Researching the Law of Sports: A Revised and Comprehensive Bibliography of Law-Related Materials

Frank G. Houdek

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Researching the Law of Sports: A Revised and Comprehensive Bibliography of Law-Related Materials†

by
FRANK G. HOxDEK*

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† This bibliography combines and revises two earlier works previously published in COMM/ENT Law Journal: Houdek, Sports and the Law: A Comprehensive Bibliography of Law-Related Materials, 2 COMM/ENT L.J. 177 (1979) and Houdek, Sports and the Law: A Comprehensive Bibliography of Law-Related Materials, Five Year Supplement (1979-1984), 6 COMM/ENT L.J. 921 (1984). The present work has been reorganized where necessary to reflect the increasing number and widening scope of materials published on sports and the law which has occurred since the original bibliography was published in 1979. This is especially apparent in the subject arrangement utilized for the “Law Review Articles” section. Materials published through December 1990 are included.

* Law Library Director and Professor of Law, Southern Illinois University School of Law. B.A., 1971, J.D. (Order of the Coif), 1974, M.L.S., 1976, University of California at Los Angeles. The author gratefully acknowledges the patience, perseverance, and unequalled skill of Pamela Graham for her assistance in the preparation and maintenance of the data base used to compile the bibliography.
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Author's Notes

The organization of this Bibliography has undergone major revisions since it was first published in COMM/ENT in 1979 and later supplemented in 1984. The type of materials remains basically the same, but the complexity of the divisions and subdivisions used to arrange the ever-growing body of periodical literature on sports and the law have been revised and expanded.

The First Edition in 1979, for instance, presented LAW REVIEW ARTICLES in eight topics, with fifteen subdivisions. This rose to ten and twenty-one, respectively, in 1984 and now reaches seventeen topics and forty-two subdivisions in the present work. This proliferation of topics and subdivisions was required both by the sheer bulk to which the journal literature in this field has grown and by the variety of issues these pieces have addressed. In order to facilitate a researcher's use of this Bibliography, a continuous effort has been made to maintain an up-to-date list of subject headings that accurately reflects the various focal points of the vast majority of the published articles.

For example, articles in some areas as Antitrust and Broadcasting seem to generally concentrate either on professional or college sports. Consequently, the reader will find these topics subdivided along these lines. Other topic areas do not draw such a distinction, and the arrangement of articles in these topics reflect a different emphasis (e.g., Sports Injuries and Violence is divided more along the nature of the injury and the type of remedy than the level of the competition).

Perhaps the major change in the arrangement of articles since the earlier version and its supplement is in the addition of totally new topic areas. Drugs and Sport became a predominant theme in the last half of the 1980s—the few articles existing at the time of the earlier works had been included in the Miscellaneous category. Other new topics are Licensing and Trademarks, Sports Officiating, and Franchise Movements and League Expansion. Finally, a special word should be said about the topic of Player Restraint Rules, a new category extracted from the Labor Relations topic in the earlier works. This was done to clarify a murky section of the Bibliography, caused by the large volume of articles that the various aspects of this problem continue to produce (e.g., reserve and option clauses, player drafts, eligibility rules, free agency). The separate arrangement should help readers identify material in this area.

The following are a few suggestions that may clarify the arrangement and use of this Bibliography:

- Books are arranged alphabetically by author or editor. Each entry includes a brief annotation or description of the books table of contents.
Periodicals is a list of journals and newsletters that regularly include articles on sports law.

Government Publications provides a comprehensive, annotated list of congressional reports, hearings, and other documents that deal primarily with legal issues pertaining to sports. The materials are divided among ten subject areas and are arranged in reverse chronological order within each area.

ALR Annotations are arranged alphabetically by title of the annotation.

Law Review Symposia are arranged alphabetically by title of the symposium, and each entry includes the names and authors of the various articles the entry contains. These articles are also included individually within the Law Review Articles section of the Bibliography.

Law Review Articles are assigned to subject headings according to the chief focus of the article. In some cases entries are repeated under several headings when the content of the article cuts across several areas. The topic of Miscellaneous was used for those items that did not fit within one of the designated categories and for which there were not enough items to justify a separate category. Also, the difficulty of accurately and consistently assigning subject headings to this many works suggests that the reader should check alternate headings to insure that everything of potential relevance is located. The table of contents should be consulted to gain familiarity with the subject headings and cross-references used to arrange these materials.

FRANK G. HOUDEK

Carbondale, Illinois
April 1991
Books

Written to answer questions often posed by coaches, athletes, and administrators involved in interscholastic and college sports concerning a host of law-related issues in athletics. Reviews trends in litigation, disruptive behavior, married athletes, training rules and codes of conduct, athletic travel, women’s athletics, the role of state associations, and the effect of federal legislation. The due process rights of athletes are also examined.

Reviews legislation and case law relating to the involvement of individuals with impairments, disabilities, and handicapping conditions in physical education programs and sports activities. A variety of specific issues are explored. A directory of relevant sports organizations is included in an appendix.

Composed of 33 topical sections written by various experts in the field of sports law, each examining an issue which is frequently involved in sports litigation. While many apply to all levels of competition, the general focus is on amateur issues. CONTENTS: 1) Sports Litigation—A Perspective. 2) Administrative Issues. 3) Coaching Issues. 4) Student-Athlete Issues. 5) Sports Medicine Issues. 6) Officials and Spectator Issues. 7) Equipment and Facilities Issues.


