

107TH CONGRESS  
1ST SESSION

# S. 893

To establish the National Boxing Commission, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 16 (legislative day, MAY 15), 2001

Mr. REID (for himself and Mr. MCCAIN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To establish the National Boxing Commission, 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,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “National Boxing Com-  
5       mission Act of 2001”.

6       **SEC. 2. FINDINGS.**

7       The Congress makes the following findings:

8               (1) Professional boxing is beset with wide-rang-  
9       ing problems that are beyond the scope of the cur-  
10      rent system of State regulation.

1           (2) The rules governing professional boxing and  
2           the enforcement of those rules vary widely among  
3           States.

4           (3) Unlike other professional sports, profes-  
5           sional boxing is not successfully regulated by a pri-  
6           vate entity, and there is no prospect for meaningful  
7           self-regulation.

8           (4) The problems facing professional boxing in-  
9           clude the exploitation of boxers, conflicts of interest,  
10          questionable judging, and corruption.

11          (5) These problems endanger the health, safety,  
12          and welfare of boxers and undermine the credibility  
13          of the sport with the public.

14   **SEC. 3. PURPOSE.**

15          The purpose of this Act is to establish a national  
16          commission to prescribe and enforce uniform regulations  
17          for professional boxing in order to protect the health and  
18          safety of boxers and to ensure fairness in the sport.

19   **SEC. 4. DEFINITIONS.**

20          In this Act:

21               (1) The term “boxing match” means a profes-  
22               sional boxing match, or any part of such a match,  
23               that is held within the United States. The term does  
24               not include an amateur boxing match.

1           (2) The terms “Indian lands” and “Indian  
2       tribe” have the meanings given those terms by para-  
3       graphs (4) and (5), respectively, of section 4 of the  
4       Indian Gaming Regulatory Act (25 U.S.C. 2703).

5           (3) The term “local boxing authority” means—

6                (A) any agency of a State, or of a political  
7       subdivision of a State, that has authority under  
8       the laws of the State to regulate professional  
9       boxing; and

10              (B) any agency of an Indian tribe that is  
11       authorized by the Indian tribe or the governing  
12       body of the Indian tribe to regulate professional  
13       boxing on Indian lands.

14           (4) The term “person” has the meaning given  
15       the term in section 1 of title 1, United States Code.

16           (5) The term “promoter” means any person li-  
17       censed under this Act—

18                (A) to hold, give, or otherwise conduct a  
19       boxing match, program, or exhibition; or

20                (B) to broadcast a boxing match.

21           (6) The term “sanctioning organization” means  
22       any entity that authorizes or sanctions a champion-  
23       ship boxing match.

24           (7) The term “State” means any State of the  
25       United States, the District of Columbia, the Com-

1 monwealth of Puerto Rico, Guam, the United States  
 2 Virgin Islands, the Commonwealth of the Northern  
 3 Mariana Islands, American Samoa, and any other  
 4 territory or possession of the United States.

5 **SEC. 5. NATIONAL BOXING COMMISSION.**

6 (a) ESTABLISHMENT.—The National Boxing Com-  
 7 mission is hereby established as an independent establish-  
 8 ment in the executive branch.

9 (b) MEMBERS.—

10 (1) NUMBER AND APPOINTMENT.—The Com-  
 11 mission consists of 5 members appointed by the  
 12 President, by and with the advice and consent of the  
 13 Senate.

14 (2) CHAIRMAN AND VICE CHAIRMAN.—

15 (A) CHAIRMAN.—The President shall des-  
 16 ignate a Chairman and Vice Chairman from  
 17 among the members of the Commission.

18 (B) EXECUTIVE AUTHORITY.—The Chair-  
 19 man shall be the chief executive officer of the  
 20 Commission and, subject to such policies as the  
 21 Commission may establish, shall exercise the  
 22 powers of the Commission with respect to—

23 (i) the appointment and supervision of  
 24 employees of the Commission;

1 (ii) the organization of any adminis-  
2 trative units established by the Commis-  
3 sion; and

4 (iii) the use and expenditure of funds.

5 (C) DELEGATION OF EXECUTIVE AUTHOR-  
6 ITY.—The Chairman may delegate any of the  
7 authority under this paragraph to any other  
8 member or to any appropriate officer of the  
9 Commission.

10 (D) DUTIES OF THE VICE CHAIRMAN.—  
11 The Vice Chairman shall act as Chairman in  
12 the event of the absence or incapacity of the  
13 Chairman or in case of a vacancy in the office  
14 of Chairman.

15 (3) QUALIFICATIONS.—

16 (A) IN GENERAL.—Each member of the  
17 Commission shall be a citizen of the United  
18 States who, by reason of the member's busi-  
19 ness, professional, or other background, train-  
20 ing, experience, or activities outside the busi-  
21 ness of professional boxing and its related ac-  
22 tivities, has a broad understanding of the rela-  
23 tionship between professional boxing, both as a  
24 sport and as a business, and the public interest.

