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United States Senate
COMMITTEE ON BANKING, HOUSING, AND
URBAN AFFAIRS
WASHINGTON, DC 20510-6075

February 6, 2026

Fanduel Inc.
Amy Howe, CEO
300 Park Ave S 14th Floor
New York, NY 10010

Dear Mrs. Howe,

With the Super Bowl approaching as “the most bet-on sporting event in the nation,”¹ I write to request information on Fanduel Inc.’s (Fanduel) policies regarding the use of credit cards to fund sports bets placed on your platform. The Super Bowl is one of the most important events for bookmakers: Americans bet an estimated \$1.39 billion on last year’s game,² and recent research and reporting show not only that the vast majority of sports bets are placed online,³ but also that nearly a quarter of bettors have placed bets using credit cards.⁴ Many Americans have reported hidden, expensive, and compounding debts and fees that have accompanied sports betting credit card transactions, which may pose a threat to their financial health.⁵ 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 transactions on sports gambling platforms to fund wagers are almost always classified as a “cash advance.” 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.⁶ 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.⁷ This means that customers who use their credit card to fund their account for a \$20 bet would pay a \$10 fee

¹ Gambling Insider, “Timing Your Super Bowl Bet: When to Back the Favorite vs. the Underdog,” Michael Kaplan, January 27, 2026, <https://www.gamblinginsider.com/in-depth/106931/timing-your-super-bowl-bet>.

² NPR, “2 reasons why a record \$1.39B is expected to be bet on the Super Bowl,” Chadelis Duster, February 8, 2025, <https://www.npr.org/2025/02/08/nx-s1-5290099/one-billion-super-bowl-lix-bets>; American Gambling Association, “Americans to Wager Estimated \$1.39 Billion on Super Bowl LIX,” February 4, 2025, press release, <https://www.americangaming.org/americans-to-wager-estimated-1-39-billion-on-super-bowl-lix/>.

³ Kellogg School of Management, “Online Sports Betting Is Draining Household Savings,” Scott R. Baker, Justin Balthrop, Mark J. Johnson, Jason D. Kotter, et. al, December 1, 2024, <https://insight.kellogg.northwestern.edu/article/online-sports-betting-is-draining-household-savings>.

⁴ 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>.

⁵ 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/>.

⁶ 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>; Consumer Financial Protection Bureau, *supra* note 5.

⁷ 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/>.

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 on top of their bet.

Many users are unaware of the costs and fees associated with this type of credit card use, which can push them into financial trouble when gambling. Specifically, users are reporting that they did not realize that using their credit card to place a bet on a sports gambling website would be treated as a cash advance and accrue additional fees and interest.⁸ In 2024, the Consumer Financial Protection Bureau (CFPB) found that “sportsbooks provide limited or no disclosure on the potential for cash advance fees” and that “some companies only include the warning in small, grey font or characterize the fees as a possibility in their frequently asked questions.”⁹ As one individual described, “there was nothing when I was entering my payment info on the website to make me feel as though this would be treated any differently from the hundreds of prior transactions I’ve made with a credit card in the past.”¹⁰

These fees are particularly troublesome because online sports betting has never been more accessible: it is now legal in 31 states, Puerto Rico, and the District of Columbia.¹¹ One in ten respondents to a recent survey had placed an online sports bet in the last year.¹² The CFPB also identified preliminary data to suggest that when a state legalizes sports betting, there is a corresponding spike in cash advance transactions.¹³ 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.¹⁴

States have taken different approaches in deciding whether to permit credit transactions on online sports gambling platforms, and at least eight states have banned the use of credit cards to fund gambling.¹⁵ In Massachusetts, which legalized sports gambling in 2022, prohibiting the use of credit cards to place wagers was an “important priority of the Senate” given concerns that residents could rack up huge bills or fall into debt.¹⁶ Some sportsbooks have also failed to protect consumers when they were legally required to do so: in July 2025, the Massachusetts Gaming Commission fined DraftKings \$450,000 after it ruled that Draft Kings had illegally accepted over \$83,000 of credit card funds.¹⁷ The following month, Draft Kings stopped accepting credit

⁸ Consumer Financial Protection Bureau, *supra* note 5.

