

TIM SCOTT, SOUTH CAROLINA, CHAIRMAN
ELIZABETH WARREN, MASSACHUSETTS, RANKING MEMBER

MIKE CRAPO, IDAHO
MIKE ROUNDS, SOUTH DAKOTA
THOM TILLIS, NORTH CAROLINA
JOHN KENNEDY, LOUISIANA
BILL HAGERTY, TENNESSEE
CYNTHIA LUMMIS, WYOMING
KATIE BOYD BRITT, ALABAMA
PETE RICKETTS, NEBRASKA
JIM BANKS, INDIANA
KEVIN CRAMER, NORTH DAKOTA
BERNIE MORENO, OHIO
DAVID McCORMICK, PENNSYLVANIA

JACK REED, RHODE ISLAND
MARK R. WARNER, VIRGINIA
CHRIS VAN HOLLEN, MARYLAND
CATHERINE CORTEZ MASTO, NEVADA
TINA SMITH, MINNESOTA
RAPHAEL G. WARNOCK, GEORGIA
ANDY KIM, NEW JERSEY
RUBEN GALLEGO, ARIZONA
LISA BLUNT ROCHESTER, DELAWARE
ANGELA D. ALSOBROOKS, MARYLAND

JANIE FAULKNER, STAFF DIRECTOR
JON DONENBERG, DEMOCRATIC STAFF DIRECTOR

United States Senate

COMMITTEE ON BANKING, HOUSING, AND
URBAN AFFAIRS

WASHINGTON, DC 20510-6075

April 28, 2026

Clark D. Lauritzen
Chairman and President
First National Bank of Omaha
1601 Dodge Street
Omaha, Nebraska 68197

Dear Mr. Lauritzen,

With increased concern around credit card junk fees ripping off Americans on sports-betting platforms, I write to request details about First National Bank of Omaha's (FNBO) plans to stop consumers from getting scammed, including potential restrictions on the use of its credit cards for sports wagers. Many states and major sports betting companies are moving away from allowing the use of credit cards on their platforms.¹ As of March 2026, following a series of letters that I sent to online sports betting platforms, around 80 percent of the sports gambling market no longer accepts credit card transactions.² These changes represent increased consumer protections for all Americans who choose to place sports gambling wagers in states where doing so is legal. But the remaining 20 percent of the market has not yet adopted these improvements.

The legal sports gambling industry is growing quickly: just last month, the American Gambling Association (AGA) estimated that March Madness would attract approximately \$3.3 billion in legal wagers, which represents "a 54% increase over the past three years."³ Many credit card companies allow users to use credit cards to fund wagers on sports gambling and prediction market platforms, but treat that transaction as a cash advance that is subject to hidden fees and high interest rates. Many Americans have reported hidden, expensive, and compounding debts

¹ American Banker, "FanDuel bans credit card-funded bets, following DraftKings," Catherine Leffert, February 12, 2026, <https://www.americanbanker.com/news/fanduel-bans-credit-card-funded-bets-following-draftkings>; Payments Journal, "Why DraftKings Will No Longer Take Credit Cards," Tom Nawrocki, August 22, 2025, <https://www.paymentsjournal.com/why-draftkings-will-no-longer-take-credit-cards/>; Maine House Democrats, "Governor signs Malon's bill to protect Maine consumers from gambling addiction," April 3, 2026, press release, <https://www.maine.gov/housedems/news/governor-signs-malons-bill-protect-maine-consumers-gambling-addiction>.

² United States Senate Committee on Banking, Housing, and Urban Affairs, "Following Push from Warren Oversight, Majority of Sports Gambling Market Will Restrict Credit Card Companies From Ripping Off Americans," press release, February 11, 2026, <https://www.banking.senate.gov/newsroom/minority/following-push-from-warren-oversight-majority-of-sports-gambling-market-will-restrict-credit-card-companies-from-ripping-off-americans>; Reuters, "US sports-betting duo's growth wager is paying off," Jennifer Saba, January 23, 2025, <https://www.reuters.com/breakingviews/us-sports-betting-duos-growth-wager-is-paying-off-2025-01-23/>.

³ American Gambling Association, "Americans to Legally Wager \$3.3 Billion on March Madness; Nearly Half of Digital Sports Betting Ads Now Come from Prediction Market Platforms," March 13, 2026, press release, <https://www.americangaming.org/americans-to-legally-wager-3-3-billion-on-march-madness-nearly-half-of-digital-sports-betting-ads-now-come-from-prediction-market-platforms/>.

and fees that have accompanied sports betting credit card transactions,⁴ which may pose a threat to their financial health. While Americans who gamble in states where it is legal should remain free to do so, they should not have to deal with undisclosed credit card fees that rig the odds against them.