1           (B) SPECIFIC QUALIFICATIONS FOR CER-  
 2           TAIN MEMBERS.—At least one of the members  
 3           of the Commission shall be a physician or other  
 4           health care professional duly licensed as such.  
 5           At least one member of the Commission shall  
 6           be a former member of a local boxing authority.

7           (C) DISINTERESTED PERSONS.—No mem-  
 8           ber of the Commission may, during service as  
 9           a member of the Commission, be engaged as a  
 10          professional boxer, boxing promoter, agent,  
 11          fight manager, matchmaker, referee, judge, or  
 12          in any other capacity in the conduct of the busi-  
 13          ness of professional boxing or have any pecu-  
 14          niary interest in the earnings of any boxer or  
 15          the proceeds or outcome of any boxing match.

16          (4) BIPARTISAN MEMBERSHIP.—Not more than  
 17          3 members of the Commission may be members of  
 18          the same political party.

19          (5) GEOGRAPHIC BALANCE.—Not more than 3  
 20          members of the Commission may be residents of the  
 21          same geographic region of the United States when  
 22          appointed to the Commission. For purposes of the  
 23          preceding sentence, the area of the United States  
 24          east of the Mississippi River is a geographic region,

1       and the area of the United States west of the Mis-  
2       sissippi River is a geographic region.

3       (c) TERMS.—

4           (1) PERIOD.—Except as provided in paragraphs  
5       (2) and (3), each member of the Commission shall  
6       be appointed for a term of 5 years. Members of the  
7       Commission may be reappointed.

8           (2) EXCEPTION FOR MIDTERM VACANCY.—A  
9       member appointed to fill a vacancy occurring before  
10      the expiration of the term for which the member's  
11      predecessor was appointed shall be appointed for the  
12      remainder of that unexpired term.

13          (3) CONTINUATION PENDING REPLACEMENT.—  
14      A member may serve after the expiration of that  
15      member's term until a successor has taken office.

16      (d) QUORUM.—A majority of the members of the  
17      Commission shall constitute a quorum, but a lesser num-  
18      ber of members may hold hearings.

19      (e) CONTINGENCY APPOINTMENT AUTHORITY.—If  
20      the President submits to the Senate a nomination for a  
21      membership on the Commission and the Senate fails to  
22      act timely on the nomination (as determined by the Presi-  
23      dent), the President may designate any person otherwise  
24      qualified under paragraphs (3), (4), and (5) of subsection  
25      (b) to serve as a member of the Commission pending the

1 action of the Senate on the nomination. A person so des-  
 2 ignated may serve as a member of the Commission for  
 3 not more than one year pursuant to this subsection.

4 **SEC. 6. PRIMARY FUNCTION.**

5 The primary function of the National Boxing Com-  
 6 mission is to protect the health, safety, and general inter-  
 7 ests of boxers consistent with the provisions of this Act.

8 **SEC. 7. LICENSING AND REGISTRATION OF BOXING PER-**  
 9 **SONNEL.**

10 (a) LICENSING.—

11 (1) REQUIREMENT FOR LICENSE.—No person  
 12 may compete in a boxing match or serve as a boxing  
 13 judge, referee, or other boxing match official except  
 14 as provided in a license granted to that person under  
 15 this subsection or subsection (c). This paragraph  
 16 does not apply with respect to the performance of an  
 17 activity registered under subsection (b).

18 (2) ANNUAL LICENSE.—

19 (A) IN GENERAL.—The Commission shall  
 20 issue a license for the purposes of paragraph  
 21 (1) to any person who, as determined by the  
 22 Commission, meets the standards established by  
 23 the Commission under this Act.



1 (B) DURATION.—A license issued under  
 2 this section shall be for a renewable 1-year  
 3 term.

4 (C) PROCEDURE.—The National Boxing  
 5 Commission may issue a license under this  
 6 paragraph through local boxing authorities or  
 7 in a manner determined by the Commission.

8 (b) REGISTRATION OF PROMOTERS AND OTHERS.—

9 (1) IN GENERAL.—No person may perform ac-  
 10 tivities as a boxing promoter, boxing matchmaker,  
 11 sanctioning organization, boxing manager, trainer,  
 12 physician, or cut man, or other person determined  
 13 by the Commission as performing a professional role  
 14 in boxing unless the person is registered to do so  
 15 under this subsection.

16 (2) ISSUANCE OF REGISTRATION CERTIFI-  
 17 CATE.—

18 (A) IN GENERAL.—The Commission shall  
 19 issue a certificate of registration for the pur-  
 20 poses of paragraph (1) to any person that the  
 21 Commission determines to meet the standards  
 22 established by the Commission under this Act.

23 (B) DURATION.—A certificate of registra-  
 24 tion issued under this section shall expire three  
 25 years after the date of issuance.