INCLUDES: 3) Examining the Law Related to Physical Education. 9) Physical Injuries. 10) Sports Products Liability. 11) Examining Aspects of the Law Related to Interscholastic Athletics. 15) Examining Allegations of Denial of Fourteenth Amendment Rights: Due Process and Equal Protection. 16) Sex Discrimination in Interscholastic Ath-


CONTENTS: Vol. 1, Professional Sports Leagues, including the following topics: Legal Structure of Professional Sports, Basic Agreements Controlling Sports, Representing the Player, Professional Sports Unions, and Management Perspectives on Sports Leagues and Clubs; Vol. 2, Common Issues in Amateur and Professional Sports, including the following topics: Amateur Athletic Associations, Sex Discrimina-
tion in Athletics, Tort Liability, Criminal Law and Sports, and Sports and the Media.


Materials distributed at annual continuing education program presented by the Practising Law Institute since 1980. Earlier programs had different titles but contained similar materials. Each year's program is designed to bring attendees up-to-date on the latest developments relating to a variety of professional sports topics (e.g., agent issues, franchise movements, trademark and property rights, player restraint issues, collective bargaining developments).


A textbook with 6 major subdivisions: I-Torts (including negligence; liability of schools, coaches, referees, and physicians; products liability; participant injuries; spectator injuries; assumption of risk and contributory negligence; waivers; sovereign immunity; defamation and invasion of privacy; worker's compensation; damages); II-Constitutional Implications (including eligibility; “no pass, no play;” sex discrimination; discipline; and drug testing); III-Contracts; IV-Financial Considerations; V-Labor Law; VI-Antitrust for Practitioners. The Appendix includes standard player contracts, standard representation agreements, and a drug testing release form.


Designed for use by coaches, physical education teachers, and school athletic administrators, this book provides a description of the standards used to judge performance in each of these areas.


Successful sports agent Fishof provides a “how to” guide to player contract negotiations by relating anecdotes about representing such clients as Lou Pinella and Vince Ferragamo. A final chapter offers “tricks of the trade.”


Topics include: Exemption and Non-Exemption of Professional Sports from the Antitrust laws; Aspects of Monopolies and Restraints of Trade in Professional Sports; Other Anti-Competitive Practices Against the Professional Athlete; State Regulation of Professional Sports; and Aspects of Tort and Contract Liability.


CONTENTS: 1) Pregame Officiating Tasks. 2) Before the Game. 3) The Liability Trap. 4) Check-Up for Baseball and Softball Umpires. 5) Check-Up for Basketball Officials. 6) Check-Up for Football Officials. 7) Check-Up for Soccer Officials. 8) Check-up for Wrestling Officials. 9) After the Game. 10) Sports Injuries. 11) Officials Associations. 12) The Last Call.


A psychological review of sports violence, exploring and analyzing the causes and results. Offers suggestions for the reduction and control of violence in sports.


INCLUDES: 3) Supervision and Negligence. 4) Medical Aspects and Liability. 6) Legal Aspects of Spectator Injuries. 9) The Legality of Eligibility Standards Determined by Local School Officials. 12) The Legal Aspects of State Athletic Associations.


Includes several papers describing aspects of products liability litigation generally and one specifically on “Contact Sports Injury Cases” (M. Plant). Followed by an in-depth analysis of a hypothetical football helmet injury case, with many sample documents (e.g., depositions, investigator's memorandum) and several “trial demonstrations”, illustrating direct, cross, and redirect examinations and final arguments that might be used in such a case.


CONTENTS: 1) Pressures Within Professional Sports Leagues Operating to Suppress Litigation of Potential “During the Game” Criminal Law Violations. 2) Internal League Disciplinary Mechanisms Which Purport to Deal With “During the Game” Criminal Law Violations.
3) Factors Which Influence a Prosecutor's Decision Concerning Whether Or Not to use the Judicial System to Deal with “During the Game” Criminal Law Violations. 4) Analysis of Legal Elements of Assault and Battery, and the Relevant Defenses Employed in Previous Sports Violence Cases.


An examination of labor relations in professional baseball as illustrated by the confrontations between players and management from the perspective of several hundred collective bargaining participants (including union and management officials and union members). The book is divided into three parts: Part One reviews collective bargaining efforts from the first professional baseball team in 1869 to the present; Part Two discusses key participants in the process (owners, agents, media, managers, and players); and Part Three considers contemporary issues (drug and alcohol abuse, racial discrimination, and relationship between pay and performance).


Designed to help managers efficiently administer recreation programs by informing them about the legal risks connected with parks, recreation, sports, and leisure services. Uses the case method to teach the management of such risks, often by describing the unfortunate results of poor decisions made by others. INCLUDES: 4) Liability in Parks, Recreation, and Sports; 6) Liability of Recreation and Sports Facility Owners; 7) Liability in Recreation and Sports Activities; 8) Intentional Torts in Recreation and Sports; 9) Strict Liability in Recreation and Sports; 11) Risk Management Concepts; 12) Transferring Legal Risk by Leasing and Contracting.

Contributions from a variety of authors, organized around four general themes: Sec. I-Historical Background; Sec. II-Ethical Dilemmas of the 1980s and 1990s (including equity in women's athletics, racial problems, recruiting, drugs, and agents on campus); Sec. III-Principals in the Equation (presentations from the perspectives of athletes, the media, coaches, athletic directors, the NCAA, and college presidents); Sec. IV-Policy Recommendations.


