

**USA BASKETBALL  
CONFLICT OF INTEREST AND GIFTS &  
ENTERTAINMENT POLICY**

*Effective 2022*

Those who choose to serve USA Basketball, including employees, board of directors, officers, committee members, hearing panel members, task force members, coaches, volunteers, and contractors<sup>1</sup> (collectively “Constituents”) are held to the highest standards of conduct. Those who serve USA Basketball must do so without personal gain, to avoid any institutional loss or embarrassment and to behave in such a way that the organization's trust and public confidence are enhanced. It is important to avoid any real conflict of interest as well as to avoid even the appearance of a conflict of interest.

While no set of guidelines can cover every circumstance, the principles which guide behavior in this area are disclosure, physical absence and nonparticipation in the decision-making process where personal or family gain is a possibility, and a commitment to honor the confidentiality of organizational information. Any individual accepting the honor of serving USA Basketball must also accept the burdens of public disclosure and public scrutiny.

**Applicability**

This Policy applies to all Constituents, as defined above.

**CONFLICTS OF INTEREST**

This Policy does not attempt to provide an exhaustive list of every possible circumstance that might give rise to a conflict of interest, but provides examples of situations and “transactions” where potential conflicts of interest often arise. A “transaction” is any contract, transaction, agreement or relationship involving the sale or purchase of goods, services, or rights of any kind, the providing or receipt of a grant or loan, or the establishment of any other financial relationship with USA Basketball

A “conflict of interest” exists when a person’s private interest or activity interferes with, influences, or has the potential to interfere with or influence, in any way, his or her responsibilities on behalf of USA Basketball or undermine the interests of USA Basketball. A conflict of interest can arise when a Constituent takes actions or has interests that may make it difficult to perform his or her work for USA Basketball objectively and effectively. Conflicts of interest also arise when a Constituent, or member of his or her family, receives improper personal benefits because of the Constituent’s position with USA Basketball.

Constituents must also avoid any appearance of a conflict of interest and will disclose any material transaction or relationship that reasonably could be expected to give rise to a conflict of interest. A conflict of interest also exists in the context of athlete or team selection when a Constituent participates in a selection decision that involves or impacts an athlete with whom the Constituent

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<sup>1</sup> Contractors will be required to comply with the Code of Conduct through their written contract.

has a direct or indirect relationship, or when a Constituent participates in a benefits or services allocation decision that directly impacts the Constituent.

### **Potential Areas of Conflict**

Conflicts of interest often arise due to the relationships Constituents have with the following third parties:

- A. Persons or entities supplying goods and services to USA Basketball;
- B. Persons or entities leasing property or equipment to USA Basketball;
- C. Persons or entities with whom USA Basketball is dealing or planning to deal in connection with the gift, purchase or sale of real estate, securities or other property;
- D. Competing or affinity organizations;
- E. Donors and others supporting USA Basketball;
- F. Agencies, organizations, and associations which affect the operations of USA Basketball; or
- G. Family members, friends, and other employees. A “family member” includes a spouse, domestic partner, parent, parent of spouse/domestic partner, child, stepchild, child of a domestic partner, sibling, or the sibling of a spouse/domestic partner of a Constituent.

Potential conflicts of interest often arise when Constituents have an interest, directly or indirectly, with any persons or entities mentioned above. Examples of potential conflicts of interest are listed below. The list below is not intended to be an all-inclusive list of every instance that may create a potential conflict of interest, but, rather, is a sample of the types of relationships and activities that may give rise to a conflict of interest. If a Constituent or other disclosing individual has any question as to whether a relationship or activity may create a conflict of interest, a disclosure must be made before engaging in an activity or transaction to which the potential conflict relates.

### **Examples of Potential Conflicts**

***The following are examples of potential conflicts of interest that must be disclosed prior to engaging in the relationship, activity, transaction, or evaluation of the same:***

- A. Constituent or their Family Member owns stock or holds debt or other proprietary interests in any third party dealing or who may potentially deal with USA Basketball.

**EXAMPLE:** A USA Basketball board member owns a 70% interest in a company seeking to enter into a contract with USA Basketball to provide consulting services.

- B. Constituent or a family member owns a business, maintains a second job, or provides goods or services under a provider, contractor, or consulting agreement, whereby the outside business provides or may provide goods or services to USA Basketball, the USOPC, or any other National Governing Body (“NGB”).

