vice President of Regulatory Affairs for Zuffa, testified that it is difficult for state commissions to individually monitor promoter-boxer contracts, and that a federal mechanism should be put in place to prevent hidden agreements.¹⁶ Ratner also said “I am a states rights activist and I didn't want any federal bill that would take away our state rights to regulate fights,” adding that he hoped McCain and Reid, at the very least, would be persuaded to model any federal commission after Nevada's body.”¹⁷ Legendary trainer **Eddie Futch** testified that the Act is a necessary and positive reform for professional boxing. Nevada Judge and long-time referee **Mills Lane** of “Let’s Get it On” fame criticized the practice of promoters forcing boxers to give options in return for getting a title fight.¹⁸ **Nineteen U.S. State Attorneys General** signed a letter in support of the Act, and forwarded it to the Committee stating “this legislation will curb anti-competitive and fraudulent business practices and prevent blatant exploitation of professional boxers.”¹⁹ A copy of the letter can be read [here](#).

The boxing media also almost uniformly supported the passage of the Act. The **International Boxing Digest** wrote that “we support the new [boxing] bill, and urge all honest people in professional boxing to do likewise. Fighters need to be protected, and not simply from what happens in the ring. This bill does it like it's never done before.” **Ring Magazine** declared, “imagine a world in which fighters are not taken advantage of financially, title shots are awarded to legitimate contenders. . . . If the Ali Act passes . . . that boxing heaven may just be located right here on earth.”²⁰

Most notably, former heavyweight champion **Muhammad Ali** appeared and had his statement read by an associate. Ali stated that professional boxing had become a travesty and that something must be done to stop the manipulation of boxers, including the lack of credible rankings.²¹ A copy of each of the letters Muhammad Ali submitted in support of the Act can be read [here](#) and [here](#).

¹⁴ Id.

¹⁵ Id.

¹⁶ Id.

¹⁷ “Responding to *Media Matters*, AP continued to mislead in reporting on Reid,” June 1, 2006.

<http://mediamatters.org/items/200606010009>.

¹⁸ Id.

¹⁹ Muhammad Ali Boxing Reform Act (Extension of Remarks-May 24, 2000), Speech of Hon. Tom Bliley of Virginia in the House of Representatives, Monday, May 22, 2000. [Page: E828]

²⁰ Id.

²¹ See note 11 above.

Sponsors in support of the Act declared:

“We have received strong praise for this legislation from every sector of the industry and, most importantly, from boxers themselves. It is to be expected **that certain vested interests in professional boxing industry will not welcome any reforms of anti-competitive and confiscatory business practices in the sport.** However, the Ali Act will clearly improve the sport in the public interest, and will not inhibit any legitimate business practices. If enacted, the professional boxing industry will not only be free of certain types of abusive and unethical business practices, **but competition should surely increase. Competition is the heart of any sport, and fair, open competition is the key to a sport's success.**”²²

IV. Arguments in Favor of Applying the Muhammad Ali Act to MMA.

Congress, in enacting the Act, set forth its findings directly in the body of the Act, as set forth below. Below are each the congressional findings made in regards to the boxing industry, and then arguments for applying the Ali Act to MMA. As seen below, the congressional findings apply almost without modification to MMA. Simply replace “boxer” with “mixed martial artist,” and “boxing” with “mixed martial arts.” My comments are interspersed in italics after each of the Congressional findings.

“The Congress makes the following findings²³:

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

This finding applies in whole to the current status of mixed martial arts. Currently, no such centralized industry organization or governing body exists. Indeed, the UFC, by virtue of sheer market dominance, in large part dictates business practices. Arguably the promotional agreements now being litigated/arbitrated by Couture and Zuffa are an example of the coercive practices the Act seeks to prohibit.

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

²² Statements on Introduced Bills and Joint Resolutions, Senate, January 25, 1999. P. S979.

²³ 15 USCA § 6301.

Likewise, this finding also applies in whole to the current status of mixed martial arts. The Commissioner of a major state athletic commission told me personally that many of the contracts he has reviewed upon request would be unenforceable under state law due to lack of “mutuality of obligation” (among other defects he has personally seen). Additionally, the same commissions regulate both MMA and boxing, so the Act should apply to both sports. Furthermore, because MMA is a new sport, recently introduced to these commissions and they are not nearly as equipped to regulate the sport of MMA. Finally, the promotional agreements in MMA are typically confidential, so of course they are ill informed.