1 (C) PROCEDURE.—The Commission shall  
2 issue a certificate of registration under this  
3 paragraph through local boxing authorities or  
4 in a manner determined by the Commission.

5 (c) SPECIAL EVENT LICENSE.—

6 (1) IN GENERAL.—The Commission may issue  
7 a special event license authorizing a person not li-  
8 censed under subsection (a) or registered under sub-  
9 section (b) to participate in a major boxing match  
10 as a boxer, boxing promoter, sanctioning organiza-  
11 tion, boxing manager or other participant regulated  
12 under this Act.

13 (2) DEFINITION OF MAJOR BOXING EVENT.—  
14 The Commission shall prescribe in regulations the  
15 definition of the term “major boxing match” for the  
16 purposes of this subsection.

17 (d) LICENSING AND REGISTRATION FEES.—

18 (1) AUTHORITY.—The Commission may pre-  
19 scribe and charge fees for the licensing and registra-  
20 tion of persons under this Act. The Commission may  
21 set, charge, and adjust varying fees on the basis of  
22 classifications of persons, functions, and events de-  
23 termined appropriate by the Commission.

24 (2) AMOUNTS.—The amounts of fees prescribed  
25 for a fiscal year under this subsection shall be set

1 at levels estimated, when set, to yield collections in  
2 any total amount that does not exceed 10 percent  
3 of the total budget of the Commission for that fiscal  
4 year.

5 (3) LIMITATIONS.—In setting and charging fees  
6 under paragraph (1), the Commission shall ensure  
7 that, to the maximum extent practicable—

8 (A) club boxing is not adversely effected;

9 (B) sanctioning organizations and pro-  
10 moters pay the largest portion of the fees; and

11 (C) boxers pay as small a portion of the  
12 fees as is possible.

13 (4) COLLECTION.—Fees established under this  
14 subsection may be collected through local boxing au-  
15 thorities or by any other means determined appro-  
16 priate by the Commission. Fees paid by boxing pro-  
17 moters may be derived from gross receipts from box-  
18 ing matches.

19 (5) DISPOSITION.—Fees collected under this  
20 subsection shall be deposited in the United States  
21 Treasury as miscellaneous receipts.

22 **SEC. 8. NATIONAL REGISTRY OF BOXING PERSONNEL.**

23 (a) REQUIREMENT FOR REGISTRY.—The National  
24 Boxing Commission shall maintain a unified national com-  
25 puterized registry for the collection, storage, and retrieval

1 of information related to the performance of its duties.  
2 The information in the computer source may include the  
3 following:

4 (1) BOXERS.—A list of professional boxers and  
5 the following information on each boxer:

6 (A) Medical record, including the results of  
7 a baseline medical examination, which the Com-  
8 mission shall—

9 (i) require as a condition for licensing  
10 under section 7;

11 (ii) permanently retain in the registry;  
12 and

13 (iii) secure from disclosure according  
14 to standards that the Commission shall  
15 prescribe.

16 (B) The boxing matches in which the boxer  
17 has participated including—

18 (i) the dates of the matches;

19 (ii) the outcome of each match, in-  
20 cluding whether the match resulted in a  
21 knockout or technical knockout or was  
22 ended upon the decision, urging, or inter-  
23 vention of a medical professional; and

24 (iii) the total numbers of matches won  
25 and lost.

1 (C) Height and weight.

2 (D) Business associates.

3 (2) OTHER PERSONNEL.—Information (pertinent to the sport of professional boxing) on boxing  
4 promoters, boxing matchmakers, boxing managers,  
5 trainers, cut men, referees, boxing judges, physicians, and any other personnel determined by the  
6 Commission as performing a professional activity for  
7 boxing matches.  
8

10 (b) CERTIFICATION OF INFORMATION.—The Commission shall certify for any boxing match the information  
11 publicized on the participating boxers regarding their medical history, biographical information, and numbers of boxing  
12 matches won and lost. In issuing certifications, the  
13 Commission shall make the relevant determinations on the  
14 basis of the information maintained in the registry under  
15 subsection (a).  
16  
17

18 **SEC. 9. ADDITIONAL FUNCTIONS AND PROHIBITIONS.**

19 (a) REQUIRED FUNCTIONS.—The National Boxing  
20 Commission shall perform the following additional functions:  
21

22 (1) Prescribe regulations for the sport of professional boxing that ensure the safety of participants.  
23  
24

1           (2) Establish minimum standards and proce-  
2           dures for physical and mental examinations to be  
3           given boxers.

4           (3) Establish minimum standards for the avail-  
5           ability of medical services at professional boxing  
6           matches.

7           (4) Encourage the establishment of a life, acci-  
8           dent, and health insurance fund for professional box-  
9           ers and other members of the professional boxing  
10          community.