**EXAMPLE:** USA Basketball is contemplating entering into an agreement with an HR consulting company owned by a USA Basketball employee's husband.

C. Constituent or a Family Member holds a position of executive, officer or director, participates in the management of, or is otherwise is employed (or formerly employed) by any third party dealing or potentially dealing with USA Basketball.

**EXAMPLE:** A USA Basketball board member is the CEO of a technology company negotiating a contract with USA Basketball to provide IT services.

D. Constituent or a Family Member acts as an agent, representative, or consultant to a business whose interests may conflict with the interests of USA Basketball.

**EXAMPLE:** A USA Basketball board member is considering entering discussions to promote another NGB in negotiations with potential sponsors or licensees.

E. Constituent or a Family Member has a business relationship with a sponsor, supplier, licensee, or vendor of USA Basketball (for a current list of USA Basketball sponsors, suppliers, and licensees, please contact the Communications Department).

**EXAMPLE:** A USA Basketball employee's spouse provides legal services to a USA Basketball sponsor.

F. Constituent engages in activities or maintains interests that interfere with or influence, or have the potential to interfere with or influence, the satisfactory performance of their responsibilities on behalf of USA Basketball, or that undermine the interests of USA Basketball.

**EXAMPLE:** A USA Basketball board member has a significant client who owns or operates a facility being considered as the host of a USA Basketball event.

**EXAMPLE:** Constituent is notified they have been selected for a hearing panel or appeal panel involving discipline against a member of the Constituent's basketball club.

**EXAMPLE:** An athlete is the potential recipient of benefits or services that are being allocated by USA Basketball and is on a committee that would participate in the allocation decision.

**The following are examples of actual conflicts of interest that could give rise to a violation of this Policy:**

A. Constituent uses USA Basketball's time, personnel, equipment, supplies, or goodwill for anything other than USA Basketball-approved activities, programs, and purposes.

**EXAMPLE:** A USA Basketball employee uses a USA Basketball vehicle for a personal road trip.

B. Constituent solicits gifts or gratuities using their USA Basketball role or accepts personal gifts, loans, gratuities, or discounts from third parties in violation of the Gift & Entertainment Policy, below. No personal gift of money should ever be accepted. Note that these examples may violate this Policy if the exception set forth in the Gift and Entertainment Policy applies.

**EXAMPLE:** A USA Basketball employee using her position at USA Basketball to obtain box seats to a sporting event from a vendor for personal use.

**EXAMPLE:** Accepting tickets to an NFL game worth \$250 from a business seeking to obtain a contract to provide landscaping services for USA Basketball headquarters.

**EXAMPLE:** A USA Basketball board member gets paid a commission if USA Basketball enters into a particular contract with a third party.

C. Constituent awards USA Basketball business to, or provides favorable treatment to, a business owned or controlled by a volunteer, family member, or personal friend.

**EXAMPLE:** An employee is recommending that USA Basketball enter into a contract for landscaping services with a company because the landscaping company is owned by the employee's brother.

D. Constituent drafts selection procedures or participates and/or votes within a discretionary selection committee of USA Basketball when they have a relationship with an athlete who is potentially impacted by the selection procedures (*e.g.*, as coach, trainer, parent, etc.) or when the Constituent might benefit directly or indirectly from the selection method.

**EXAMPLE:** A USA Basketball employee participating in a decision to select an athlete on a USA Basketball team for a World Cup or major international competition when the employee is athlete's current coach or family member.

**EXAMPLE:** The athlete representative assisting with drafting, voting on, and/or signing the procedures is also competing for a spot on the team for which the procedures are written.

## **Self-Disclosure**

### **Annual Forms and Disclosures**

Each Constituent will sign a statement ("Acknowledgement"), using the standardized form, affirming that they:

- A. Have received a copy of the Conflict of Interest and Gifts and Entertainment Policy;
- B. Have read and understand the Policy;
- C. Agree to comply with the Policy; and
- D. Understand that USA Basketball is a charitable organization and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

In addition, each Constituent will be asked annually to disclose any actual, perceived, or potential conflict of interest as part of an “Annual Disclosure Statement.”