A collection of topical chapters designed to provide a reference manual for those engaged in the management of sport and associated businesses. Based on the view that successful management requires the same elements no matter what segment of the sports industry (professional or amateur, school or club) is involved, the book is separated into six basic parts: 1) Personnel Management; 2) Program Management; 3) Marketing Management; 4) Media and Information Management; 5) Facility Management; and 6) Legal Management.


Intended to serve as source material for the study of the law of sports management, edited case decisions are used to highlight and clarify significant areas of responsibility for the sports administrator. The focus is on the practical issues of management liability. Notes and commentary accompany the case abstracts. General topics covered include facility management, immunity applications, athletic associations, physical education and athletic issues, and workmen's compensation.


Analyzes the legal aspects of injuries to those participating in sports and recreational activities. Designed to help the reader find applicable authority easily, it is primarily organized in terms of potential defendants and then subdivided by specific sports or recreational activities. CONTENTS: 1) Liability of Commercial Recreational Establishments. 2) Liability of Fellow Participants. 3) Liability of Governments. 4) Liability of Schools. 5) Landowner Liability to Gratuitous Recreational Users of Property. 6) Common Law Liability of Landowners and Occupiers. 7) Products Liability. 8) Spectators. 9) Traditional Defenses. 10) Exculpatory Agreements.


Answers various questions often posed by athletes seeking the assistance of an agent. Also includes information on how player drafts are conducted, as well as sample contract forms for player agents, investment managers, and financial managers.


A textbook designed to provide an overview of a broad range of issues arising in sports law, with a major emphasis on those related to amateur athletics. CONTENTS: 1) Regulation of College and University Athletics. 2) High School Athletics. 3) Limitations on Regulatory Authority. 4) Avoiding a Declaration of Ineligibility. 5) Representation of the Professional Athlete. 6) Labor Law Developments in Sports Law. 7) Tort Liability. 8) Workmen's Compensation. 9) Criminal Liability.


Analyzes modern professional baseball from an economic perspective, covering a range of topics divided into three main parts: 1) the organization and structure of baseball and the effect of league operating rules on the level of team performance and on the distribution of team playing strengths; 2) the business of baseball, including team revenue and costs; and 3) the player's market, including the player contribution to club revenue compared with player compensation.


CONTENTS: 1) What is a Sports Lawyer? 2) Substantive Law. 3) Representative Positions. 4) Work Settings and Lifestyles. 5) Women and Minorities in Sports Law. 6) Ethical Considerations. 7) Regulation. 8) Advice to Students. 9) Future Considerations.


*Sports In the Courts*. Toronto, Canada: Canadian Bar Association-Ontario, 1987. 1 v.


CONTENTS: 1) Sports Law Update: Current Developments and Emerging Issues. 2) Ethical, Legal and Practical Considerations for the Attorney in Representation of Athletes. 3-4) Representing Sports Professionals. 5) Financial and Tax Planning for the Professional Athlete. 6) Sports Management: Representing the Team.


Written for the sports fan who wants to know more about labor relations and understand the increasing influence of collective bargaining in professional sports. An interdisciplinary approach encompassing legal, economic, and psychological considerations is used to examine employment in the four major professional sports—baseball, football, basketball, and hockey—and to explain such key issues as free agency, salaries, drug abuse, and strikes.


An annotated listing of citations to books, articles, ALR annotations, cases, and statutes pertaining to sex discrimination in amateur, interscholastic, and professional sports. The lengthy introduction includes a chronologically arranged narrative of highlights from 20th century American women's sports. The bibliography also includes a short research guide, a list of relevant periodicals and newspapers, and the names and addresses of national sports associations.


Another anecdotal examination of the role of the player agent offered by Trope, representative of many professional football standouts including Lawrence Taylor, Tony Dorsett, and Earl Campbell.

An extensive annotated bibliography of legal materials relating to sports law, accompanied by a brief outline of a general research strategy. Focuses primarily on issues related to participants in major team sports, both professional and amateur. Includes references to both primary and secondary sources, including statutes, cases, ALR annotations, books, and articles. Organized by type of source and, where possible, further separated by topical categories (e.g., cases—agents, cases—amateur athletics). The annotations, particularly for the secondary authorities, provide sufficient description to assist the user in determining the content and relevance of the source.


A comprehensive examination of products liability issues arising from recreational activity and sports equipment. Provides commentary as well as citations to and discussion of relevant cases and statutes. CONTENTS: 1) Negligence. 2) Breach of Warranty. 3) Strict Liability in Tort: Design. 4) Strict Liability in Tort: Warning and Misrepresentation. 5) Contributory Negligence, Assumption of Risk, Misuse, Causation and Disclaiming Under the U.C.C. 6) Similarity of Events, Expert Testimony and Subsequent Remedial Measures. 7) Punitive Damages and Economic Loss.


Noted sports attorney and player representative Woolf provides personal reminiscences which illustrate the activities and role of a sports lawyer.


An examination of the entire range of tort-related issues which arise in the sports context. Each chapter considers a separate topic and includes edited extracts or discussions of "landmark cases" as well as an in-depth case study. Notes raising pertinent questions and issues and a bibliography for each subject make the book useful as a textbook as well as a treatise. CONTENTS: 1) Tort Liability of One Participant to Another. 2) The Spectator as Plaintiff. 3) Medical Malpractice in Athletics. 4) Products Liability for Defective Athletic Equipment. 5) Defamation and Invasion of Privacy. 6) Worker's Compensation Laws and Athletics. 7) Intentional Interference with Contractual Relations.
II

Periodicals


III
Government Publications

A. Professional Sports Generally

1982


1980


Considers H.R. 7903, the Sports Violence Act of 1980, which criminalizes the use of excessive physical violence during professional sports events.

