November 5, 2026

The Honorable Richard Blumenthal
706 Hart Senate Office Building
Washington, DC 20510

The Honorable Paul Tonko
2269 Rayburn House Office Building,
Washington, DC 20515

The Honorable Valerie Foushee
2452 Rayburn House Office Building
Washington, DC 20515

Re: Response to Senator Blumenthal and Representatives Foushee and Tonko's Request for Information Dated October 22, 2026

Dear Senator Blumenthal and Representatives Foushee and Tonko:

DraftKings Inc. ("DraftKings") writes in response to your letter dated October 22, 2026. We thank you for the opportunity to engage constructively with your offices and appreciate your concern for the DraftKings customer.

DraftKings shares your commitment to responsible engagement. DraftKings maintains a multi-layered Responsible Engagement program that combines, among other things, customer-directed tools and resources, automated behavioral monitoring, customer engagements, and review by trained personnel. DraftKings is the only U.S. operator with a Chief Responsible Gaming Officer reporting directly to the CEO, supported by a team of more than 50 full-time employees dedicated to responsible engagement. DraftKings employees also receive annual responsible engagement training, which totaled more than 10,700 hours in 2025.

DraftKings Rewards – formerly known as Dynasty Rewards – is a loyalty program that combines eligible activity across participating DraftKings offerings into a single tier progression system, and customers are automatically enrolled in the DraftKings Rewards program from day one. The loyalty program branding change, from Dynasty Rewards to DraftKings Rewards, was completed in August 2026.

DraftKings Rewards consists of five tiers (Bronze, Silver, Gold, Diamond and Onyx). We have designed our rewards program to recognize and reward loyal customers in ways that enhance their experiences, while fostering a fun and responsible environment. Loyalty programs are common practice in many sectors like entertainment, retail, airlines and lodging, and we believe our program is aligned with best practices across various industries.

We hope that this clarification is helpful in understanding our responses to your questions, which we believe are intended to focus on the tailored tiered aspects of our loyalty program.

1. **Please provide the following information about enrollment and participation in Dynasty Rewards:**

    a. **How many bettors are enrolled in Dynasty Rewards?**

DraftKings' entire customer base is included in DraftKings Rewards. The higher tiers (Diamond and Onyx) provide certain eligible customers with perks and rewards, which may include assigning them individual hosts. Less than one percent of our total customer base is currently part of the Diamond and Onyx tiers of our loyalty program.

    b. **What is the average loss/gain of bettors in Dynasty Rewards over the six-month period prior to being enrolled in the program?**

Because enrollment in DraftKings Rewards happens automatically when an account is opened, the six months before enrollment would, for nearly all customers, show no activity on DraftKings. Therefore, there is no relevant loss / gain average for individuals on the DraftKings platform prior to becoming a DraftKings customer and becoming part of the DraftKings Rewards program.

    c. **What is the average loss/gain of bettors in Dynasty Rewards after being enrolled in the program?**

DraftKings gives every customer direct visibility into their own wins and losses. My Stat Sheet, launched in March 2024, lets players more easily assess, track and review their personal play activity, in real time, such as the amount they have played and deposited and their net wins and losses, for the current month, the prior month, the past year, or the life of the account. Within one year of launch, nearly half of all DraftKings players had visited My Stat Sheet, with 13 million unique total visits. While we will note that exact figures are competitively sensitive, we are committed to working collaboratively with you on this matter.

    d. **How many bettors in Dynasty Rewards have attempted to cut back their betting activity or close their accounts but were instead offered exclusive perks or offers? How many decided to keep betting after such offers?**

DraftKings does not target anyone based on indicators of potential problem gaming, nor does it seek to identify the customers most likely to lose and get them to bet more.

Importantly, responsible engagement restrictions are applied to exclude certain customers from receiving marketing communications from DraftKings. DraftKings maintains a list of customers who are ineligible to receive promotions, based on criteria (referred to as "ineligibility attributes") including self-exclusions, "cool-offs", other responsible engagement restrictions, and universal opt-outs from gaming-related communications. The list is updated and published to relevant internal servers and systems almost hourly, every day. Our customer messaging platform, Braze, applies the list before any email, push notification, or in-app message is sent. Our systems act on new restrictions within a 24-hour standard, which DraftKings set based on consultation with regulators and industry norms. Customers can also opt out of direct promotional marketing at any time.