Any new employee will submit an Acknowledgement and Annual Disclosure Statement within 14 days of his or her hiring by USA Basketball. Any other new Constituent will submit an Acknowledgement and (if applicable) an Annual Disclosure Statement by the earlier of 14 days after his or her appointment or his or her first board, committee, or task force meeting. In no event will a Constituent participate in any decisions to commit USA Basketball to a proposed transaction or in athlete or team selection procedures prior to submission of his or her Acknowledgement and initial Annual Disclosure Statement.

USA Basketball will maintain copies of all Acknowledgments and Annual Disclosure Statements submitted in accordance with its document retention policies and procedures.

#### **Periodic Updates**

In addition to the annual disclosures, Constituents have an ongoing duty to disclose conflicts or potential conflicts whenever they may arise or whenever they become aware of them. Each Constituent will submit to the Ethics Committee an update to their Annual Disclosure Statement as necessary describing any new potential conflicts of interest as and when such potential conflict of interest arises. For example, if a USA Basketball board member changes jobs and his or her new employer is a potential contractor for USA Basketball, the board member must disclose this new relationship.

USA Basketball will maintain copies of all updated Annual Disclosure Statements submitted under this section in accordance with its document retention policies and procedures.

#### **Ongoing Disclosures as Potential Conflicts Arise**

In addition to formal written disclosures required of Constituents, Constituents must disclose conflicts or potential conflicts as they arise or become relevant. Constituents should not rely on any written disclosures alone, as the individuals with whom they are interacting may not know the contents of the Constituents’ written disclosures, and potential conflicts may arise that a Constituent did not foresee.

Examples:

- A. If a topic comes up during a board or committee meeting where a board/committee member has a potential conflict, the board/committee member should disclose the conflict and recuse and remove themselves from the meeting during deliberations and decision on the topic. The disclosure and recusal should be noted in the minutes.
- B. For hearing panel members, if they have a potential conflict in a case that they are set to hear, they must disclose the conflict. Depending on the conflict, the Constituent may either have to recuse, or it may be left to the parties to decide whether to object. In the event of a question as to whether the hearing panel member should recuse, the determination would

be made by the Ethics Committee.

### **Review of Annual Disclosure Statements**

All completed Annual Disclosure Statements must be returned to the Office Operations Director of USA Basketball for review and approval, *except* that the Annual Disclosure Statements of the CEO and members of the Board of Directors must be submitted directly to the Ethics Committee for review and approval.

### **Reports**

In addition to the mandatory self-disclosures required from each Constituent under this Policy, any individual with a good faith belief that a Constituent has a conflict of interest may notify the either the CEO or the CFO of USA Basketball of such perceived conflict pursuant to the procedures set forth below. Such notice may be provided anonymously. Furthermore, should any person become aware of any undisclosed conflict of interest, or any conflict of interest not fully disclosed, involving a Constituent other than themselves, such person should make full disclosure of their knowledge of the potential conflict of interest involved to either the CEO or the CFO of USA Basketball (if the conflict relates to the person themselves, they should self-disclose pursuant to the procedures above.

Constituents are also expected to oversee compliance with this Policy by Constituents whom they supervise. USA Basketball encourages its Constituents to talk to supervisors CFO when in doubt about the best course of action in a situation.

After disclosure of the conflict or potential conflict of interest and all material facts, and after any discussion with the Constituent who may have a conflict and any other relevant party, the Ethics Committee will decide if a conflict of interest exists pursuant to the procedures set forth below, as applicable, and if there are mitigating measures that could be implemented to permit USA Basketball to move forward with the transaction or activity.

### **Procedures for Addressing Potential Conflicts of Interest**

#### **With Respect to USA Basketball Transactions or Business**

In the event a potential conflict of interest exists with respect to a proposed transaction or arrangement, then promptly and before any decision is made regarding the proposed transaction or arrangement, the potential conflict of interest will be addressed as follows.

The Constituent who has a potential conflict of interest must disclose it to the Ethics Committee for review. The following process will be followed:

- A. The Constituent with the potential conflict may make a presentation to the Ethics Committee, which may be convened telephonically, regarding the transaction or arrangement involving the potential conflict of interest.
- B. The Constituent will then recuse themselves from any and all discussion of the conflict of interest.
- C. The Ethics Committee will determine whether an actual or apparent conflict of interest

exists. For transactions, the Ethics Committee may consider whether a competitive bid or competitive evaluation exists.