Credit card issuers like FNBO are—by virtue of their partnerships with sports gambling and prediction market platforms—responsible for many of these sites’ high fees. Wagers funded by credit card transactions on sports gambling platforms are almost always classified as “cash advances.” With “cash advance” transactions, the user is charged higher fees and interest, and that interest can start accruing immediately, rather than only after the cardholder carries a balance past their due date.⁵ In practice, credit card companies charge a one-time fee for each cash advance, typically the greater of \$10 or 3-5% of the amount advanced.⁶ This means that typical customers who use their credit card to fund their account for a \$20 bet would pay a \$10 fee on one transaction. Americans may be prepared to lose money on a bet they make—but most are not prepared to lose an extra 50% in credit card junk fees right off the top.

These fees are particularly concerning because online sports betting has never been more accessible: it is now legal in 31 states and the District of Columbia.⁷ One in ten respondents to a recent survey had placed an online sports bet in the last year.⁸ The Consumer Financial Protection Bureau also identified preliminary data to suggest that when a state legalizes sports betting, there is a corresponding spike in cash advance transactions.⁹ This pattern supports findings from a different survey which showed that approximately a quarter of online gamblers have used a cash advance on their credit card to fund their wagers.¹⁰

When I wrote to eleven major sports gambling platforms earlier this year to better understand the current landscape of consumer protections for consumers who fund wagers with credit cards,¹¹ the responses I received highlighted two key facts. First, the cash advance and credit fees at issue

⁴ Consumer Financial Protection Bureau, “Data Spotlight: Credit card cash advance fees spike after legalization of sports gambling,” Margaret Seikel, December 16, 2024, <https://www.consumerfinance.gov/data-research/research-reports/data-spotlight-credit-card-cash-advance-fees-spike-after-legalization-of-sports-gambling/>.

⁵ *Id.*; Slate, “The Most Obvious Thing That Would Make Sports Gambling Safer,” Alex Kirshner, December 20, 2024, <https://slate.com/business/2024/12/sports-betting-gambling-credit-card-debt-fanduel-draftkings.html>.

⁶ Experian, “What Is a Cash Advance Fee on a Credit Card?,” Jennifer Brozic, <https://www.experian.com/blogs/ask-experian/what-is-credit-card-cash-advance-fee/>.

⁷ American Gaming Association, “State of Play,” <https://www.americangaming.org/research/state-of-play-map/>.

⁸ Pew Research Center, “Americans increasingly see legal sports betting as a bad thing for society and sports,” John Gramlich, October 2, 2025, <https://www.pewresearch.org/short-reads/2025/10/02/americans-increasingly-see-legal-sports-betting-as-a-bad-thing-for-society-and-sports/>.

⁹ Consumer Financial Protection Bureau, “Data Spotlight: Credit card cash advance fees spike after legalization of sports gambling,” Margaret Seikel, December 16, 2024, <https://www.consumerfinance.gov/data-research/research-reports/data-spotlight-credit-card-cash-advance-fees-spike-after-legalization-of-sports-gambling/>.

¹⁰ U.S. News and World Report, “2025 Sports Betting Survey: 1 in 4 Sports Bettors Have Missed Bill Payments Due to Wagers,” Greg Garrison, July 23, 2025, <https://www.usnews.com/banking/articles/2025-sports-betting-and-debt-survey>.

¹¹ United States Senate Committee on Banking, Housing, and Urban Affairs, “Ahead of Super Bowl, Warren Warns of Credit Card Junk Fees on Sports Bets and Requests Data from Sports Betting Companies,” press release, February 6, 2026, <https://www.banking.senate.gov/newsroom/minority/ahead-of-super-bowl-warren-warns-of-credit-card-junk-fees-on-sports-bets-and-requests-data-from-sports-betting-companies>.

are largely determined and charged by the card issuer.¹² Second, the industry is moving away from allowing patrons to fund wagers with credit cards. Of the responses I received, five were from companies that have or are in the process of prohibiting credit cards on their platforms. The gambling sites have cited a variety of reasons for their decision, including, “to improve the deposit experience for our customers,”¹³ “in light of evolving industry standards and responsible gaming considerations,”¹⁴ and “to help customers ‘avoid cash advance fees and higher interest rates’ associated with credit card funding.”¹⁵

Some credit card issuers have already moved to mitigate risks associated with online gambling using credit cards. Gambling transactions on card networks are considered high risk transactions and have increased risk of fraud,¹⁶ an increased rate of customers seeking chargebacks on their transactions, and are subject to extensive and complex regulatory environments.¹⁷ Issuers may also face other legal exposure, for example, the American Bankers Association explained many years ago that “[b]anks are concerned they may be held liable for illegal bets placed with their credit cards, such as by underage gamblers or customers who may not be physically present in the states where online betting is legal.”¹⁸ Increased risks like these may be the reason why some card issuers like Bank of America and Wells Fargo reserve the option to decline “any transaction identified as internet gambling” altogether.¹⁹

The potential liabilities created when credit cards are used for sports gambling and prediction market platforms are not just bad for card issuers—they are also bad for consumers who are often saddled with unexpected, expensive junk fees. Given the changing norms of the online sports gambling industry, and the fees charged to consumers who fund wagers with credit cards, I write to ask that FNBO provide information about potential restrictions on the use of its credit cards on sports wagers. If FNBO refuses to do so, I request answers to the questions below to better understand why FNBO continues to allow these transactions and how the associated transaction fees and costs affect consumers. Please provide responses no later than May 15, 2026:

¹² E.g. Letter to U.S. Senator Elizabeth Warren, February 19, 2026, on file with the minority staff of the Banking Committee; Letter to U.S. Senator Elizabeth Warren, February 24, 2026, on file with the minority staff of the Banking Committee.