11          (5) Establish minimum standards for the man-  
12          ufacture and use of boxing equipment, and carry out  
13          research that the Commission determines necessary  
14          for determining and establishing appropriate and  
15          meaningful standards.

16          (6) Conduct discussions and enter into agree-  
17          ments with foreign boxing entities on methods for  
18          applying minimum health and safety standards to  
19          foreign boxing events and foreign boxers, trainers,  
20          cut men, referees, judges, ringside physicians, and  
21          other professional boxing personnel.

22          (7) Review local boxing authority regulations  
23          for professional boxing and provide assistance to  
24          such authorities in meeting minimum standards pre-  
25          scribed by the Commission under this Act.

1 (8) Prescribe in regulations—

2 (A) standards for the making of contracts,  
3 agreements, arrangements, and understandings  
4 relating to professional boxing; and

5 (B) requirements for a copy of any con-  
6 tract for a boxing match to be filed with the  
7 Commission or with a local boxing authority at  
8 a time before the match and in a manner deter-  
9 mined appropriate by the Commission.

10 (9) Prescribe regulations and standards applica-  
11 ble to—

12 (A) the establishment of championship di-  
13 visions and the awarding of championship titles;

14 (B) the establishment of weight classes;  
15 and

16 (C) the awarding of rankings for boxers.

17 (10) Review the role of sanctioning organiza-  
18 tions in professional boxing and prescribe regula-  
19 tions relating to sanctioning organizations and the  
20 sanctioning of boxing matches consistent with this  
21 Act.

22 (11) Prescribe regulations prohibiting conflicts  
23 of interest relating to boxing matches.

24 (b) ADDITIONAL AUTHORITY.—The Commission  
25 may—

1           (1) serve as the coordinating body for all efforts  
2           in the United States to establish and maintain uni-  
3           form minimum health and safety standards for pro-  
4           fessional boxing;

5           (2) publish a newspaper, magazine, or other  
6           publication consistent with the purposes of the Com-  
7           mission;

8           (3) procure the temporary and intermittent  
9           services of experts and consultants to the extent au-  
10          thorized by section 3109(b) of title 5, United States  
11          Code, at rates the Commission determines to be rea-  
12          sonable; and

13          (4) take any other action that is necessary and  
14          proper to accomplish the purpose of this Act con-  
15          sistent with the provisions of this Act.

16          (c) PROHIBITIONS.—The Commission may not—

17               (1) promote boxing events or rank professional  
18               boxers; or

19               (2) provide technical assistance to, or authorize  
20               the use of the name of the Commission by, States  
21               and Indian tribes that do not comply with require-  
22               ments of the Commission.

23          (d) USE OF NAME.—The Commission shall have the  
24          exclusive right to use the name “National Boxing Commis-  
25          sion”. Any person who, without the permission of the



1 Commission, uses that name or any other exclusive name,  
 2 trademark, emblem, symbol, or insignia of the Commission  
 3 for the purpose of inducing the sale of any goods or serv-  
 4 ices, or to promote any exhibition, performance, or sport-  
 5 ing event, shall be subject to suit in a civil action by the  
 6 Commission for the remedies provided in the Act of July  
 7 5, 1946 (commonly known as the “Trademark Act of  
 8 1946) (60 Stat. 427, chapter 540; 15 U.S.C. 1051 et  
 9 seq.).

10 **SEC. 10. CONSULTATION REQUIREMENTS.**

11 The National Boxing Commission shall consult with  
 12 local boxing authorities—

13 (1) before prescribing any regulation or estab-  
 14 lishing any standard under the provisions of this  
 15 Act; and

16 (2) not less than once each year regarding mat-  
 17 ters relating to professional boxing.

18 **SEC. 11. MISCONDUCT.**

19 (a) **SUSPENSION AND REVOCATION OF LICENSE OR**  
 20 **REGISTRATION.—**

21 (1) **AUTHORITY.—**The National Boxing Com-  
 22 mission may, after notice and opportunity for a  
 23 hearing, suspend or revoke any license or registra-  
 24 tion issued under this Act if the Commission finds  
 25 that—

1 (A) the suspension or revocation is nec-  
2 essary for the protection of health and safety or  
3 is otherwise in the public interest; or

4 (B) there are reasonable grounds for belief  
5 that a standard prescribed by the Commission  
6 under this Act is not being met, or that bribery,  
7 collusion, intentional losing, racketeering, extor-  
8 tion, or the use of unlawful threats, coercion, or  
9 intimidation have occurred in connection with a  
10 license or registration.

11 (2) PERIOD OF SUSPENSION.—

12 (A) IN GENERAL.—A suspension of a li-  
13 cense or registration under this section shall be  
14 effective for a period determined appropriate by  
15 the Commission, but not less than 6 months,  
16 except as provided in subparagraph (B).