- D. If the Ethics Committee determines that an actual or apparent conflict of interest exists, it will determine whether there are mitigating measures that can be implemented to alleviate the conflict and/or what steps the Constituent and/or USA Basketball must take or not take in order to avoid the conflict. The Ethics Committee may determine in some cases that USA Basketball cannot engage in the transaction or arrangement at all due to the conflict or potential conflict of interest.
- E. The Ethics Committee is empowered to resolve grievances and potential conflicts of interest under this section, provided that any resolution must be negotiated and executed solely by disinterested parties.

**With Respect to Drafting Selection Procedures and Athlete/Team Discretionary Selection**

The following more particularized disclosure requirements and procedures apply in the context of drafting selection procedures and athlete/team discretionary selection decisions in order to ensure that no Constituent participating in the process has a conflict of interest that will impact his/her ability to make a fair and unbiased decision in the athlete or team selection process.

Any Constituent, including an athlete representative, involved in the drafting of selection procedures or on a discretionary selection committee, who has a potential conflict of interest relating thereto, must disclose it to the Ethics Committee for review. The following process will be followed:

- A. The Constituent may make a presentation to the Ethics Committee, which may be convened telephonically, regarding the potential conflict of interest.
- B. The Constituent will then recuse themselves from any and all discussion regarding the potential conflict of interest.
- C. The Ethics Committee will determine whether an actual or apparent conflict of interest exists
- D. If the Ethics Committee determines that a conflict of interest is exists, it will either mandate the Constituent's recusal from the process or determine to what extent, if any, that Constituent can participate in the process. The Ethics Committee may determine that the Constituent can still participate in the drafting of the procedures or be included in the discussions for discretionary selection of a team, but not take part in any sign-off, vote, or decision. For example, the Ethics Committee may determine that a national team coach or high performance director who has a conflict may provide information to the selection committee so long as such information is provided in a fair and unbiased manner and the committee member who disclosed the conflict of interest does not vote toward the final decision.
- E. The Ethics Committee is empowered to resolve grievances and potential conflicts of interest under this section, provided that any resolution must be negotiated and executed solely by disinterested parties.

Under no circumstances will a person with an actual or potential conflict attempt to unduly influence other members of the committee in the selection process.

If the Ethics Committee's decision results in a temporary or permanent vacancy in the athlete representative position, another athlete representative who meets the qualifications for that committee will be appointed and approved pursuant to the procedures for filling that position.

### **Violations of this Policy in Regards to Conflicts of Interest**

If the Ethics Committee has reasonable cause to believe that a Constituent has failed to disclose an actual or potential conflict of interest or otherwise violated this Policy, including in instances where it receives a credible report, it will review the issue, investigate to the extent it determines appropriate, and offer the Constituent an opportunity to explain the alleged failure to disclose or other violation.

If, after hearing the Constituent's response and after making further investigation as warranted by the circumstances, the Ethics Committee determines the Constituent has failed to disclose the conflict or potential conflict of interest, or committed another violation of this Policy, it will take appropriate disciplinary and corrective action. The Ethics Committee's decision will be final. In instances where the Ethics Committee's decision impacts an individual's opportunity to compete in USA Basketball competition, then the Ethics Committee's decision will be provided to the Chairperson as a recommendation, subject to procedures (including a further hearing, where required) under Article 13 of USA Basketball's Constitution.

If an actual conflict is identified for a Constituent, the Ethics Committee will communicate, in writing, direction on conflict mitigation to the Constituent. The Ethics Committee is empowered to resolve alleged violations and potential conflicts of interest under this section, provided that any resolution must be negotiated and executed solely by disinterested parties.

While any such failure to disclose a conflict or potential conflict of interest is under investigation, the Constituent will be precluded from engaging in further decisions of USA Basketball that bear any relation whatsoever to the matter that is the subject of the conflict or potential conflict of interest at issue.

The individuals responsible for this Policy and enforcement of the Policy may be contacted at: [ethicscommittee@usabasketball.com](mailto:ethicscommittee@usabasketball.com)

**Employees:** If the alleged violation is against an employee, any review, investigation, and/or discipline may be addressed under the relevant employment policy instead.