1977


Hearing to consider HR 2355 and HR 694 (texts, pp. 132-135), bills to prohibit anticompetitive practices by professional sport leagues by banning baseball reserve clause, football option clause, antitampering rule, compensation (Rozelle) rule, blacklisting, and group enforcement of standard player contracts.

Consideration by committee of its final report on various aspects of the sports industry. Includes industry submitted comments on report draft (pp. 20-27).


Final Report of committee established in May 1976 to investigate various aspects of the sports industry. Includes discussion and recommendations in the following areas: antitrust and baseball, labor relations, federal income tax treatment of player contracts and sports franchises, sports broadcasting regulations, gambling, and player safety problems. Appendices contain extensive background material and supporting documents.

1976


Hearings to investigate various aspects of the sports industry as manifested in operations of the four major team sports of basketball, football, baseball, and hockey. Testimony focuses on recent court decisions and labor agreements, antitrust and baseball's business organization, tax treatment of player contracts and sport franchises, sports broadcasting regulations, control of player and spectator violence, and sports gambling. Witnesses include Bowie Kuhn (pp. 17-51, 114-158, 243-257), Pete Rozelle (pp. 78-114), Ed Garvey, Exec. Dir., NFL Players Assn. (pp. 207-242), Marvin Miller, Exec. Dir., Major League Players Assn. (pp. 365-388, 394-422), and Larry O'Brien (pp. 610-652).


Continuation of hearings to investigate various aspects of the sports industry. Witnesses include James Michener (pp. 94-110), Bowie Kuhn (pp. 348-406, 425-441), Charles Feeney (pp. 406-425), Marvin Miller (pp. 452-470, 481-500).

Background report reviewing the growth, organization, and legal ramifications of professional sports activities. Appendix includes the Arbitrator's decision in Messersmith case involving limits of contract reserve clauses in professional baseball (pp. 58-75).

1975


1972


Hearings to examine the effectiveness of the National Labor Relations Act in Handling labor relations problems in professional sports. Witnesses include Ed Garvey, John Mackey, and Bill Curry (pp. 10-63); Larry Fleisher (pp. 65-72); and Theodore Kheel, NFL Management Rep. (pp. 73-94).


Hearings on a bill to establish a “Federal Sports Commission” with authority to promulgate regulations affecting professional sports TV policies, player drafting procedures, sale and movement of team franchises, and player contracts. Witnesses include Howard Cosell (pp. 93-111), Pete Rozelle (pp. 135-138, 150-173), Bowie Kuhn (pp. 174-193), Clarence Campbell (pp. 234-247), and Alan Eagleson (pp. 218-233).

B. Antitrust and Professional Team Sports

1982


Considers various bills relating to professional sports antitrust immunity in the areas of league restrictions on team relocations and league rules for division of league or club revenues, including TV revenues, to reduce financial disparities among clubs. Bills prompted by court deci-
sions rejecting NFL efforts to prevent the Oakland Raiders from relocating to Los Angeles on antitrust grounds.

1981

Reviews several bills regarding the applicability of antitrust law to various aspects of professional sports, including the elimination of baseball's exemption, exempting league relocation agreements from antitrust provisions, and restricting the exercise of exclusive territorial rights by professional leagues. Witnesses included football figures Pete Rozelle, George Halas, Ed Garvey, and Joe Kapp; legal scholars John Weistart, Gerald Scully, and Lionel Sobel; and government officials William Robertson (representing the L.A. Coliseum Commission) and Lionel Wilson (Mayor of Oakland).

1972

Witnesses included Larry Fleisher (pp. 146-156), Bowie Kuhn (pp. 174-214), Marvin Miller (pp. 214-222), Ed Garvey (pp. 253-267), and Walter Byers (pp. 267-300).


1971

Examined the authorization and antitrust implications of a merger of the two professional basketball leagues.
1965


1964


1960


"Hearings on the bill to make the antitrust laws and the Federal Trade Commission Act applicable to the organized professional team sport of baseball and to limit the application of such laws so as to exempt certain aspects of the organized professional team sports of baseball, football, basketball, and hockey."

1959

1958


"Hearings on bill to limit the applicability of the antitrust laws so as to exempt certain aspects of designated professional team sports."

1957


1952


1951


Part 6 relates to organized baseball.

C. Broadcasting and Professional Sports

1982


Testimony offered by various cable television executives in opposition to professional sports owners proposal to prohibit cable TV retransmission of distant games while local games are in progress. Represent-
atives of the NHL, NFL, NBA, and USFL responded with their arguments favoring professional sports territorial exclusivity.

1978


Hearing held in Miami to consider effects of prohibiting TV blackouts of Miami Dolphins and other NFL games that are sold-out seventy-two hours before game time.


Published as a committee print by the Senate Committee on Commerce, Science and Transportation. Appendices (pp. 51-101) contain statistical data on NFL teams relating to ticket sales and game nonattendance.

1977


Published as a committee print by the Senate Committee on Commerce, Science and Transportation.

