



November 7, 2012

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VIA ELECTRONIC MAIL (anwars@sen.parl.gc.ca)

Shaila Anwar
Committee Clerk Greffière de comité
The Senate Le Sénat
Ottawa, Ontario K1A 0A4

Dear Ms. Anwar:

Please see the attached statement from the National Collegiate Athletic Association (NCAA) in opposition to Bill C-290. Thank you for giving the NCAA the opportunity to comment.

If you are in need of any further information, please contact:

Abe Frank, Managing Director
NCAA Office of Government Relations
One Dupont Circle, NW
Suite 310
Washington, DC 20036
DD:202/293-3050

Very truly yours,

A handwritten signature in black ink that reads "Scott Bearby".

Scott A. Bearby,
Deputy General Counsel

SB:keh

National Collegiate Athletic Association

An association of more than 1,200 members serving the student-athlete
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Statement by the National Collegiate Athletic Association (NCAA) to the Standing Senate Committee on Legal and Constitutional Affairs of the Senate of Canada

Re: Opposition to Bill C-290, An Act to amend the Criminal Code (sports betting)

The NCAA is pleased to provide the following statement in opposition to Bill C-290:

1. We wish to thank the Standing Senate Committee on Legal and Constitutional Affairs for the invitation to provide comment about Bill C-290.

2. The NCAA has its national office located at 700 West Washington Street, Indianapolis, Indiana, USA. The NCAA is an unincorporated association of collegiate/university institutions.

3. The NCAA is pleased to have Simon Fraser University of Burnaby, British Columbia as its first Canadian member institution, effective September 1, 2012.

The fundamental purpose of the NCAA is to maintain intercollegiate athletics as an integral part of the educational program and the athlete as an integral part of the student body. The great success and popularity of the NCAA, and the goodwill that it has achieved with its fans and the public as a whole, is rooted in the integrity of intercollegiate athletics. Maintaining the integrity of NCAA athletic competition is critical not only to preserving the NCAA's goodwill, but also ensuring that the student-athletes themselves have an educational and constructive collegiate experience. For these reasons, the NCAA and its member institutions have worked diligently since its inception over one hundred years ago to protect

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the integrity of the NCAA and maintain the public's confidence in college athletics.

4. The spread of betting on intercollegiate athletics, including the introduction of single event sports betting as proposed by Bill C-290, threatens to damage irreparably the integrity of, and public confidence in, NCAA athletic competition. An increase in legalized sports betting would wrongly and unfairly engender suspicion and cynicism toward every NCAA event that affects the betting line. When gambling is freely permitted on sporting events, normal incidents of any athletic competition inevitably will fuel speculation, distrust, and accusations of point-shaving or game-fixing.

5. Our organization has seen first-hand the impact of sports betting scandals that have occurred in the United States. The expansion and legalization of single event sports betting will only serve to increase the likelihood of future betting scandals and the likelihood of attempts to involve student-athletes in these scandals.

6. The sports gambling scheme that the Bill proposes also greatly increases the likelihood that the allegiance of certain fans will be turned from teams, players and high-level athletic competition, toward an interest first and foremost in winning a bet. The core entertainment value of fair and honest competition that is reflected in NCAA competition could be replaced by the bettor's interest, based not on team or player performance, but on the potential financial impact of each NCAA athletic competition.

7. There is also a significant student-athlete welfare component related to sports wagering of the type that the Bill proposes. Pressure on student-athletes will be further elevated as they face scrutiny and criticism from the gambling community. The message sent to student-athletes when a country, province or state explicitly authorizes single event sports wager-

ing is that it is acceptable for their competitive efforts to be exploited by gamblers looking to make quick and easy money.

8. In addition, permitting single event sports betting in Canada will significantly undermine the efforts of NCAA staff that are dedicated to educating our member institutions and student-athletes regarding the harms of gambling.

9. Because of the threats that sports gambling poses to the goodwill and integrity of the NCAA, and to the fundamental bond of loyalty and devotion between fans and college athletes, the NCAA has repeatedly and consistently been a leading opponent of legalized sports gambling in the United States. The NCAA also has been opposed to the expansion of single event sports wagering in other nations in part because of the large number of student-athletes that come to the United States to attend NCAA member institutions and to participate in NCAA competition. Now that the NCAA has a Canadian institution among its membership, the NCAA is particularly concerned about the potential expansion of single event sports wagering in your country. Among the NCAA's efforts to oppose the spread of sports gambling are the following:

(a) The NCAA's efforts helped lead to the passage in the United States of the Professional and Amateur Sports Protection Act of 1992 (PASPA).

(b) In 2009, the NCAA joined with other sports leagues to successfully invoke PASPA and halt the spread of sports gambling in the State of Delaware, obtaining summary judgment in Office of Comm'r of Baseball v. Markell declaring that Delaware's proposed single event sport gambling scheme was a violation of PASPA and enjoining its implementation.

(c) Most recently, in 2012, the NCAA joined with other sports leagues to challenge the State of New Jersey's legislation allowing for single event sports betting in clear violation of PASPA. NCAA et al v. Christopher J. Christie, et al.

10. The NCAA's long and consistent opposition to gambling on the outcomes of its games is also reflected in numerous policy statements and the provisions of its governing documents. Such statements and provisions include the following:

(a) Bylaw 10.3 prohibits any of the following individuals from knowingly participating in sports wagering activities or providing information to individuals involved in or associated with any type of sports wagering activities concerning intercollegiate, amateur or professional athletics competition: (i) Staff members of an institution's athletics department; (ii) nonathletics department staff members who have responsibilities within or over the athletics department; (iii) staff members of a conference office; and (iv) student-athletes. The bylaw allows for strong sanctions and disciplinary actions against any student-athlete who violates this rule, including the potential to permanently lose all remaining regular-season and postseason eligibility in all sports.

(b) The Sports Wagering provision of the NCAA Employee Handbook states that "The NCAA opposes all forms of legal and illegal sports wagering. Sports wagering has the potential to undermine the integrity of sports contests and jeopardizes the welfare of student-athletes and the intercollegiate athletics with a message that is contrary to the purposes and meaning of 'sport.' Sports competition should be appreciated for the inherent benefits related to participation of student-athletes, coaches and institutions in fair contests, not the amount of mon-

ey wagered on the outcome of the competition. The NCAA Employee Handbook also sets forth that NCAA employees may not participate in any form of sports wagering.

(c) In August of 2009, the NCAA Executive Committee approved a policy under which no predetermined or non-predetermined session of an NCAA championship may be conducted in a state with legal wagering that is based on single-game betting on the outcome of any event (i.e., high school, college or professional) in a sport in which the NCAA conducts a championship. If Canada allows for this type of sports wagering, the ability for NCAA championships to be conducted in Canada could be jeopardized.

11. The NCAA urges the defeat of Bill C-290. Thank you for your consideration.

Submitted by:
The National Collegiate Athletic Association
November 6, 2012