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

Zuffa deserves applause for its efforts in attempting to gain uniformity, and safety for the sport of mixed martial arts. That said, this finding may still be applicable to other promotions, particularly due to the lack of uniformity among the states in regulations. This lack of uniformity enables promoters to “forum-shop,” selecting states with weaker regulations and thus, increasing the health and exploitation risks faced by the athletes.

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

No credible or objective rankings criteria have been adopted by any promotion. Title shots are not granted upon merit at all, in many instances. Title fights that virtually all serious mixed martial arts fans and media members alike declare as necessary, such as Randy Couture v. Fedor Emelianenko don’t occur, in part, because of the refusal to grant Zuffa future promotional options. Indeed, the “titles” themselves are entirely exclusive to a particular promotion.

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

Again, this finding applies in whole, without modification to the sport of mixed martial arts. Fights that the public wants to see do not occur because of the refusal of some fighters to enter into long-term promotional agreements, and the refusal of certain promoters to co-promote. “Rankings” and “contender” status are largely pure manipulations by the promoters, and often not the result of merit at all. Most promotions

have exclusive promotional agreements. All major promotions keep their champions under exclusivity.

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

Likewise, this finding applies in whole to the sport of mixed martial arts, without modification. The abuses noted by Congress as applicable to boxing also occur in the sport of mixed martial arts, to the detriment of the athletes that actually compete.

V. The Muhammad Ali Act in Operation.

A. Objective Rankings Criteria

The Muhammad Ali Act addresses the exploitive business practices faced by professional boxers by requiring objective and consistent rankings criteria for boxers.²⁴ This provision was inserted into the Ali Act to prevent promoters from abusing boxers and monopolizing the sport **by requiring boxers to sign away all their rights in order to obtain an important fight or maintain their current status** in the rankings.²⁵ In short, the Act attempts to prevent promoters from forcing boxers into coercive contracts as a condition of participating in a given match.

The Act seeks to prohibit promoters from being “able to rig the sport by placing favored boxers who have signed away promotional rights in the top rankings”, and for those boxers who refuse to cooperate, from being “arbitrarily dropped from the ranking or prevented from moving up.” **The Act requires rankings to be based on merit, not contractual subservience.** Standardized, objective rankings serve to increase public confidence in the sport, and means “new opportunities for honest boxers who are trying to fight their way up the rankings.” Additionally, the sport achieves “more integrity and respect” since boxing fans “will know that championship matches are being fought by true champions.”²⁶

This protection alone is of enormous benefit for all mixed martial artists. Currently, no objective rankings are utilized by any of the major promotions. Title shots should be awarded by merit, and not based upon contracted promotional exclusivity. Fighters and fans alike would benefit, as the best fighters would contend for titles, and fighters currently on the outside such as Matt Lindland, Josh Barnett, and Fedor Emelianenko would be in the public eye. Market value of these fighters would increase, as the public would demand to see the best matchups available, regardless of a fighter’s contracted promotion. The practice of putting fighters into “dark” matches on the undercard would also be noticed by the general public, and would likely occur with far less frequency if

²⁴ 15 USCA § 6307(c).

²⁵ Muhammad Ali Boxing Reform Act, House of Representatives, May 22, 2000, Comments of Hon. Michael Oxley. [Page: H3489]

²⁶ Id.

the Ali Act governed mixed martial arts. The requirement of objective and consistent rankings afforded by the Muhammad Ali Act also ties into the protections against coercive contracts discussed below.

B. Protection from Coercive and Exploitive Contracts—the Promotional Option.

The Muhammad Ali Act contains a section protecting fighters from “coercive contracts.” The Act seeks to curb several of the most restrictive, onerous, and anti-competitive contracting practices which promoters have imposed on professional boxers. Specifically, the Act greatly curtails the practice of requiring promotional “options,” which is the practice of contractually requiring an “exclusive long term promotional contract with a boxing challenger as a condition precedent to permitting a bout against another boxer that the promoter has under contract.”²⁷ This practice of requiring “options” stifles competition. As the legislative history of the Act declares, the “athletes would be better served, as would open competition in the sport, if boxers were free to contract with those promoters they personally choose, rather than being coerced to contract with a promoter who is in the position of barring a lucrative bout.”²⁸ Such is the principle of most laws governing employment and personal services contracts.

Indeed, it appears as though the Couture-Emelianenko bout did not occur because of Zuffa’s insistence upon obtaining promotional options. As reported by multiple sources, Zuffa’s offer to Fedor Emelianenko was apparently the most lucrative. Emelianenko, however, objected to the onerous requirements of the Zuffa promotional contract being offered and refused to sign with Zuffa.²⁹ As a result, according to Dana White, Emelianenko went from “the number one Heavy Weight on the planet” to “Fedor sucks! He's not even a top 5 Heavyweight.” Likewise, with Matt Lindland, who at one point was the logical contender for a title match, only to be later dropped entirely from the division.