1976


Pp. 571-631: Cable TV and Sports Programming. Witnesses include Bowie Kuhn (pp. 557-600), Don Ruck, NHL (pp. 600-610), John O. Coppedge, chairman CATV subcomm. of NCAA (pp. 611-622), and Robert Hughes, president, Communications Properties, Inc. (pp. 623-631).

Pp. 785-825: Testimony by various sports figures related to limitations on CATV television of games copyright.


Concerns S. 2554, a bill to extend for 3 years the prohibition of TV blackouts when homegames are sold out 72 hours before game time. Opposition views of NFL and NHL are presented.


Published as a committee print by the Senate Committee on Commerce.

1975


Hearings on HR 9566, a bill to make permanent the requirement that soldout football, basketball, baseball, or hockey games be made available for telecasts.


Published as a committee print by the House Committee on Interstate and Foreign Commerce, Subcommittee on Communications.

1974

Published as a committee print by the Senate Committee on Commerce.

1973


Report with conclusions and recommendations concerning the degree of protection needed by NFL clubs now provided with antitrust exemptions allowing TV blackouts of football in home territories of clubs.

Examines bills designed to prohibit TV hometown blackouts of professional and/or collegiate athletic events for which tickets are sold out. Also examines the impact such a blackout removal might have on league finances, the broadcast industry, including CATV and pay-TV, and on the general public.

1972

Witnesses included: Pete Rozelle (pp. 49-83) and Bowie Kuhn (pp. 130-142)

1969

United States. Congress. House. Committee on Interstate and Foreign Commerce. Subcommittee on Communications and Power. Sub-
Includes testimony by witnesses with respect to the possible effect of subscription TV on professional sports, including Bowie Kuhn (pp. 303-346) and Pete Rozelle (pp. 367-403).

1961


1953


D. Professional Sports Franchise Relocation

1985

Considered H.R. 885 ("Professional Sports Franchise Community Protection Act") which would establish an Arbitration Board for matters regarding relocation of professional team franchises, and H.R. 1124 and similar H.R. 1796 ("Professional Sports Community Protec-
tion Act") which would authorize professional leagues to enforce intraleague rules concerning relocation of member franchises and allow limited judicial review of league determinations on team relocations.


Recommends passage of S. 259, authorizing leagues to enforce rules regarding relocation of member franchises, requiring teams to provide notice of intent to relocate, and allowing limited judicial review of league determinations on relocations and ownership termination.


Hearings on bills to authorize professional leagues to enforce rules about relocation of franchises, team ownership, and revenue division (S. 259); and to establish a Professional Sports Arbitration Board to make decisions on team relocations (S. 287). Sports league commissioners testified, as well as government officials and representatives of player unions.


Hearings considered several bills related to professional sports franchise relocation and antitrust law, prompted in part by court decisions rejecting on antitrust grounds NFL efforts to prevent the Oakland Raiders from moving to Los Angeles. Witnesses included Pete Rozelle (NFL Commissioner), Harry Usher (USFL Commissioner), and Gene Upshaw (Exec. Dir. of NFL Players Association).

1984


Hearing on bills that would establish procedures and criteria for a local right of first refusal when relocation of a major league sports franchise is considered. The counsel to the NFL Commissioner offered objections to the bills because they failed to resolve antitrust issues and detailed the need for legislation to clarify league authority to regulate team relocations. Player union officials voiced opposition to legislation giving sports leagues antitrust law immunity.

Recommends passage of S. 2505, to establish procedures and criteria for use by professional sports leagues in determining whether a proposed franchise relocation is necessary and appropriate; and to establish an Arbitration Board to review league-approved moves.


Considers S. 2505, a bill seeking to establish procedures and criteria for a local right of first refusal when relocation of a major league sports franchise is considered. Mayors of several large cities affected by franchise relocations testified, along with various league executives and representatives of player unions.

E. Boxing

1989


Considers a bill to create a federal agency to develop health and safety standards, provide grants for state boxing regulation, and register and certify boxers and boxing personnel.

1988


Considers a bill to create a federal agency to develop health and safety standards, provide grants for state boxing regulation, and register and certify boxers and boxing personnel. Witnesses included professional boxers Gerry Cooney and Pernell Whitaker, fight manager Lou Duva, and representatives of state athletic commissions and the World Boxing Council.
1986


Recommends passage of H.R. 2127 to establish a federal commission to develop minimum health, safety, and equipment standards; propose rule changes to ensure safety; maintain a boxing information database; and certify boxers and other boxing professionals.

1985


Reviews a number of bills relating to professional and amateur boxing safety; all include provisions to establish a federal agency charged with developing regulations or standards for health, safety, and equipment. Medical experts offered views on boxing safety.

1983


Recommends passage of bill establishing a Congressional Advisory Panel on Boxer Safety to make recommendations regarding the establishment of minimum federal regulatory entity for standards development and implementation.


Considers H.R. 1751 which would establish a Department of Labor Boxing Commission charged with prescribing and enforcing regulations regarding fair labor practices in professional boxing. Among the witnesses were Robert Arum, boxing promoter, and Bert Sugar, publisher and editor of Ring Magazine.

Recommend passage of bill establishing the Congressional Advisory Commission on Boxing which would make recommendations regarding the establishment of minimum federal standards for professional boxing events.

Hearings to examine the nature and extent of professional boxer injuries and safety problems, and the need for industry uniform regulation by the states or the federal government. Witnesses included Floyd Patterson, Jose Sulaiman, and Howard Cosell.

