



September 24, 2026

The Honorable Richard Blumenthal, Valerie P. Foushee, and Paul D. Tonko

Re: Response to Senator Blumenthal and Representatives Foushee and Tonko's Request for Information Dated September 3, 2026

Dear Senator Blumenthal and Representatives Foushee and Tonko:

On behalf of FanDuel Group ("FanDuel"), I write to provide additional information about FanDuel's VIP program and its commitments to customer protection and responsible gaming in response to your letters of August 10 and September 3, 2026.

FanDuel shares your commitment to protecting bettors from harmful gambling. The company has invested in, and will continue to invest in, robust responsible gaming technology and education designed to protect our customers. Our August 14 response provides information about the responsible gaming technology and tools FanDuel employs to monitor behavioral indicators, to empower our customers to manage their engagement with our platform, and to intervene when they are unable to do so. Put simply, FanDuel empowers customers to manage their play on our app because customers are far more likely to enjoy FanDuel's products for the long term if they do so at a sustainable level. Our goal is to build a customer base that enjoys FanDuel at a level that is right for them and to serve these customers for years to come.

Our VIP program, which serves only a small fraction of total FanDuel customers, is designed to offer an additional level of customer service—all while adhering to the company's responsible gaming commitment. The purpose of this program, like other VIP customer programs, is to encourage customer loyalty, so that a customer is more likely to choose FanDuel over another option in our industry, including federally regulated prediction market companies that also have VIP programs. Customers today have many sportsbooks and prediction market platforms to choose from, and they move between them freely. Like other company loyalty programs, FanDuel's VIP program is designed to reward customers, but it in a responsible manner.

We appreciate the opportunity to both provide additional information with respect to the specific questions listed in your letter and to address broader statements included in the letter itself, including how FanDuel Predicts fits within a separate federal regulatory structure and the standards that govern FanDuel's marketing and promotional practices. Throughout, we have endeavored to offer greater detail and clarity about FanDuel's practices and how we believe these practices serve our customers.

FanDuel Trains VIP Account Managers to Identify and Escalate Signs of Gambling Harm

FanDuel's VIP team is trained extensively on responsible gaming, through multiple formal training sessions each year covering responsible gaming conversations, escalation paths, and red



flags, along with informal discussions led by VIP leadership throughout the year to reinforce that culture. Responsible gaming language appears in every email FanDuel's VIP team sends to a customer.

FanDuel also trains VIP Account Managers to recognize and escalate specific categories of concerning statements, ranging from a customer expressing a desire to be excluded or stating they have a responsible gaming issue, to a customer raising concerns about their ability to pay for necessities, to language suggesting a risk of self-harm. FanDuel recognizes strong escalation work by VIP Account Managers through internal recognition programs.

In 2025, FanDuel also launched Real-Time Check-In, a technology that uses machine learning to identify when a customer makes a deposit that is inconsistent with their established deposit pattern. When an inconsistency is detected, the system automatically prompts the customer to review the deposit and consider whether to lower the amount or set a deposit limit going forward. For higher multiples of a customer's projected deposit, the system delivers a more direct check-in, *requiring* the customer to either lower their deposit amount or set a deposit limit going forward.

FanDuel Restricts VIP Communications and Subjects Rewards to Additional Oversight

VIP Account Managers are instructed to communicate with their assigned customers only through approved company channels. Any VIP reward above certain levels must go through additional approval channels before it can be offered.

FanDuel's VIP program is not designed to encourage destructive gambling. The structure described above, and in our August 14 letter, exists because we do not want that outcome, and we take seriously any suggestion that destructive gambling is encouraged.

FanDuel Does Not Offer Perks to Keep Customers from Cutting Back or Closing Their Accounts

FanDuel does not employ any such practice. If a customer asks to close their account, FanDuel helps them do so. If a customer tells FanDuel or a VIP Account Manager that they are trying to cut back on their play, FanDuel's practice is to help that customer use our responsible gaming tools or to ask FanDuel's Responsible Gaming team to evaluate the account and, where appropriate, take action on the account (which can be a short suspension from the platform, an operator-imposed deposit limit, or a complete prohibition from the platform). Account Managers are well versed in FanDuel's responsible gaming tools and can educate the customer on each option, including account closure. Where the right outcome is closing the account entirely, FanDuel's VIP Account Managers take that action.