²⁷ See Note 11 above.

²⁸ *Id.*

²⁹ Swift, Adam. “Inside the Standard Zuffa Contract,” Sherdog.com, October 31, 2000. http://www.sherdog.com/news/articles.asp?n_id=9734.

Randy Couture	Heavyweights	Fedor Emelianenko
44	AGE	31
6-2	HEIGHT	6-0
220	WEIGHT	235
16-8-0	RECORD	26-1-0

The Ali Act Makes Matches Like Couture-Emelianenko More Likely and Increases a Fighter's Leverage to Obtain Higher Purses

Additionally, Randy Couture's contract reportedly contains a so-called "Champion's Clause," which serves to extend the term of the Zuffa promotional agreement in the event a fighter is a champion in a weight-class at the end of the contractual term. The clause provides that "if, at the expiration of the Term, Fighter is then UFC champion, the Term shall be automatically extended for a period commencing on the Termination Date and ending on the earlier of (i) one (1) year from the Termination Date; or (ii) the date on which Fighter has participated in three (3) bouts promoted by ZUFFA following the Termination Date ("Extension Term"). Any references to the Term herein shall be deemed to include a reference to the Extension Term, where applicable."³⁰ This clause serves to not only prevent a fighter from fighting outside the promotion, but also restricts his ability to negotiate for higher pay after securing a title. This provision, under the Ali Act, and possibly the contract in whole would be deemed void if the Ali Act governed mixed martial arts.³¹

In fact, Mark Cuban of HDNet declared publicly he believes the Act already applies to mixed martial arts. Cuban stated:

"Congress wanted to protect fighters. There is enough ambiguity in some definitions in the Act, that it could easily be applied. Which means it comes down to how the appropriate politicians feel that the Act can be applied to the benefit of their constituents. Meaning fighters and fans of MMA."

³⁰ Id.

³¹ Couture, at the time of executing his current promotional contract with Zuffa was in retirement. He entered into a promotional contract with Zuffa, and his first fight upon returning was for the heavyweight title, against Tim Sylvia. Thus, the inclusion of the champion's clause is exactly the type of coercive provision the Ali Act would prohibit.

Cuban continued by stating that it “won’t be hard to demonstrate how MMA fighters have been taken advantage of, particularly with contracts and how they are enforced, and to encourage action.”³²

Despite the fact that the athletes themselves have earned the right, through their performance, to fight the best in their respective weight classes, major promoters in mixed martial arts almost uniformly require exclusive promotional agreements from any fighter fighting for a title. As one witness testified before the Senate, “this is akin to forcing a professional tennis player or golfer to sign an exclusive, long term contract with the promoter of whatever event they were seeking to win. The athlete would then only be able to compete when the promoter approved, against only those opponents who also were forced to agree to terms with that promoter.”³³ In other sports this would be challenged as an unreasonable restraint on trade, in mixed martial arts, however, its business as usual.³⁴

The Act addresses these so-called “option” contracts by installing “a time limit of one year on all promotional rights that a promoter secures” from a fighter or another promotion “as a prerequisite to the boxer participating in a particular bout.”³⁵ Thus, if a promoter owns the rights to a champion, and a second fighter wants to fight the champion, then the champion’s promoter can acquire the rights to the second fighter, but only for up to 12 months. Congress believed that the one year limitation will at least provide a fighter with the right to seek the highest bidder after one year, or provide them the option to simply select the promoter of their choosing.

C. Prohibition against Conflicts of Interest.

The Act also contains a provision which prohibits certain conflicts of interest. Specifically, the Act prohibits a manager from having a direct or indirect financial interest in a promotion.³⁶ It “is not plausible for a boxer to receive proper representation and counsel from a manager if the manager is also on the payroll of a promoter. This is an obvious conflict of interest which works to the detriment of the boxer and the advantage of the promoter.”³⁷ The “fire-wall” between promoting and managing, however, only apply to boxers that are engaging in fights of 10 rounds or more, as many boxers that fight fewer rounds cannot afford to have separate managers and promoters. These firewalls also do not apply where a boxer chooses to act as his or her own promoter or manager.