1979

Hearings to consider H.R. 2726, a bill to establish a Federal Boxing Board within the Department of Labor with responsibilities to prescribe and enforce fair labor standards for professional boxers and to protect them from undue risk of injury. A number of former boxers, including Floyd Patterson, Tony Zale, Carmen Basilio, Joe Walcott, and Willie Pep, testified, along with boxing promoters, broadcasters, and other officials.

1965

Report accompanies H.R. 8635.


1964

Part 4, covering the Liston-Clay fight.

1961

Part 3, Legislative.

1960

Part 2, Frank Carbo.

Part 1, Jake LaMotta.

F. College Athletics (See also "Drugs and Sports")

1990

Conference report on S. 580, including provisions to require colleges and universities which receive Federal funding to report annually to the Department of Education on graduation rates of student athletes receiving athletic scholarships.

Recommends passage of bill requiring colleges which receive Federal funding to report annually on graduation rates of individuals receiving athletic scholarships.
1989


Hearings examined various problems in intercollegiate athletics, including eligibility issues, academic performance, and the public reporting of graduation rates. Testimony was offered by Richard Schultz, NCAA Executive Director, Donna Lopiano (Womens' Athletic Director, University of Texas), and Senator Bill Bradley and Representative Tom McMillen, both former college and professional athletes.


Recommends passage of S. 580, to require colleges receiving Federal funding to report annually on graduate rates of student athletes receiving athletic scholarships.


Considers S. 580, to require colleges receiving Federal funding to report annually on graduate rates of student athletes receiving athletic scholarships. Richard Schultz, NCAA Executive Director, testified, along with Rollie Massimino, Oscar Robertson, Bill Bradley, and Tom McMillen.

1984


Examines the implications for college football television programs of the U.S. Supreme Court's decision in *NCAA v. Board of Regents of the University of Oklahoma*, which held the NCAA's contracts for football TV rights to be in violation of antitrust laws.

Hearing examines alleged adverse effects of college sports program operations on student athletes. Offering testimony were former student athletes, sports commentators Howard Cosell and John Underwood, basketball coach Dean Smith, sociologist Harry Edwards, and several university officials.

1983


Hearing on bill that would provide an antitrust exemption allowing professional sports leagues to prohibit member teams from employing athletes before completion of college. This proposal was prompted by threatened suit by college football player Hershel Walker challenging USFL player eligibility rules preventing teams from signing college athletes.

1979


Hearing to review the NCAA response to a December 1978 subcommittee report recommending procedural reform of NCAA investigatory and hearing processes regarding member universities and student athlete eligibility.

1978


Report presents findings and recommendations of the Subcommittee on Oversight and Investigations inquiry into alleged injustices of NCAA policies and procedures for enforcing membership rules of conduct.


Hearings to examine alleged injustices in NCAA procedures for enforcing membership rules of conduct focusing on investigation and
hearing processes for determining the eligibility of universities and individual athletes for intercollegiate sports participation.

1973


Examines the dispute between the AAU and the NCAA. Hearings on bills designed to protect the freedom of student athletes and coaches to represent the United States in international amateur sports events without fear of suspension or sanctions by U.S. amateur athletic associations.


1967


Hearing on the controversy between the AAU, NCAA, and other amateur athletic associations, and their affiliates.

1965


Hearing on the controversy in administration of track and field events in the United States.


G. Olympics and Other International Sports

1987

Hearing examined issues affecting the 1988 Summer Olympics in Seoul, focusing on the political situation in South Korea.

1984

Recommends passage of bill to provide an income tax return checkoff system for contributions to a U.S. Olympic trust fund.

Considers H.R. 1984, to provide an income tax return checkoff system for contributions of $1 to a U.S. Olympic trust fund for Olympic Committee promotion of amateur athletics. Witnesses included various Olympic athletes and Don Miller, Executive Director of the U.S. Olympic Committee.

1983

Reviews planning and preparation activities for the 1984 Summer Olympics to be held in Los Angeles. Peter Ueberroth, President of Los Angeles Olympic Organizing Committee, discussed LAOOC planning and financing activities, and Don Miller, Executive Director of the U.S. Olympic Committee, reviewed USOC organization and athletic programs.

Hearing on a resolution to support U.S. hosting of the 1986 World Cup Soccer Championship.

1978

United States. Congress. House. Committee on the Judiciary. Subcommittee on Administrative Law and Governmental Relations. Amo-
Hearings to consider various bills designed to promote and coordinate U.S. amateur athletic activities through expansion of the authority of the U.S. Olympic committee, and the establishment of mechanisms for recognizing national governing bodies for each Olympic sport and resolving disputes between such bodies.

1977


H. Drugs and Sports

1989

Hearing to examine problems with abuse of anabolic steroids by athletes and to consider H.R. 995, to establish penalties for use of the mail in the distribution of steroids. Carl Lewis testified about the nature and impact of steroid use by athletes, while others discussed the effect on health and issues involved in testing for use of anabolic steroids.

Assesses concerns about and the extent of athlete abuse of anabolic steroids, focusing on use by professional football players. A number of football players, coaches, and executives offered their views, including Bill Fralic, Steve Courson, Marty Schottenheimer, Chuck Noll, Gene Upshaw, Pete Rozelle, and Joe Paterno.

