

104TH CONGRESS
1ST SESSION

S. 1453

To prohibit the regulation by the Secretary of Health and Human Services and the Commissioner of Food and Drugs of any activities of sponsors or sponsorship programs connected with, or any advertising used or purchased by, the Professional Rodeo Cowboy Association, its agents or affiliates, or any other professional rodeo association, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 7, 1995

Mr. BURNS (for himself, Mr. CRAIG, Mr. REID, Mr. THOMAS, Mr. BRYAN, and Mr. INHOFE) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

A BILL

To prohibit the regulation by the Secretary of Health and Human Services and the Commissioner of Food and Drugs of any activities of sponsors or sponsorship programs connected with, or any advertising used or purchased by, the Professional Rodeo Cowboy Association, its agents or affiliates, or any other professional rodeo association, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Rodeo Freedom Act
3 of 1995”.

4 **SEC. 2. FINDINGS.**

5 The Congress finds that—

6 (1) professional rodeo is an important and pop-
7 ular spectator sport that is attended by an estimated
8 18,000,000 American adults annually across the
9 United States and particularly in the Western and
10 Southwestern regions;

11 (2) in the Western and Southwestern regions,
12 the sport of rodeo has a long and interesting history
13 and therefore, is of great cultural and social signifi-
14 cance to such States;

15 (3) the Professional Rodeo Cowboy Association
16 has 10,000 members and sponsors approximately
17 800 rodeos in 46 States every year;

18 (4) because of its cultural associations with the
19 Western and Southwestern regions of the United
20 States, the rodeo is an important attraction for do-
21 mestic and foreign tourism to those regions;

22 (5) the professional rodeo and the support in-
23 dustries associated with professional rodeo generate
24 substantial economic activity in host communities
25 and are significant sources of income, economic se-

1 curity, employment, recreation, and enjoyment for
2 Americans;

3 (6) the Professional Rodeo Cowboy Association
4 enjoys the freedom to choose the sponsors or spon-
5 sorship programs associated with the rodeos of the
6 association;

7 (7) the sponsors or sponsorship programs asso-
8 ciated with the rodeos of the Professional Rodeo
9 Cowboy Association assist in sustaining the sport of
10 rodeo and in making such sport affordable and ac-
11 cessible to millions of adult rodeo fans across Amer-
12 ica;

13 (8) despite the enjoyment that millions of
14 Americans derive from watching rodeo events, and
15 the importance of such events to the economies of
16 the Western and Southwestern regions and of the
17 United States, Federal agencies other than the Fed-
18 eral Trade Commission have proposed restrictions
19 upon the activities of sponsors, sponsorship pro-
20 grams, or advertising connected with rodeo events;
21 and

22 (9) such restrictions, if adopted will—

23 (A) jeopardize the continued financial via-
24 bility of professional rodeos;

1 (B) result in a considerable financial loss
2 to tourism and other related industries;

3 (C) interfere with the enjoyment of rodeo
4 events by millions of American adults who at-
5 tend rodeos annually; and

6 (D) impose unconstitutional limitations on
7 both commercial speech and the freedom of as-
8 sociation of the membership of the Professional
9 Rodeo Cowboys Association.

10 **SEC. 3. PROHIBITION.**

11 The Secretary of Health and Human Services and the
12 Commissioner of Food and Drugs shall have no authority
13 under the Federal Food, Drug, and Cosmetic Act (21
14 U.S.C. 301 et seq.) to regulate—

15 (1) activities of sponsors or sponsorship pro-
16 grams connected with—

17 (A) the Professional Rodeo Cowboy Asso-
18 ciation or its activities or events; or

19 (B) any other professional rodeo associa-
20 tion or the agents or affiliates of such associa-
21 tion or the activities or events of such associa-
22 tion, agents, or affiliates; or

23 (2) advertising that is used or purchased by, or
24 that is in connection with—

1 (A) the Professional Rodeo Cowboy Asso-
2 ciation or its activities or events; or

3 (B) any other professional rodeo associa-
4 tion or the agents or affiliates of such associa-
5 tion or the activities or events of such associa-
6 tion, agents, or affiliates.

7 **SEC. 4. EFFECTIVE DATE.**

8 This Act shall take effect as if enacted on August
9 10, 1995.

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