17 (B) SUSPENSION FOR MEDICAL REA-  
18 SONS.—In the case of a suspension of the li-  
19 cense of a boxer for medical reasons, the Com-  
20 mission may terminate the suspension at any  
21 time that a physician certifies that the boxer is  
22 fit to participate in a boxing match. The Com-  
23 mission shall prescribe the standards and proce-  
24 dures for accepting certifications under this  
25 subparagraph.

1 (b) PROHIBITORY ORDERS.—

2 (1) AUTHORITY AND GROUNDS.—The Commis-  
3 sion may, after notice and opportunity for hearing,  
4 prohibit the conduct of any proposed boxing match  
5 if the Commission finds that it is in the public inter-  
6 est to do so and—

7 (A) a contract, arrangement, or agreement  
8 with respect to the match does not comply with  
9 a regulation of the Commission;

10 (B) the match, or any participant in the  
11 match, is not licensed or registered under this  
12 Act;

13 (C) there are reasonable grounds for belief  
14 that the conduct or outcome of the match may  
15 be affected by bribery, collusion, intentional los-  
16 ing, racketeering, extortion, or the use of un-  
17 lawful threats, coercion, intimidation or vio-  
18 lence;

19 (D) there is an undue risk that the health  
20 and safety of a participant will be adversely af-  
21 fected by participation in the match; or

22 (E) the conduct of the match, or the in-  
23 volvement of any participant in the match, oth-  
24 erwise violates this Act or any regulation pre-  
25 scribed under this Act.

(2) SUMMARY ORDERS OF PROHIBITION.—

(A) AUTHORITY.—At or after the time that notice of any proceeding under paragraph (1) is sent or ordered by the Commission to be published regarding a boxing match, regardless of whether or not any person to be affected by the proceeding has received the notice, the Commission may, by order and without notice or hearing, summarily prohibit the holding of the boxing match pending final disposition of the proceeding by the Commission, or for any shorter period that the Commission considers appropriate.

(B) CONDITIONS FOR ISSUANCE.—The Commission shall issue a summary order if, in its judgment, the summary order—

(i) is necessary for the protection of the health and safety of a boxer or is otherwise in the public interest; and

(ii) is necessary to carry out the purpose of this Act.

(C) PROTECTION FROM LIABILITY BEFORE NOTICE.—A person may not be held liable for damages for a loss or injury resulting from the issuance of a summary order under this para-

graph to the extent that the loss or injury is incurred before the person has actual notice the order.

(c) INVESTIGATIONS AND INJUNCTIONS.—

(1) AUTHORITY.—The Commission may—

(A) conduct any investigation that it considers necessary to determine whether any person has violated, or is about to violate, any provision of this Act or any regulation prescribed under this Act;

(B) require or permit any person to file with it a statement in writing, under oath or otherwise as the Commission shall determine, as to all the facts and circumstances concerning the matter to be investigated;

(C) in its discretion, publish information concerning any violations; and

(D) investigate any facts, conditions, practices, or matters to aid in the enforcement of the provisions of this Act, in the prescribing of regulations under this Act, or in securing information to serve as a basis for recommending legislation concerning the matters to which this Act relates.

(2) POWERS.—

1 (A) IN GENERAL.—For the purpose of any  
2 investigation under paragraph (1), or any other  
3 proceeding under this Act, any officer des-  
4 ignated by the Commission may administer  
5 oaths and affirmations, subpoena or otherwise  
6 compel the attendance of witnesses, take evi-  
7 dence, and require the production of any books,  
8 papers, correspondence, memorandums, or  
9 other records which the Commission considers  
10 relevant or material to the inquiry.

11 (B) WITNESSES AND EVIDENCE.—The at-  
12 tendance of witnesses and the production of any  
13 documents under subparagraph (A) may be re-  
14 quired from any place in the United States or  
15 any State at any designated place of hearing.

16 (3) ENFORCEMENT OF SUBPOENAS.—

17 (A) CIVIL ACTION.—In case of contumacy  
18 by, or refusal to obey a subpoena issued to, any  
19 person, the Commission may file an action in  
20 any court of the United States within the juris-  
21 diction of which an investigation or proceeding  
22 is carried out, or where that person resides or  
23 carries on business, to enforce the attendance  
24 and testimony of witnesses and the production  
25 of books, papers, correspondence, memoran-

1           dums, and other records. The court may issue  
2           an order requiring the person to appear before  
3           the Commission to produce records, if so or-  
4           dered, or to give testimony concerning the mat-  
5           ter under investigation or in question.

6           (B) FAILURE TO OBEY.—Any failure to  
7           obey an order issued by a court under subpara-  
8           graph (A) may be punished as contempt of that  
9           Court.

10          (C) PROCESS.—All process in any con-  
11          tempt case under subparagraph (A) may be  
12          served in the judicial district in which the per-  
13          son is an inhabitant or in which the person may  
14          be found.