FanDuel Uses Customer Play History to Calibrate Promotions While Separately Addressing Responsible Gaming Concerns

FanDuel may seek to re-engage a customer whose activity suggests that the customer may have shifted play to another operator. Those commercial retention efforts are distinct from



circumstances in which a customer tells FanDuel that they are reducing or stopping play for responsible gaming reasons. In those circumstances, FanDuel's response is to support the customer's decision and to provide responsible gaming tools, not to counter that decision with an incentive to continue playing.

FanDuel Has Not Used Personalized Videos or Messages to Induce Customers to Continue Gambling

On occasion, FanDuel has arranged a personalized video message, almost always through publicly available services, as a token of appreciation for a customer's loyalty in choosing FanDuel over its competitors. FanDuel has sent approximately 30 such videos of athletes and entertainers over the last two years.

FanDuel Does Not Train VIP Account Managers to Encourage Additional Gambling

Encouraging a customer to wager more is not the goal of FanDuel's VIP program. If a customer has decided to wager on a legal, regulated platform, FanDuel's objective is to provide a high level of service so that the customer chooses to do so with FanDuel rather than another operator.

Instead, VIP Account Managers are trained on a range of topics, including responsible gaming, escalation paths, anti-money laundering, event hosting, safety and security, anti-bribery and corruption, and FanDuel's bonusing procedures.

FanDuel Uses Multiple Behavioral and Account Signals to Identify Potentially Problematic Play

FanDuel empowers our users to manage their play with a broad set of tools, including Real-Time Check-In. Additionally, FanDuel employs both automated and manual proactive reviews to identify players who may be experiencing gambling harm. This proactive review includes language used by the customer, changes in wagering, depositing, and withdrawal patterns, as well as the length of time the user has spent on the site. Identifying problem play for all users is a difficult challenge, and FanDuel continually reviews the latest research and our own processes to improve our precision.

FanDuel Will Continue Offering VIP Customers a High Level of Service With Responsible Gaming Oversight and Safeguards

With the safeguards and controls described in this letter and in our prior letters to you, we are confident that FanDuel can continue to offer VIP customers a high level of service on an ongoing basis through its VIP program. The company has no plans to suspend or terminate the program. However, as we do with respect to all our programs, we will continue to look for ways to strengthen these safeguards as our platform, our customer base, and our understanding of these issues evolve.



Thank you again for your attention to this important issue. FanDuel shares your goal of ensuring that our products, tools, and safeguards protect customers, particularly those who may be at risk, and the information above reflects the seriousness with which we take that responsibility, in our VIP program and across our platform.

Your September 3 letter also raises two subjects outside the numbered questions: FanDuel Predicts and FanDuel's broader marketing and promotional standards. FanDuel Predicts is a joint venture with CME Group that operates as a non-clearing futures commission merchant under a separate federal regulatory framework. FanDuel has advocated in multiple CFTC filings for rigorous federal standards governing marketing, responsible play, and integrity for prediction-market products. In the meantime, FanDuel goes beyond regulatory requirements to offer tools to help customers on FanDuel Predicts manage their play, including self-exclusion, deposit limits, and deposit alerts, all of which are implemented globally across our products. At this time, FanDuel does not have a VIP program for FanDuel Predicts.

FanDuel's promotional communications are also subject to internal compliance controls. Promotional content is reviewed by FanDuel's Legal team before launch, and, in most cases, by the Responsible Gaming team. VIP emails include responsible gaming language and access to FanDuel's responsible gaming tools.

FanDuel is always looking to continuously strengthen our responsible gaming and player protection efforts and would welcome the opportunity to continue working with you on any of these subjects. FanDuel remains committed to being a transparent, responsive, and cooperative partner.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Cory Fox'.

Cory Fox
Senior Vice President, Public Policy & Sustainability