⁹ *Id.*

¹⁰ *Id.*

¹¹ Legal Sports Report, “Sports Betting States: Latest US Legislation & Bill Tracker,” Matthew Waters, November 21, 2025, <https://www.legalsportsreport.com/sports-betting-states/>.

¹² 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/>.

¹³ Consumer Financial Protection Bureau, *supra* note 5.

¹⁴ U.S. News and World Report *supra* note 4.

¹⁵ 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/>.

¹⁶ WAMC Northeast Public Radio, “Mass. State Sen. Eric Lesser discusses sports betting compromise,” August 2, 2022, <https://www.wamc.org/news/2022-08-02/mass-state-sen-eric-lesser-discusses-sports-betting-compromise>; WBUR, “Everything you need to know about Massachusetts’ new sports betting law,” Nik DeCosta-Klipa, January 26, 2023, <https://www.wbur.org/news/2022/08/11/massachusetts-sports-betting-timeline-explainer>.

¹⁷ *Id.*; Massachusetts Gaming Commission, In the Matter of: Crown MA Gaming, LLC d/b/a DraftKings, July 25, 2025, <https://massgaming.com/wp-content/uploads/DK-Noncompliance-Decision-Final-7.24.25.pdf>.

card deposits.¹⁸ Likewise, the Iowa Racing and Gaming Commission approved a \$75,000 penalty against FanDuel in 2022 after finding that its technology provider had allowed approximately \$459,000 of illegal credit card transactions over a year.¹⁹

As the online gambling industry continues to grow, with an estimated 44 million Americans reported as placing at least one sports bet in 2025,²⁰ bettors deserve transparency and protection. As one of the country's largest sports bookmakers, I seek answers to the following requests to allow me to better understand the current landscape of consumer protections for patrons who use credit cards. Please provide responses no later than February 19, 2026:

1. Does FanDuel allow users to fund gambling accounts, place wagers, or otherwise access funds for gambling purposes using a credit card?
 - a. If yes, please provide a copy of any and all associated policies, terms and conditions, or other associated materials on the use of credit cards.
 - b. 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.
 - c. If not, please provide the date of which FanDuel prohibited users from using credit cards and a summary of the rationale behind FanDuel's decision.
2. Does FanDuel place any limits on credit card transactions including but not limited to limits on the amount of funds that can be accessed, the types of bets that can be funded with credit cards, or the fees and interest associated with bets that can be funded with credit cards?
 - a. If yes, provide a summary of details about those restrictions, including any policies, terms and conditions, or other associated materials.
 - b. 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.
3. Does FanDuel track metrics associated with credit card transactions?
 - a. If yes, please provide the following information on a quarterly basis for the last five years:
 - i. The number and total value of transactions that FanDuel processes, broken down by type of payment (credit card, debit card, gift card, prepaid card, Venmo, etc).
 - ii. The types of bets that are funded with credit cards as compared to other forms of funding.

¹⁸ Legal Sports Report, "DraftKings Stops Accepting Credit Cards For Sports Betting," Sam McQuillan, August 26, 2025, <https://www.legalsportsreport.com/240206/draftkings-stops-accepting-credit-cards-for-sports-betting/>.

¹⁹ Iowa Racing And Gaming Commission Minutes, January 13, 2022, pp. 76-77, <https://irgc.iowa.gov/media/132/download?inline>.

²⁰ Ipsos, "Ipsos Data Drops: Sports betting is booming. Here's how Americans feel about it," January 14, 2026, <https://www.ipsos.com/en-us/ipsos-data-drops-sports-betting-booming-heres-how-americans-feel-about-it>; United States Census Bureau, "Population Under Age 18 Declined Last Decade," Stella U. Ogunwole, Megan A. Rabe, Andrew W. Roberts, and Zoe Caplan, August 12, 2021, <https://www.census.gov/library/stories/2021/08/united-states-adult-population-grew-faster-than-nations-total-population-from-2010-to-2020.html>.

- iii. For users who use credit cards, the number of credit card transactions made in a quarter.
- iv. The average age, demographic, and income level of users using credit cards versus other types of payment options.
- b. If not, please thoroughly explain why this data is unavailable.

4. Provide a detailed description of how FanDuel informs customers of fees and costs associated with credit card use on your platform.

- a. Provide a screen shot of FanDuel's disclosures of any and all fees as they appear to bettors across all desktop and mobile interfaces.

Sincerely,



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