15          (D) CRIMINAL OFFENSE.—Any person  
16          who, without just cause, fails or refuses to at-  
17          tend and testify or to answer any lawful inquiry  
18          or to produce books, papers, correspondence,  
19          memorandums, and other records, if in the  
20          power of such person so to do, in obedience to  
21          the subpoena of the Commission, shall be guilty  
22          of a misdemeanor and, shall be subject to a fine  
23          of not more than \$1,000, to imprisonment for  
24          a term of not more than one year, or both.

25          (4) EVIDENCE OF CRIMINAL MISCONDUCT.—

1           (A) IN GENERAL.—No person may be ex-  
2           cused from attending and testifying or from  
3           producing books, papers, contracts, agreements,  
4           and other records and documents before the  
5           Commission, in obedience to the subpoena of  
6           the Commission, or in any cause or proceeding  
7           instituted by the Commission, on the ground  
8           that the testimony or evidence, documentary or  
9           otherwise, required of that person may tend to  
10          incriminate the person or subject the person to  
11          a penalty or forfeiture.

12          (B) LIMITED IMMUNITY.—No individual  
13          may be prosecuted or subject to any penalty or  
14          forfeiture for, or on account of, any transaction,  
15          matter, or thing concerning which that indi-  
16          vidual is compelled, after having claimed a  
17          privilege against self-incrimination, to testify or  
18          produce evidence, documentary or otherwise, ex-  
19          cept that the individual so testifying shall not  
20          be exempt from prosecution and punishment for  
21          perjury committed in so testifying.

22          (5) INJUNCTIVE RELIEF.—If the Commission  
23          determines that any person is engaged or about to  
24          engage in any act or practice that constitutes a vio-  
25          lation of any provision of this Act, or of any regula-



1       tion prescribed under this Act, the Commission may  
2       bring an action in the appropriate district court of  
3       the United States, the United States District Court  
4       for the District of Columbia, or the United States  
5       courts of any territory or other place subject to the  
6       jurisdiction of the United States, to enjoin the act  
7       or practice, and upon a proper showing, the court  
8       shall grant without bond a permanent or temporary  
9       injunction or restraining order.

10           (6) MANDAMUS.—Upon application of the Com-  
11       mission, the district courts of the United States, the  
12       United States District Court for the District of Co-  
13       lumbia, and the United States courts of any terri-  
14       tory or other place subject to the jurisdiction of the  
15       United States, shall have jurisdiction to issue writs  
16       of mandamus commanding any person to comply  
17       with the provisions of this Act or any order of the  
18       Commission.

19       (d) INTERVENTION IN CIVIL ACTIONS.—

20           (1) IN GENERAL.—The Commission, on behalf  
21       of the public interest, may intervene of right as pro-  
22       vided under rule 24(a) of the Federal Rules of Civil  
23       Procedure in any civil action relating to professional  
24       boxing filed in a United States district court.

1           (2) AMICUS FILING.—The Commission may file  
 2           a brief in any action filed in a court of the United  
 3           States on behalf of the public interest in any case  
 4           relating to professional boxing.

5           (e) HEARINGS BY COMMISSION.—Hearings con-  
 6           ducted by the Commission under this Act may be public  
 7           and may be held before any officer of the Commission.  
 8           The Commission shall keep appropriate records of the  
 9           hearings.

10   **SEC. 12. SUBMISSION AND APPROVAL OF LOCAL BOXING**  
 11                           **PLAN TO COMMISSION.**

12           (a) IN GENERAL.—Not later than 18 months after  
 13           the date of the enactment of this Act, an agency, that reg-  
 14           ulates professional boxing for a State or Indian tribe shall  
 15           submit to the National Boxing Commission a local boxing  
 16           plan that meets the requirements of subsection (b).

17           (b) LOCAL BOXING PLAN REQUIREMENTS.—The  
 18           local boxing plan submitted for an agency of a State or  
 19           an Indian tribe under subsection (a)—

20                   (1) shall establish or provide for the agency to  
 21                   regulate professional boxing in the State or on In-  
 22                   dian lands, respectively, in compliance with the min-  
 23                   imum standards established by the Commission; and

24                   (2) may establish a registration procedure, con-  
 25                   sistent with the provisions of section 7, by which the

1 agency requires that each individual and organiza-  
2 tion involved in professional boxing in the State or  
3 on Indian lands, respectively—

4 (A) be registered with the agency in ac-  
5 cordance with the minimum Federal boxing  
6 standards; and

7 (B) pay a registration fee to the Commis-  
8 sion in an amount determined by the Commis-  
9 sion pursuant to section 7(d).

10 (c) APPROVAL AND DISAPPROVAL OF LOCAL BOXING  
11 PLAN.—Not later than 60 days after the date on which  
12 an agency submits a local boxing plan under this section,  
13 the Commission shall—

14 (1) approve the plan if the plan meets the re-  
15 quirements of subsection (b); or

16 (2) disapprove the plan and notify the agency  
17 of the reasons for the disapproval.