¹³ Associated Press, “FanDuel to stop accepting credit card deposits starting March 2,” Mark Anderson, February 11, 2026, <https://apnews.com/article/fanduel-credit-cards-draftkings-dae573ae12c351b036e3b3c7e706dbef>.

¹⁴ Letter to U.S. Senator Elizabeth Warren, February 19, 2026, on file with the minority staff of the Banking Committee.

¹⁵ SBCAmericas, “DraftKings to no longer accept credit card deposits as of Aug. 25,” Justin Byers, August 21, 2025, <https://sbcamericas.com/2025/08/21/draftkings-to-ban-credit-card-deposits/>.

¹⁶ The Payments Association, “The ultimate guide to merchant category codes (MCCs) and why they matter,” Rolands Selakovs, March 10, 2025, <https://thepaymentsassociation.org/article/the-ultimate-guide-to-merchant-category-codes-mccs-and-why-they-matter/>.

¹⁷ PayCompass, “High Risk MCC Codes: What Every Merchant Needs to Know Before Processing Payments,” Harris Nghiem, May 6, 2025, <https://paycompass.com/blog/high-risk-mcc-codes/>.

¹⁸ Bloomberg, “Online Casinos Hobbled as Credit-Card Issuers Reject Bets: Tech,” Christopher Palmeri and Elizabeth Dexheimer, November 15, 2013, <https://www.bloomberg.com/news/articles/2013-11-15/web-gaming-curbed-as-paypal-bank-of-america-refuse-bets>.

¹⁹ Consumer Financial Protection Bureau, “Data Spotlight: Credit card cash advance fees spike after legalization of sports gambling,” Margaret Serikel, December 16, 2024, <https://www.consumerfinance.gov/data-research/research-reports/data-spotlight-credit-card-cash-advance-fees-spike-after-legalization-of-sports-gambling/>.

1. Does FNBO allow users to make in person and/or online gambling transactions using any of its credit cards? If FNBO's policies vary across cards, please provide answers for each card offered.
 - a. If yes, please provide a copy or publicly available link to any and all associated policies, terms and conditions, agreements, or other associated materials on the use of credit cards to fund wagers.
 - i. State whether the gambling transaction is classified as a cash advance and any applicable fees and interest rates for such transactions.
 - ii. Additionally, provide a link to any and all publicly available copies of this information as it is provided to consumers on your website and/or within your mobile application.
 - b. If not, please provide the date of which FNBO stopped users from using credit cards to fund wagers and a summary of the rationale behind FNBO's decision.
2. Does FNBO track metrics associated with gambling transactions with its credit cards?
 - a. If yes, please provide the following information on an annual basis for each of the last five years (April 1, 2021 to present):
 - i. The percentage of users who have made a gambling transaction of any kind in the relevant year;
 - ii. The average value of all gambling transactions made by the user during the relevant year;
 - iii. The average age, demographic, and income level of users using credit cards to make gambling transactions versus other transactions;
 - iv. For users who have made a gambling transaction, the average total cash advance fees charged that year;
 - v. The total cash advanced fees charged to consumers related due to gambling transactions; and
 - vi. A breakdown of the ten most common vendors whose transactions with consumers are classified as gambling transactions.
 - b. If not, please thoroughly explain why this data is unavailable.
3. Does FNBO have any partnerships with crypto exchanges that accept credit cards?
 - a. If yes, provide a list of any and all crypto exchanges with which you have a partnership
 - i. Provide a comprehensive list of any and all fees associated with these transactions.
4. To the extent that FNBO permits users to engage in any form of gambling with their credit cards, is there a material difference in the rates of fraud, chargebacks, attempted illegal activity, or similar behavior for gambling transactions compared to other high-risk transactions or general other transactions? Provide any and all data to support your answer.
5. How many complaints has FNBO received from consumers who are surprised to be charged a cash advance fee for a gambling transaction? Provide an anonymous sample of

such complaints and the number of such complaints received on an annual basis for each of the last five years.

6. Does FNBO have plans to change any of its policies related to allowing gambling transactions with any of its credit cards or any of its policies related to charging cash advance fees and cash-advance specific interest rates for gambling transactions?
 - a. If yes, provide a description of such plans, an anticipated date of implementation, all communications associated with such plans, and any supporting documentation related to such plans.
 - b. If not, please explain.

Sincerely,



Elizabeth Warren
Ranking Member
Committee on Banking,
Housing, and Urban Affairs