

**THEMATIC COMPILATION OF RELEVANT INFORMATION SUBMITTED
BY THE UNITED STATES OF AMERICA**

***PROMOTING GOOD GOVERNANCE IN SPORT AND MITIGATING
THE RISK OF CORRUPTION***

UNITED STATES OF AMERICA (SEVENTH MEETING)

In the context of prevention, please describe (cite and summarize) the measures/steps your country has taken (or is planning to take, together with the related appropriate time frame) to promote good governance and mitigate the risk of corruption in sport.

Information sought may, in particular, include the following:

Legislation and policy

- Good governance and/or anti-corruption legislation or policies (strategies, codes or other policies) that have been developed by the State party;
- Training of relevant officials and stakeholders in good governance and/or anticorruption policies relevant to sport;
- Risk assessments of areas or sectors related to good governance and corruption in sports;
- Establishment of policy implementation, institutional or coordination mechanisms (allocated budget, designated responsible institutions, establishment of coordination structures, etc.).

Partnerships and inter-institutional coordination

- Description of how the participation of relevant stakeholders is promoted, including whether they are consulted and involved in the development, implementation, coordination and monitoring of policies;
- Measures to promote cooperation, coordination and exchange of information between law enforcement authorities, sports governing bodies and/or the private sector in relation to integrity in sport;

The Federal Bureau of Investigation's (FBI) Sports Bribery Program leads the U.S. Government's efforts to combat and prevent corruption in sports. This program, which is an outreach initiative of the La Cosa Nostra/Major Theft Operations Unit in the Transnational Organized Crime Section of the Criminal Investigative Division, has several facets, including the Sports Presentation Program, which helps college and professional sporting associations ensure the integrity of their sporting events. Specifically, the program is designed to educate, and bring awareness to, NCAA and professional athletes, administrators, and officials/referees with respect to Illegal

Gambling and Sports Bribery/Match-Fixing. As part of this program, the unit maintains liaison with the NCAA and many of the U.S. professional sports leagues, to include the NBA, NFL, MLB, and NHL.

This program also investigates violations of federal statutes concerning gambling and corruption in the sports industry, usually with the involvement of organized crime. During the last several years, the FBI has investigated allegations of Sports Gambling and Point-Shaving against several NCAA male football and basketball players. In addition, the FBI conducted an investigation of one NBA Referee who served a prison sentence for his role in betting on games he officiated, as well as providing inside information to Organized Crime members.

The FBI's Sports Presentation Program continues to work with the FBI's Domestic and Overseas Attaché Offices in an effort to ensure the integrity of athletic events in the United States by mitigating the threat of Organized Crime influencing the outcome of U.S. amateur and professional sports matches.

In the context of enforcement, please describe (cite and summarize) the measures/steps your country has taken (or is planning to take, together with the related appropriate time frame) to ensure the detection, investigation and prosecution of criminal offences linked to sport integrity.

Information sought may, in particular, include the following:

- Examples of criminal cases involving offences linked to integrity in sport (corruption, money-laundering, organized crime, match-fixing, etc.);
- Criminalization of sport-specific offences such as match-fixing, competition manipulation, illegal betting and betting manipulation;
- Activities and training to develop the capacity of investigators, prosecutors and other relevant officials in relation to criminal offences linked to integrity in sport;
- Establishment of specialized law enforcement or prosecutorial units responsible for dealing with offences relating to integrity in sport;
- Development of cooperation and coordination mechanisms to promote interaction between law enforcement authorities and relevant stakeholders, such as sport organizations or private-sector entities, in relation to criminal offences relating to sport.

Illustrative examples of the United States' ability to reach crimes related to sport are the following recent actions against a number of individuals and organizations involved with FIFA:

In May 2015, United States prosecutors filed an indictment in federal court charging 14 defendants with racketeering, wire fraud and money laundering conspiracies, among other offenses, in connection with the defendants' participation in a 24-year scheme to enrich themselves through the corruption of international soccer. Later in December, an additional 16 defendants were charged in a superseding indictment. The new charges

unsealed in December brought the total number of individuals and entities charged to date to 41. Of those, 12 individuals and two sports marketing companies have already been convicted as a result of the ongoing investigation. The convicted defendants have agreed to pay more than \$190 million in forfeiture. In addition, more than \$100 million has been restrained in the United States and abroad in connection with the alleged criminal activity.

The United States has issued mutual legal assistance requests seeking the restraint of assets located in 13 countries around the world. The indicted and convicted defendants face maximum terms of incarceration of 20 years for the Racketeer Influenced and Corrupt Organizations Act (RICO) conspiracy, wire fraud conspiracy, wire fraud, money laundering conspiracy money laundering and obstruction of justice charges. In addition, those that are charged with violations of tax laws face maximum terms of five and three years, upon conviction. Each defendant also faces mandatory restitution, forfeiture and a fine. The investigation is ongoing.

Please outline actions required to promote good governance in sport and mitigate the risk of corruption and describe any specific challenges you might be facing in this respect.

Examples of the types of challenge that States parties and signatories may face include:

- Developing an appropriate legislative framework in relation to good governance and corruption in sport (e.g. match-fixing, competition manipulation, illegal betting and betting manipulation);
- Bringing together government representatives and relevant international, sports and private-sector organizations to identify and implement good practice standards and helping officials to combat corruption in sport;
- Supporting the work of law enforcement and investigation services and sports Organizations

The United States' legislative framework to mitigate the risk of corruption in sports is comprised of a plethora of different federal statutes. These include the Wire Act, the Travel Act, the Illegal Gambling Act, the Sport Bribery Act, and the Professional and Amateur Sports Protection Act. However, while these Federal laws are routinely enforced, the vast majority of sports regulation is the responsibility of the individual states, which develop and enforce their own legislative frameworks. As a result of this system, the Federal government plays a smaller role in the promotion of good governance in sports than the states. Moreover, many of the major sports associations, as private business or non-profit organizations, have developed their own internal policies and regulations to promote good governance and mitigate the risk of corruption among players, coaches, and referring officials. Many enforcement actions are therefore outside the mandate of the U.S. government.