18 (d) WITHDRAWAL OF APPROVAL.—The Commission  
19 shall withdraw its approval of any local boxing plan if the  
20 Commission determines that the plan, or the administra-  
21 tion of the plan, no longer meets the requirements of sub-  
22 section (b).

23 (e) PROHIBITION OF CERTAIN PROFESSIONAL BOX-  
24 ING MATCHES.—Beginning three years after the date of

1 the enactment of this Act, no boxing match may be held  
2 in a State or on Indian lands where—

3 (1) there is not in effect a local boxing plan ap-  
4 proved by the Commission under subsection (c),  
5 whether by reason of a failure to comply with the  
6 submittal requirement under subsection (a) or a dis-  
7 approval or withdrawal of approval by the Commis-  
8 sion; or

9 (2) there is in effect a local boxing plan ap-  
10 proved by the Commission under subsection (c), if  
11 the Commission determines that there are reason-  
12 able grounds for belief that the boxing standards es-  
13 tablished by the Commission under this Act are not  
14 being met in connection with boxing matches.

15 **SEC. 13. NONINTERFERENCE WITH LOCAL BOXING AU-**  
16 **THORITIES.**

17 (a) NONINTERFERENCE.—Nothing in this Act pro-  
18 hibits any local boxing authority from exercising any of  
19 its powers, duties, or functions with respect to the regula-  
20 tion or supervision of professional boxing or boxing  
21 matches to the extent not inconsistent with the provisions  
22 of this Act.

23 (b) MINIMUM STANDARDS.—Nothing in this Act pro-  
24 hibits any local boxing authority from enforcing local  
25 standards or requirements that exceed the minimum

1 standards or requirements promulgated by the National  
2 Boxing Commission under this Act.

3 **SEC. 14. INFORMATION FROM OTHER AGENCIES.**

4 (a) **AUTHORITY.**—Notwithstanding section 552a of  
5 title 5, United States Code, or any other provision of law,  
6 the National Boxing Commission may obtain directly from  
7 any executive department, agency, bureau, board, commis-  
8 sion, office, independent establishment, or instrumentality  
9 any information, suggestions, estimates, and statistics  
10 that assist the Commission in carrying out the purposes  
11 of this Act. Each department, agency, bureau, board, com-  
12 mission, office, independent establishment, or instrumen-  
13 tality shall furnish to the Commission any information,  
14 suggestions, estimates, and statistics requested by the  
15 Commission.

16 (b) **OBLIGATION TO SECURE CONFIDENTIAL INFOR-**  
17 **MATION.**—Any information, including suggestions, esti-  
18 mates, and statistics, secured by the Commission that, but  
19 for subsection (a), could not be secured by the Commission  
20 by reason of section 552a of title 5, United States Code,  
21 or any other provision of law shall be treated by the Com-  
22 mission as confidential information.

23 (c) **DISCLOSURE OF CONFIDENTIAL INFORMATION.**—

24 (1) **PROHIBITION.**—Except as provided in para-  
25 graph (2) or (3), no officer or employee of the Com-

mission may disclose to any person other than an officer or employee of the Commission any information referred to in subsection (b). Nothing in this subsection shall be construed to authorize the Commission to withhold information from Congress.

(2) CONSENTED DISCLOSURES.—Information referred to in subsection (b) may be disclosed pursuant to the prior written consent of the person with respect to whom the information is maintained, but only to the extent, under circumstances, and for purposes that may be allowed under regulations that the Commission shall prescribe.

(3) COURT-ORDERED DISCLOSURES.—

(A) DISCLOSURE.—Whether or not the person, with respect to whom any information referred to in subsection (b) is maintained, gives consent, the information may be disclosed if disclosure is ordered by a court of competent jurisdiction.

(B) CRITERIA FOR COURT ORDERED DISCLOSURE.—In assessing whether to order disclosure, the court shall weigh the public interest and the need for disclosure against any prejudice to the person together with the effective

1 administration and enforcement of the provi-  
2 sions of this Act.

3 (C) SAFEGUARDS.—In fashioning its dis-  
4 closure order, with respect to a particular  
5 record or set of records, a court shall segregate,  
6 if possible, information that must be disclosed  
7 from information that may not be disclosed,  
8 and the court shall impose in its order appro-  
9 priate safeguards against unauthorized disclo-  
10 sure of any segregated information.

11 (d) CIVIL PENALTIES.—

12 (1) AUTHORITY.—Whoever violates any provi-  
13 sion of this section may be assessed a civil penalty  
14 of not more than \$1,000 for each violation. The pen-  
15 alty shall be assessed by a court in a civil action  
16 brought by the Attorney General of the United  
17 States.

18 (2) REFERRALS TO ATTORNEY GENERAL.—The  
19 Commission shall refer to the Attorney General the  
20 name of any person it has reasonable cause to be-  
21 lieve has violated any provision of this section.

