

NATIONAL REVIEW

Don't Let Congress Put a Choke Hold on Mixed Martial Arts

Trial lawyers and unions back federal regulation of America's fastest-growing sport, which is already regulated by the states.

By John Fund — November 5, 2017

Congress is right in the middle of debating tax reform. Obamacare desperately needs legislative action. U.S. interests are threatened in unprecedented ways by weapons programs in Iran and North Korea. And this coming week, the U.S. House will hold its second hearing in less than a year on a bill to put mixed martial arts under federal supervision and control. What is wrong with this picture?

Mixed martial arts (MMA) is a great American success story. Almost unknown 15 years ago, it is now the fastest-growing sport in America. Fans love seeing a full-contact combat sport in which fighters use martial-arts techniques but no weapons. MMA has grown to nearly rival tennis or golf in the value of its sponsorships and now has an audience of over 40 million people, mostly on pay-per-view.

But with success comes the potential for resentment and federal meddling in a sport that seems to be doing fine under state regulation. Add to this the fact that a former MMA fighter now sitting in Congress is using his friendships with other members to help push his regulatory scheme. Representative Markwayne Mullin (R., Okla.), who was briefly a part-time MMA fighter a decade ago, thinks that fighters in his former profession are underpaid, should form a union, and should have federal bureaucrats decide which fighters will fight which matches — something the private sector is currently excelling in doing.

The model here is boxing. In 2000, Congress passed the Muhammad Ali Boxing Reform Act ostensibly to protect the health and safety of boxers and also to regulate the sport. Boxers are now barred from entering into certain contracts, and promoters are barred from having a “direct or indirect financial interest” in the management of fighters. Federal bureaucrats often dictate which fighters fight whom and where.

But boxing had a long history of both injury to fighters and a sketchy ethical record that included rigged bouts. There's no evidence of significant corruption in MMA matches, and its fighters are regulated by state boxing commissions that enforce health and safety issues for both boxing and MMA. The Ultimate Fighting Championship (UFC), the promoting organization that dominates MMA, has worked closely with states to improve the regulation of health and safety issues.

So if it's not broken, why bring the feds into "fixing" MMA all the way down to the level of matchmaking? One possible answer is that a powerful group of trial lawyers has often clashed with UFC's vision of the sport and has even launched an antitrust suit against it. Rob Maysey is one of the leading attorneys in the lawsuit and at the same time is also a leader of the Mixed Martial Arts Fighting Association (MMAFA), the union that wants to hobble MMA and increase its power over their fighters. Other unions, such as Teamsters Local 986, are big backers of the antitrust lawsuit. Are the five law firms pushing the antitrust lawsuit against UFC the real "payers behind the throne" of the MMAFA?

I contacted Representative Mullin's office about all this, but his press secretary, Amy Lawrence, never got back to me. Mullen himself seems to have made his MMA bill the centerpiece of his congressional efforts, a curious choice given his economically challenged home district in rural Oklahoma.

I also sought comment from the House Energy and Commerce subcommittee, which is holding an unusual second hearing on Mullin's bill this coming Thursday. No one responded. It's almost as if no one is interested in having anyone probe into the details of the bill or the motivations behind it.

One reason is that several of Mullin's Republican co-sponsors on the bill might start having second thoughts once they learn of the trial-lawyer and union support behind it. One co-sponsor I did talk with privately told me he had originally backed the bill "only as a favor to a colleague who had been in the sport." He admitted he hadn't read more than a summary of the bill and told me he has since been chagrined to learn that the justification for federal regulation of MMA is so flimsy.

Republicans control both house of Congress. President Trump wears his anti-regulatory passion on his sleeve and has promised to repeal two regulations for every new one that is imposed. So why are Republican-led congressional subcommittees taking valuable time promoting what amounts to a partial federal takeover of a thriving industry?

It's doubtful that the full Mullin bill regulating MMA will ever reach President Trump's desk for signature. But portions of it could be slipped into other legislation and make its way into a "must-sign" bill.

If Republican members of Congress want to be taken seriously as either the party of small government or a party that tackles serious rather than trivial issues, they should call time-out on Mullin's grudge match against the promoters of his old sport — they should bench his bill.

READ MORE:

[Why Does Meryl Streep Hate Mixed Martial Arts?](#)

[How Sports is Ruined by Politics](#)

[The Problem With Federal Overreach](#)

— *John Fund is NRO's national-affairs correspondent.*