### **False Reports; No Retaliation**

**False Reports:** Constituents shall not file or encourage the filing of ethics and/or conduct complaints that are false or frivolous and intended to harm the respondent rather than to elicit or maintain compliance with the Policy.

**No Retaliation:** Retaliation against any individual for making a good faith report under this Policy or for cooperating in the procedures under this Policy, including any investigation or hearing, is strictly prohibited. Such retaliation is a violation of this Policy and shall be treated as such.



## **GIFTS AND ENTERTAINMENT POLICY**

As a general rule gifts, cash, travel, hotel accommodations, entertainment, or favors are neither to be given nor received, except those of nominal value exchanged in the normal course of business. All gifts or invitations must be reported and, in some cases, must be approved in advance before being accepted.

**Constituents and their immediate family members may never accept cash or financial instruments, such as checks or stocks, from current or potential business partners of USA Basketball or from government officials. Under the guidelines set forth herein, Constituents may accept gift certificates or gift cards.**

### **Report Required (No Prior Approval)**

The following gifts or invitations must be promptly reported to the CFO , but do not require advance approval. **However, an invitation to an event described below that would cover travel and/or accommodations requires advance approval**, as discussed below.

From current stakeholders and/or business partners of USA Basketball and government officials:

- A. Partner/sponsor/supplier/stakeholder/business partner products and partner/sponsor/supplier/stakeholder/business partner-branded products (e.g., logoed jackets) with a value of up to \$1,000 per Constituent, per year, per individual/company;
- B. Other gifts with a value of no more than \$100 per Constituent, per year, per individual/company or government official;
- C. On an infrequent basis, invitations for a spouse or family member to join the Constituent at sporting events with a stakeholder or business partner representative;
- D. Invitations to attend fundraising events with an individual/company representative at no cost to the Constituent;
- E. Invitations to attend other social, educational, or entertainment events intended to enhance the business relationship (including dinners with representatives of a stakeholder or business partner), provided that the cost of the event does not exceed \$100 per Constituent per event and \$400 total per stakeholder or business partner per year; and
- F. Perishable or consumable gifts provided that the gift is reasonable and not unduly lavish.

From prospective business partners of USA Basketball:

- A. Gifts with a value of not more than \$100 per Constituent, per year, per individual/per company;
- B. Invitations for the Constituent to attend sporting events with an individual/company representative;
- C. Invitations to attend fundraising events with an individual/company representative;
- D. Invitations to attend other social, educational or entertainment events intended to promote the business relationship (including dinners with representatives of a prospective business partner) provided that the cost of the event does not exceed \$100 per Constituent, per event and \$200 total per Constituent, per potential business partner, per year;
- E. Perishable or consumable gifts provided that the gift is reasonable and not unduly lavish.

### **Disclosure and Advance Approval Required**

Any gift or invitation that exceeds the thresholds above, including, but not limited to, invitations to events that would be inclusive of travel and accommodations, and gifts of excessive value, must be approved in writing by the CFO before being accepted, subject to the Approved Exceptions to Policy set forth below.

The CFO may deny approval where it determines that the proposed gift or invitation is not proper and/or creates an appearance of impropriety. USA Basketball will not under any circumstances permit or authorize participation in any business gifts or entertainment that might be considered lavish, inappropriate or illegal.

However, if, in very rare circumstances, a lavish (but otherwise appropriate and legal) gift is provided in circumstances in which it would be clearly offensive to refuse such a gift, the donor should be thanked and told that the gift is being accepted on behalf of and will be delivered to USA Basketball. The gift should then be promptly delivered to USA Basketball and disclosure made to the Ethics Committee pursuant to these procedures. The Ethics Committee shall determine what should be done with the gift.

### **Disclosures**

Constituents are required to disclose and/or seek approval, as applicable, of gifts and invitations received or given, as they come up. Disclosure can be made on the form following this Policy. Disclosures will be reviewed by Ethics Committee/CEO/CFO/Designee and approval or disapproval, where required, communicated to the Constituent.

### **Extending Business Courtesies**

There may be times when a Constituent wishes, as a business matter, to extend to a current or potential business partner (whether an individual or company) or a government official a gift or an invitation to attend a social event (e.g., reception, meal, sporting event, or theatrical event) to further or develop a business relationship. Such gifts or invitations may not exceed \$100 in value per business partner per year, without the prior written approval of the [CEO/CFO/Designee] and/or the Ethics Committee. This does not include USA Basketball events specifically for business partners or the broader public as a group, such as fundraisers or other USA Basketball events, or events that USA Basketball is contractually obligated to extend invitations to as part of, for example, a sponsorship agreement.