22 **SEC. 15. OTHER ASSISTANCE FROM OTHER AGENCIES.**

23 Any employee of any executive department, agency,  
24 bureau, board, commission, office, independent establish-  
25 ment, or instrumentality may be detailed to the Commis-

1 sion, upon the request of the Commission, on a reimburs-  
 2 able or nonreimbursable basis, with the consent of the ap-  
 3 propriate authority having jurisdiction over the employee.  
 4 While so detailed, an employee shall continue to receive  
 5 the compensation provided pursuant to law for the employ-  
 6 ee's regular position of employment and shall retain, with-  
 7 out interruption, the rights and privileges of that employ-  
 8 ment.

9 **SEC. 16. AUDIT AND REPORTS.**

10 (a) AUDIT.—The Comptroller General shall conduct  
 11 an annual audit of the finances of the Commission, to be  
 12 completed in time for inclusion in the report required by  
 13 subsection (b).

14 (b) ANNUAL REPORT.—The Commission shall submit  
 15 a report on the National Boxing Commission to Congress  
 16 each year. The annual report shall include the following:

17 (1) A detailed discussion of the activities of the  
 18 Commission for the year covered by the report.

19 (2) A description of the local boxing authority  
 20 of each State and Indian tribe.

21 (3) The results of the audit performed under  
 22 subsection (a) for the year covered by the report.

23 (c) PUBLIC REPORT.—The Commission shall annu-  
 24 ally issue and publicize a report of the Commission on the  
 25 progress made at Federal and State levels and on Indian



1 lands in the reform of professional boxing and commenting  
 2 on issues of continuing concern to the Commission.

3 **SEC. 17. INFORMAL RULEMAKING.**

4 To the maximum extent that the Commission deter-  
 5 mines practicable, the Commission shall prescribe regula-  
 6 tions in accordance with the procedures provided under  
 7 section 553 of title 5, United States Code.

8 **SEC. 18. INITIAL IMPLEMENTATION.**

9 (a) MEMBERS.—

10 (1) INITIAL TERMS.—Notwithstanding section  
 11 5(c), of the members first appointed to the National  
 12 Boxing Commission—

13 (A) one member shall be appointed for a  
 14 term of one year;

15 (B) one member shall be appointed for a  
 16 term of 2 years;

17 (C) one member shall be appointed for a  
 18 term of 3 years; and

19 (D) one member shall be appointed for a  
 20 term of 4 years.

21 (2) TIME FOR APPOINTMENTS.—The appoint-  
 22 ments of the initial members of the Commission  
 23 shall be made not later than 60 days after the effec-  
 24 tive date of this Act.

1 (b) INITIAL MEETING.—The initial meeting of the  
 2 Commission shall be held not later than 90 days after the  
 3 effective date of this Act.

4 (c) PERSONS LICENSED BY STATES AND INDIAN  
 5 TRIBES AS OF EFFECTIVE DATE.—

6 (1) TEMPORARY EXEMPTION.—The require-  
 7 ments for licensing or registration under section 7  
 8 do not apply to a person for the performance of an  
 9 activity as a boxer, boxing judge, or referee, or the  
 10 performance of any other professional activity in re-  
 11 lation to a boxing match, if the person is licensed by  
 12 a State or Indian tribe to perform that activity as  
 13 of the effective date of this Act.

14 (2) EXPIRATION.—The exemption under para-  
 15 graph (1) with respect to a license issued by a State  
 16 or Indian tribe expires on the earlier of—

17 (A) the date on which the license expires;

18 or

19 (B) the date that is two years after the  
 20 date of the enactment of this Act.

21 (d) FIRST ANNUAL REPORT ON THE COMMISSION.—

22 The first annual report under section 16(b) shall be sub-  
 23 mitted not later than one year after the effective date of  
 24 this Act.

1 **SEC. 19. SPECIAL REPORT.**

2 Not later than one year after the effective date of  
3 this Act, the National Boxing Commission shall submit to  
4 Congress a report on the feasibility of establishing a pen-  
5 sion system for professional boxing participants.

6 **SEC. 20. EXECUTIVE LEVEL PAY RATE FOR COMMIS-**  
7 **SIONERS.**

8 Section 5316 of title 5, United States Code, is  
9 amended by adding at the end the following:

10 “Commissioner, National Boxing Commission  
11 (3).”.

12 **SEC. 21. AUTHORIZATION OF APPROPRIATIONS.**

13 There is authorized to be appropriated for the Na-  
14 tional Boxing Commission for each fiscal year such sums  
15 as may be necessary for the Commission to perform its  
16 functions for that fiscal year.

17 **SEC. 22. EFFECTIVE DATE.**

18 This Act and the amendments made by this Act shall  
19 take effect one year after the date of the enactment of  
20 this Act.

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