³² MacLeod, Mike. “Cuban Expounds on Ali Act,” fiveouncesofpain.com, January 31, 2008. <http://fiveouncesofpain.com/2008/01/31/mark-cuban-expounds-on-ali-act/>. Quoting interview conducted by Pramit Mohapatra of the Baltimore Sun.

³³ Id.

³⁴ Id.

³⁵ 15 USCA § 6307(b). The one year limitation is not intended to apply to a contract where a promoter and fighter consensually enter into a long term contract, with the first bout for the fighter being specifically named, and in which the opponent is not under contract to the promoter.

³⁶ 15 USCA § 6308.

³⁷ Muhammad Ali Boxing Reform Act – (Extension of Remarks-May 25, 2000); Speech of Hon. William F. Goodling of Pennsylvania in the House of Representatives, Monday, May 22, 2000 [Page E844].

D. Required Disclosures to State Athletic Commissions.

The Act also requires promoters to disclose all payments made to a fighter, whether by written or oral agreement. Specifically, the Act requires the promoter to provide (i) a copy of any agreement in writing to which the promoter and fighter are a party, and (ii) to provide a written statement under penalty of perjury that no other written or oral agreements exist between the promotion and fighter. No hidden agreements are permissible.³⁸ If a State law governing a boxing commission requires that information that would be furnished by a promoter under the Act shall be made public, then a promoter is not required to file such information with such State if the promoter files such information with the Association of Boxing Commissions.³⁹

The purpose of this provision is again, to protect fighters from exploitation at the hands of unscrupulous promoters.

E. Minimal Standards for Bout, Promotional and Management Agreements.

The Act also required the Association of Boxing Commissions to develop and promulgate “guidelines for minimum contractual provisions that should be included in bout agreements and boxing contracts.”⁴⁰ Minimal standards and protections included within standardized bout, management, and promotional agreements for mixed martial artists would serve to benefit fighters for no other reason than greater consistency and uniformity from promotion to promotion.

VI. Application of the Muhammad Ali Act to Mixed Martial Arts Would Greatly Benefit the Athletes Who Compete.

The Muhammad Ali Act seeks to prevent exploitation of fighters, and to prohibit coercive contractual provisions from being employed against fighters. The Act also seeks to restore and maintain the integrity of the sport by requiring the employment of objective rankings criteria, so fighters advance in their careers on the basis of merit, and not subservience. Lobbying efforts aimed at preventing the Act’s application to the sport of mixed martial arts are directly hostile to the interests of mixed martial artists.

The outspoken Bernard Hopkins, in testifying before the Senate, declared:

“While I am thankful for all that the fans have given me, I can not keep quiet when I see that things are not right. My stature has given me the opportunity to buck the system. I have been an outspoken advocate for change. I have rejected multi-million dollar paydays because the terms of the agreements presented to me were not fair. I have this luxury because I have food in my refrigerator and money invested in mutual funds. Other boxers cannot do this. They often are forced to borrow money to feed their

³⁸ 15 USCA § 6307(e).

³⁹ 15 USCA § 6307(g).

⁴⁰ 15 USCA § 6307(a).

families between bouts. It is for them that I have come to testify and hopefully you will keep them in mind when you go back to your offices to consider this legislation. The Muhammad Ali act was a great START.”⁴¹

Hopkins continued, stating he would support all efforts of Congress in supporting fighters, and in thanking influential media members for speaking out in support of the athletes who make the sport:

“Any time you need me, feel free. I am at your call. I am here to help, as a fighter I am here to help. . . Thanks for having me here, and I hope everyone like Tom Hauser and Bert Sugar, they have a lot of influence on boxing, too, they write about it. People listen to them. Believe it or not, people listen to them, and I am glad they are here saying things I agree with, and they agree with me, so thank you all for having me here.”⁴²

Bernard Hopkins is courageous. Follow Mr. Hopkins lead, and speak out.

Rob Maysey graduated from Cornell Law School, is licensed to practice in Arizona, California, and Minnesota, and is currently practicing law in Phoenix, Arizona.

⁴¹ Hearing before the Committee on Commerce, Science, and Transportation, United States Senate, One-Hundred Eight Congress, First Session, February 5, 2003.

⁴² *Id.*

DEAR SENATOR MCCAIN AND REPRESENTATIVE BLILEY:

We, the leadership of the National Association of Attorneys General ("NAAG") Boxing Task Force, and Attorneys General interested in industry reform, strongly endorse the Muhammad Ali Boxing Reform Act (S. 305) and fully support your efforts to improve the professional boxing industry. We believe this legislation will curb anti-competitive and fraudulent business practices and prevent blatant exploitation of professional boxers.