Invitations to events must be reasonable and appropriate. Topics of a business nature must be discussed at the event, and the Constituent must be present. Moreover, such business entertainment with respect to any particular individual must be infrequent on a yearly basis, generally no more than four times per year. Frequency beyond the foregoing must be pre-approved in writing by the CEO or CFO. To the extent Constituent has knowledge of applicable restrictions by a recipient's organization on gifts and entertainment, the Constituent must undertake best efforts for all business entertainment and gifts to comport with the restrictions imposed by the recipient's organization.

Constituents may give gift certificates within the limits set forth in this policy, but may never give

cash or financial instruments, such as checks or stocks.

### **Approved Exceptions to Policies**

USA Basketball recognizes that the limits set forth above may hamper the ability of the certain staff members to perform their job functions. In light of this, the foregoing limits will not apply to those individuals approved by the CEO or CFO if the invitation or event they will offer is part of normal and reasonable job duties and the event is not lavish or unreasonable. For those approved staff members only, the cost of gifts and events for which no prior written approval is required is \$1,000 or less per business partner or potential business partner per year. To the extent any gift or invitation exceeds that limitation, staff must obtain the prior written approval from the CEO or CFO.

### ***Government Employees and Officials***

The giving of gifts to federal, state, and local government employees and officials is governed by a complex set of rules that is typically agency-specific. Generally, the giving of gifts to government employees or officials is very limited or prohibited. Before offering a gift to a government employee or official, of any value, a Constituent must receive the approval of the CEO or CFO in advance and in writing.

### ***Disclosure and Approval***

All gifts or invitations offered by a Constituent must be covered by the appropriate USA Basketball budget and must in all cases be approved in advance by the appropriate USA Basketball supervisor. In addition, all gifts or invitations extended that exceed the limits and/or parameters noted above must be disclosed to, and approved in advance and in writing by, the [CEO/CFO/Designee] before they may be offered.

### ***Reports and Disciplinary Action***

Reports: Reports of potential violations of this Gifts and Entertainment Policy should be made to the CFO.

Procedures: Potential violations will be addressed by the Ethics Committee pursuant to the procedures for Conflicts of Interest, or, if the alleged perpetrator is an employee, the matter may be handled pursuant to USA Basketball's employment policies.

### **Policy Lead**

The CEO or CFO, or their designee, can be contacted with any questions about this Policy.

### **For Athletes With Questions Regarding This Conflict of Interest Policy**

*The Athlete Ombud provides cost-free, independent and confidential advice regarding athlete rights; resolving disputes or grievances; and any sport rule, policy, or process, including NGB-athlete agreements, codes of conduct or team selection procedures. The Athlete Ombud can also help athletes connect with legal counsel or mental health resources if needed. Athletes may contact the Athlete Ombud at:*

*PHONE: (719) 866-5000*  
*EMAIL: ombudsman@usathlete.org*  
*WEBSITE: www.usathlete.org*

In addition, individuals are encouraged to refer to the USOPC Integrity Portal, which can be found at <https://secure.ethicspoint.com/domain/media/en/gui/53006/index.html>.

**ACKNOWLEDGEMENT OF RECEIPT AND UNDERSTANDING**

I acknowledge receipt and understanding of the USA Basketball Conflict of Interest and Gifts and Entertainment Policy and I pledge my full support of the spirit and the letter of the requirements contained therein. I understand that USA Basketball is a charitable organization and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

\_\_\_\_\_  
(Name-Print or Type)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

## USA BASKETBALL ANNUAL DISCLOSURE STATEMENT

This Annual Disclosure Statement must be filled out by all USA Basketball employees, officers, board members, committee members, task force members, hearing panel members, coaches, volunteers, and contractors.

All completed Annual Disclosure Statements must be returned to the Office Operations Director of USA Basketball for review and approval, *except* that the Annual Disclosure Statements of the CEO and members of the Board of Directors must be submitted directly to the Ethics Committee for review and approval.