1988

Considers a bill to restrict distribution and use of the anabolic steroid methandrosterolone in response to abuse by athletes to increase muscle.
size and strength. The "Drug Policy of the National Football League" is included as supplementary material (pp. 13-28).

1987


A portion of this hearing considers problems with human growth hormone abuse, exploring whether HGH should be classified as a controlled substance and detailing concerns about HGH abuse by athletes (pp. 3-119).


Assesses the extent of drug abuse in professional and amateur sports and the drug abuse prevention programs currently in place. Witnesses included Bowie Kuhn, Gene Upshaw, and Calvin Hill.

1986


Recommends passage of H.R. 5334 which would, among other things, establish an Advisory Commission on the Comprehensive Education of Intercollegiate Athletes to investigate issues associated with drug use by college athletes.


Peter Ueberroth, commissioner of major league baseball, testifies to the importance of a multifaceted approach to drug abuse control and relates the progress being made in reducing drug abuse among professional baseball players (pp. 9-27).

1984

Examines drug abuse among student, amateur, and professional athletes and suggestions for prevention and rehabilitation programs. Witnesses included professional athletes Eugene Morris, Roosevelt Grier, Calvin Hill, Nancy Hogshead, and Tom McMillen.

1973

Witnesses included Wali Jones (pp. 104-124), Jack Scot (pp. 152-168), and Harold Connolly (pp. 272-288).

I. Taxation and Sports

1985

A continuation of hearings to review a comprehensive tax form proposal from the Administration. Includes testimony by the owners of the Philadelphia Phillies and Flyers professional sport franchises criticizing the proposed repeal of the business entertainment deduction for tickets to sports events (pp. 3213-3266).

A continuation of hearings reviewing Administration proposal for comprehensive individual and corporate income tax reform. Includes testimony by several sports executives objecting to the proposed elimination of the federal income tax deduction for business-related purchase of sports event tickets, citing the adverse impact it would have on professional sports (pp. 55-159).

1982

Among various bills, considers H.R. 4990, designed to clarify the tax-exempt status of amateur sports organizations providing facilities or
equipment to foster national or international amateur sports competition. Testimony by several amateur sports officials supported the legislation, citing the inequity of current tax laws for national governing bodies responsible for developing programs in Olympic sports.

1981


Considers H.R. 2557, which is designed to treat certain relocations of sports franchises as sales subject to capital gains tax. Also reviews the impact on the local community of the proposed relocation of the Oakland Raiders football team.

1980


Recommends passage of H.R. 4103 to revise the effective date of basis allocation rules applying to the sale or exchange of a sports franchise.

1976


Published as a committee print by the Senate Committee on Finance.


Pp. 312-341: Testimony of Richard Stone (Senator, D-Fla.) concerning need for clarification of HR 10612 with regard to tax treatment of sports franchises. Pp. 609-661: Testimony by various sports witnesses on business and investment aspects of professional sports, including denial of tax shelter abuse by sports franchises.
1975


Published as a committee print by the House Committee on Ways and Means. Describes the present law, its problems, and alternative approaches to sports enterprise taxation.

J. Miscellaneous

1988


Testimony offered examples of alleged racial discrimination in tennis and examined the need to increase black and other minority participation in the tennis industry and the professional ranks.

1980


1972


1968


1963


1962

IV
Annotated Law Reports Annotations

Admission Tax: Validity of Municipal Admission Tax for College Football Games or Other College Sponsored Public Events, 60 A.L.R.3D 1027.


Application of State Antitrust Laws to Athletic Leagues or Associations, 85 A.L.R.3D 970.

Application of State Law to Sex Discrimination in Sports, 66 A.L.R.3D 1262.


Bribery in Athletic Contests, 49 A.L.R.2D 1234.

Construction and Effect of "Rain Insurance" Policies Insuring Against Rainfall on the Date of Concert, Exhibition, Game, or the Like, 70 A.L.R.4TH 1010.

Construction of Statute or Ordinance Prohibiting or Regulating Sports and Games on Sunday, 24 A.L.R.2D 813.

Defamation of Professional Athlete or Sports Figure, 54 A.L.R.4TH 869.

Design on Recreational Object as Valid Trademark, 82 A.L.R. FED. 9.

Disciplinary Proceedings Against Horse Trainer or Jockey, 52 A.L.R. 206.

Eminent Domain: Public Taking of Sports or Entertainment Franchise or Organization as Taking for Public Purpose, 30 A.L.R.4TH 1226.

Employer’s Termination of Professional Athlete’s Services as Constituting Breach of Employment Contract, 57 A.L.R.3D 257.

Liability for Injury or Death from Ski Lift, Ski Tow, or Similar Device, 95 A.L.R.3D 203.

Liability for Injury or Death of Participant in Automobile or Horse Race at Public Track, 13 A.L.R.4TH 623.

Liability for Injury to One Attending Hockey Game or Exhibition, 14 A.L.R.3D 1018.

Liability for Injury to One Attending Wrestling or Boxing Match or Exhibition, 14 A.L.R.3D 993.

Liability for Injury to or Death of Participant in Game or Contest, 7 A.L.R.2D 704.
Liability for Injury to or Death of Umpire, Referee, or Judge of Game or Contest, 10 A.L.R.3D 446.

Liability of Manufacturer or Seller for Injury Caused by Toys, Games, Athletic or Sports Equipment, or Like Products, 78 A.L.R.2D 738.

Liability of Operator of Skiing, Tobogganing, or Bobsledding Facilities for Injury to Patron or Participant, 94 A.L.R.2D 1431.

