



April 30, 2004

The Honorable John A. Boehner  
Chairman, Committee on Education and the Workforce  
United States House of Representatives  
Washington, DC 20515-6100

Dear Mr. Chairman:

Thank you for this opportunity to present the views of the Department of Commerce on S. 275, the "Professional Boxing Amendments Act of 2004", as passed by the Senate and referred to the House of Representatives Committee on Education and the Workforce and Committee on Energy and Commerce.

The legislation would establish nationwide standards for the sport of boxing, and would require State boxing commissions to enforce those standards. The bill would also establish the United States Boxing Commission (USBC), a federal commission that would be housed within the Department of Commerce, to safeguard boxers through oversight, administration of federal laws, and the issuance of new regulations in consultation with the State boxing commissions. The President would appoint the members of the USBC, subject to confirmation by the Senate.

As an initial matter, we question the need for the proposed USBC, as professional boxing has traditionally been a matter regulated by the States. If the USBC is to be established, however, we believe that this Department is not well suited to carry out the responsibilities and functions of the USBC. The Department possesses no relevant experience or expertise that has a connection to professional boxing, and it administers no programs that would be suitable for regulating the sport. To the contrary, the missions of the Department of Commerce focus on economic analysis and development, patent and trademark issuance, technical standard setting, international trade and outreach, telecommunications and technology policy development, weather forecasting, and coastal and marine resources stewardship.

In view of the extensive executive authority given the USBC under the bill (for example, the authority "to take any other action necessary and proper to accomplish the purposes of this title"), the USBC should be subject to the full control and supervision of the President, either directly or through an appropriate department head that has the expertise to carry out the responsibilities and functions of the Commission. As explained above, however, the Department of Commerce is not an appropriate home for this proposed entity.

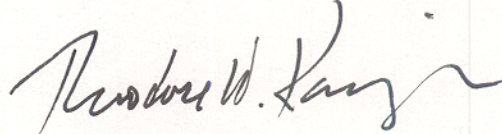
Finally, we are advised that the Department of Justice has constitutional objections to the Senate-passed bill. It is our understanding that the Department of Justice will explain those objections in a separate views letter.



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The Department appreciates the opportunity to present these views on S. 275. The Office of Management and Budget has advised that there is no objection to the transmittal of these views from the standpoint of the Administration's program.

Sincerely,

A handwritten signature in black ink, appearing to read "Theodore W. Kassinger". The signature is fluid and cursive, with a prominent initial "T" and a long, sweeping underline.

Theodore W. Kassinger

cc: The Honorable George Miller  
Ranking Member, House Committee on Education and the Workforce

Identical letters sent to:

The Honorable Joe Barton  
Chairman, Committee on Energy and Commerce

The Honorable John D. Dingell  
Ranking Member, House Committee on Energy and Commerce