*For purposes of this Annual Disclosure Statement, the following definitions apply:*

- **Family Member:** *Includes your spouse, domestic partner, parent, parent of spouse/domestic partner, child, stepchild, child of a domestic partner, sibling, or the sibling of a spouse/domestic partner, or other blood relative, and anyone living in your immediate household.*
- **Affiliated Persons:** *Includes:*
  - *Any corporation or organization of which you are a board member, an officer, a partner, participate in management or are employed by, or are, directly or indirectly, a debt holder or beneficial owner of any class of equity securities; and*
  - *Any trust or other estate in which you have a substantial beneficial interest or as to which you serve as a trustee or in a similar capacity.*

As you go through the following questions to determine whether you may have a conflict of interest to disclose on this Statement, **please refer to pages 4-6 of this document for examples of conflicts of interest.** If USA Basketball is aware, or becomes aware, of a conflict of interest that has not been disclosed on this Statement, USA Basketball may return this Statement to you to add that conflict of interest.

### **Checklist**

- I own, operate or work at a business that is involved in basketball.
- My **Family Member(s)** or **Affiliated Person(s)** owns, operates or works in a business that is involved in basketball.
- I am actively participating in basketball as a competitor, official, coach or other type of participant.
- My **Family Member(s)** or **Affiliated Person(s)** actively participates in basketball as a competitor, official, or other type of participant.
- I or a **Family Member** own stock or hold debt or other proprietary interests in a third party dealing or who may potentially deal with USA Basketball.
- I or a **Family Member** have provided services or goods to USA Basketball.
- I or a **Family Member** have been associated with a third party that has provided services or goods to USA Basketball (including by being employed by, contracting with, or owning such third party).
- I or a **Family Member** has purchased goods or services from USA Basketball in the past year.
- I or a **Family Member** holds office, serves on the board, participates in management, or is otherwise employed by a third party dealing with USA Basketball.

- I or a ***Family Member*** is affiliated with a third party whose interests may conflict with those of USA Basketball.
- I or a ***Family Member*** has an interest in pending legal proceedings USA Basketball.
- I or a ***Family Member*** has a business relationship with a sponsor, supplier, licensee, vendor, or other contractor of USA Basketball.
- I or a ***Family Member*** has a family or business connection with an athlete who is likely to be considered for selection to a USA Basketball team.
- I or a ***Family Member*** has a position at, business relationship or affiliation with, or otherwise has some interest in another National Governing Body or the USOPC, whether directly or indirectly.

**If you checked any of the boxes above, please describe the item in more detail, including the names of the relevant Family Members and Affiliated Persons or other individuals or companies. Please include as much information as you believe is necessary for USA Basketball to evaluate the disclosure, and continue on a separate sheet of paper if needed.**

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**If not included above, please note all sport and USA Basketball/USOPC/National Governing Body involvement/affiliations. Please state the obvious – even if your involvement is widely known, be sure to note it here to be certain that any conflicts up front and easier to deal with, and continue on a separate sheet of paper if needed.**

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**USA BASKETBALL REVIEW:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

## USA BASKETBALL GIFT DISCLOSURE/APPROVAL FORM

Please complete this form immediately upon receipt of gifts/invitations requiring disclosure and/or approval. Please fill out one form for each such gift/invitation. Please return this Gift Disclosure/Approval Form to the USA Basketball Chief Financial Officer.

**Please check here if the gift/invitation requires approval before being accepted.** DO NOT accept without receiving written approval.

Name: \_\_\_\_\_

- USA Basketball Employee     USA Basketball Board Member     USA Basketball Volunteer  
 USA Basketball Committee Member     USA Basketball Hearing Panel Member  
 USA Basketball Task Force Member     USA Basketball Athlete Representative  
 USA Basketball Contractor  
 Other (please specify): \_\_\_\_\_

Describe the gift/invitation received:

- Description: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- The value of the gift is estimated at \$\_\_\_\_\_. Note: This is a good faith estimate based on retail value. If the value cannot reasonably be estimated or determined, so state.
- Please describe the source of the gift (name and relationship to USA Basketball) and under what circumstances it was received:  
 Current business partner: \_\_\_\_\_  
 Prospective business partner: \_\_\_\_\_  
 Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- Indicate below any matters pending or likely to arise in the future that might involve the donor: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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If approval required:  Approved     Denied

Reason(s) if denied: \_\_\_\_\_