Liability of Owner or Operator of Park or Other Premises on which Baseball or Other Game is Played, for Injuries by Ball to Person on Nearby Street, Sidewalk, or Premises, 16 A.L.R.2D 1458.

Liability of Owner or Operator of Skating Rink for Injury to Patron, 24 A.L.R.3D 911.

Liability of Participant in Team Athletic Competition for Injury to or Death of Another Participant, 77 A.L.R.3D 1300.

Liability of Proprietor of Reducing Salon, Gymnasium, or Other Physical Fitness Institution for Injury to Patron, 88 A.L.R.2D 1112.

Liability to One Struck by Golf Ball, 53 A.L.R.4TH 282.

Liability to One Struck by Golf Club, 63 A.L.R.4TH 221.

Liability to Spectator at Baseball Game Who is Hit by Ball or Injured as Result of Other Hazards of Game, 91 A.L.R.3D 24.

Liability to Spectator at Basketball Game Injured as Result of Hazards of Game, 89 A.L.R.2D 1163.


Ski Resort's Liability for Skier's Injuries Resulting From Condition of Ski Run or Slope, 55 A.L.R.4TH 632.

Skier's Liability for Injuries to or Death of Another Person, 24 A.L.R.3D 1447.

Stadium: Validity of Government Borrowing or Expenditure for Purposes of Acquiring, Maintaining or Improving Stadium for Use of Professional Athletic Team, 67 A.L.R.3D 1186.

State Regulation of Sporting Events as State Action Within Meaning of 42 USCS § 1983, 45 A.L.R. FED. 902.

Tennis Club's Liability for Tennis Player's Injuries, 52 A.L.R.4TH 1253.
Tort Liability of Public Schools and Institutions of Higher Learning for Accident Occurring During School Athletic Events, 35 A.L.R.3D 725.

Validity of Regulation of Athletic Eligibility of Students Voluntarily Transferring from One School to Another, 15 A.L.R.4TH 885.


Worker's Compensation: Student Athlete as “Employee” of College or University Providing Scholarship or Similar Financial Assistance, 58 A.L.R.4TH 1259.
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Recreational Torts. 18 Trial 28-41 (February 1982).

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VI
Law Review Articles

A. Sports Governance

I. Amateur and College Athletics


Wong, Glenn M. and Richard J. Ensor. The Impact of the U.S. Supreme Court’s Antitrust Ruling on College Football. 3 Entertainment and Sports Lawyer 3-6 (Winter 1985).

2. Professional Sports


B. College Athletics (See also "Sports Governance," "Antitrust," and "Discrimination in Athletics")

1. In General


2. Rights of Student Athletes


3. Rights and Obligations of Coaches


4. NCAA Enforcement Procedures


5. *NCAA and State Action Doctrine*


Jennings, Marianne Moody. *Tarkanian: The Demise of Legal Accountability for the NCAA; Clarification of State Action and a Shift in the


The Student Athlete and the National Collegiate Athletic Association: The Need for A Prima Facie Tort Doctrine. 9 Suffolk University Law Review 1340-1371 (1975).


6. Injuries and Workers' Compensation


C. High School Athletics (See also “Discrimination in Athletics” and “Sports Injuries and Violence”)


**D. International Athletics**

1. *In General*


2. Olympic Games


E. Antitrust (See also “Player Restraint Rules”)

1. College & Amateur Athletics


Did the Supreme Court Fumble?: The Supreme Court’s Failure to Endorse a Market Power Threshold to the Application of the Rule of Reason for Cases Under Section I of the Sherman Act in NCAA v. Board of Regents. 27 Boston College Law Review 579-607 (1986).


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Supreme Court Abrogated the Per Se Rule of Antitrust Analysis? 19

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Television Plan is Sacked by the Sherman Act. 34 Catholic University

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sity of Oklahoma and University of Georgia Athletic Association. 61

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and the Future. 1 Fordham Entertainment, Media & Intellectual

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als to Deal: An Application to Professional Sports—Denver Rockets v.
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4. Professional Baseball


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5. Other Professional Sports


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6. Single Entity Treatment for Sports Leagues


7. **Labor Exemption**


F. Broadcasting (See also “Antitrust—Broadcasting College Football” for articles discussing *NCAA* decision)

1. In General


2. College


3. Professional


G. Discrimination in Athletics

1. Racial Discrimination


2. *Sex Discrimination*


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3. Discrimination Against the Handicapped

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H. Labor Relations (See also “Player Restraint Rules” and “Antitrust—Labor Exemption”)

1. In General


2. Arbitration


Seitz, Peter. The Transplanting of Industrial Relations Tissues and Organs; or, Is the Baseball Salary Arbitration System Compatible With Interest Arbitration In the Private Sector, Generally. 28 New York University Conference On Labor 347-358 (1975).


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3. **Collective Bargaining**


4. Contract Enforcement


5. **Discipline**


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6. **Players' Association**


7. **Player Compensation**


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I. Player Restraint Rules

1. In General


2. Reserve and Option Clauses


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4. Free Agency


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J. Taxation


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K. Sports Injuries and Violence

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4. Criminal Liability


5. Recreational Injuries


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6. *Spectator Injuries and Violence*


Spectators Sue for Injuries. 23 Trial 84 (Feb. 1987).


7. Products Liability


8. Sports Medicine


L. Drugs and Sport


M. Agents and Attorneys


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