We are encouraged by the support S. 305 has received in the Senate, and we look forward to working with you to protect the health and safety of professional boxers and to prevent exploitation, fraud, and restraints of trade. The Muhammad Ali Act provides a practical approach to long-standing problems of fraud and restraints of trade in this industry.

The Boxing Task Force, currently comprised of 19 Attorneys General, was formally established in March 1998 after legislation was passed by both the House and Senate Commerce Committees and then subsequently by both the House and Senate. (The Professional Boxing Safety Act 15 U.S.C. §6301, et seq.). After Federal Trade Commission Chairman Robert Pitofsky's suggested that state Attorneys General review business practices in the professional boxing industry, the National Association of Attorneys General created the Boxing Task Force to examine interstate boxing practices in the United States, identify the problems therein, and recommend ways to improve the industry.

In furtherance of our common objectives, the Task Force conducted a public hearing on January 19-21, 1999, where testimony, including numerous recommendations, was received from individuals representing a cross-section of the boxing industry. Testimony was elicited from boxing promoters on their role in the industry and on the issue of long term and exclusive contractual options. Sanctioning organizations testified about the methods utilized to rank fighters. Various experts on boxers' injuries discussed the necessity for medical clearance and the use of proper equipment and ringside safety precautions. Industry members and business leaders discussed a structured annuity and pension plan for professional boxers.

We are in the process of reviewing the testimony, and after further consultation with members of the industry, we will compile a report with our recommendations. We seek to reform certain practices within the industry, to return integrity to boxing on behalf of the athletes and the ticket-buying public, and to otherwise enhance the well-being of boxing and all associated with it.

Finally, we would like to emphasize the importance of the proposed enforcement guidelines of the Muhammad Ali Boxing Reform Act, which would permit a State, as *parens patriae*, to bring a civil action on behalf of its residents in an appropriate district court of the United States for violations of the Boxing Reform Act. We believe that the authority to enjoin the holding of a professional boxing match, and to enforce compliance

with the Muhammad Ali Boxing Reform Act, is necessary to ensure lawful and responsible boxing industry compliance with national reforms.

Thank you for your consideration of our views. We hope you will favorably consider the Muhammad Ali Act. We stand ready to assist you as the bill advances, so please feel free to call on us.

Sincerely yours,

Eliot Spitzer, Attorney General of New York, Chair, NAAG Boxing Task Force; Jim Ryan, Attorney General of Illinois, Vice Chair, NAAG Boxing Task Force; Janet Napolitano, Attorney General of Arizona; Richard Blumenthal, Attorney General of Connecticut; Bill Lockyer, Attorney General of California; Robert A. Butterworth, Attorney General of Florida; Jeffrey A. Modisett, Attorney General of Indiana; Tom Miller, Attorney General of Iowa; Richard P. Ieyoub, Attorney General of Louisiana; J. Joseph Curran, Jr., Attorney General of Maryland; Mike Moore, Attorney General of Mississippi; Jeremiah W. "Jay" Nixon, Attorney General of Missouri; Frankie Sue Del Papa, Attorney General of Nevada; Peter Verniero, Attorney General of New Jersey; W.A. Drew Edmondson, Attorney General of Oklahoma; Hardy Myers, Attorney General of Oregon; Mike Fisher, Attorney General of Pennsylvania; José A. Fuentes-Agostini, Attorney General of Puerto Rico; Mark L. Earley, Attorney General of Virginia.

GREATEST OF ALL TIME, INC.,

Berrien Springs, MI, November 8, 1999.
Hon. **MICHAEL OXLEY**,
Hon. **ELIOT ENGEL**,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVES OXLEY AND ENGEL:

We are pleased that "The Muhammad Ali Boxing Reform Act" (H.R. 1832) is being brought up before the full House of Representatives. We strongly support this bill which will protect boxers from exploitations and unfair treatment by unscrupulous promoters and other business interests that dominate this troubled industry. We urge all members of Congress to support this effort to make boxing a more honorable sport.

Most sincerely,

Muhammad Ali.

Lonnie Ali.

DEAR SENATOR MCCAIN:

Thank you for all of your effort in setting up guidelines for boxers in the ring today and for those in the future. I can't begin to express how honored I am that you would name the Boxing Reform Act after me.

After reading the summary you sent me, I can only tell you that these guidelines are long overdue. I only wish they would have been in effect when I was boxing.

Thank you for caring enough about the sport of boxing that you would help those in the ring today and in the future.

Sincerely,

MUHAMMAD ALI.