Simply put, customers under active self-exclusions, cool-off periods, responsible engagement suspensions, or bans are not eligible for DraftKings' promotions, and do not receive promotional communications.

Notably, with respect to customers returning to DraftKings following self-exclusion or cool-off periods, DraftKings applies a further "cool down" window: customers returning from a self-exclusion do not receive proactive promotional communications for 30 days after the self-exclusion ends; customers returning from a cool-off period of greater than 60 days will not receive such proactive outreach for 30 days after the cool-off period ends; and customers returning from a cool-off period of less than 60 days will not receive such proactive communications for 10 days after the cool-off period ends.

During this cool-down window, customers remain suppressed from direct promotional marketing for the full duration of the period. If a customer independently contacts their assigned host, including to inquire about bonuses or promotions, the host may engage with that customer; however, the customer remains ineligible for direct marketing until the cool-down period ends.

e. How much does DraftKings earn in revenue from its VIP program?

DraftKings does not publicly report revenue by rewards tier. Like all customers, members in the higher tiers generate revenue through their play.

2. **Please fully list the perks, offers, and services that DraftKings has provided bettors in Dynasty Rewards, including whether it has ever sent videos from players or other celebrities to its customers to keep them engaged in gambling on the platform?**

DraftKings is glad to share the benefits, promotions, gifts and experiences that DraftKings offers to customers as part of DraftKings Rewards, our sitewide loyalty program. To see those offerings, please visit the DraftKings website here.

For DraftKings customers that ultimately receive a host, the incentives that hosts may offer these players fall into three categories: (1) site credits; (2) gifting and experiences; and (3) promotions. Site credits (e.g., DK Dollars or Bonus Bets) are credits that can only be used on the DraftKings platform. Gifts or experiences may include tickets to sporting events, concerts, or other more tailored options based on the player's personal interests. Promotions are offers made to customers which provide an incentive or a reward, usually for taking a specific action. These promotions are similar to the promotional mechanics offered to DraftKings customers generally, however, they may carry a higher reward value for taking the specific action. They also may be offered on a 1:1 basis or platform-wide to all DraftKings Reward program participants.

Hosted DraftKings Rewards customers receive promotions in two ways. First, they receive the same site-wide, loyalty tier-based, and cohort-directed promotions as other customers. Second, hosts have discretion to tailor offers for individual customers, using information available to them about a customer's play. Hosts decide whom to contact and what to offer using information in our customer relationship management system—a process that is not automated. The DraftKings Rewards program has historically relied on human judgment and discretion of hosts to dictate the individualized promotions that a customer receives. The same ineligibility attributes applied to exclude ineligible customers from receiving promotions are applied to communications with hosted customers through our customer relationship management system, Salesforce.

As a general practice, DraftKings does not rely upon personalized content from professional athletes or major celebrities as an incentive for eligible DraftKings Rewards customers. We are only aware of the loyalty team sending one Cameo of Miles McBride – an American professional basketball player for the New York Knicks – to a customer.

3. **Please describe the review process customers must undergo before DraftKings offers them a VIP membership, including if DraftKings evaluates:**

   a. the total amount the customer had wagered beforehand and the amount that they had won or lost;
   b. whether the customer had ever requested to suspend their account, pause notifications, or take action to limit their gambling on the platform;
   c. whether the customer had ever exhibited any signs of problem gambling, regardless of if they sought help;

d. whether the customer had exhibited significant financial losses or economic hardship.

DraftKings' qualification criteria are listed on our website here.

In response to questions 3b and 3c, the DraftKings Rewards program is not proactively marketed to anyone who is in a cool-off period or for a period of time following that pause. The same ineligibility attributes applied to exclude ineligible users from receiving promotions are applied to communications with all customers regardless of their status through our customer relationship management system, Salesforce.

If a host identifies that a customer might be exhibiting potential signs of problematic play, they are required to escalate to the DraftKings' Responsible Engagement Team ("RET") for further review. The RET would then determine the appropriate action, if any. Additionally, any communications indicating a potential threat of self-harm are required to be escalated to the crisis management, threat assessment and responsible gaming teams for further action.

Separately, each month, hosts are randomly assigned 10 of their hosted customers for a required Responsible Engagement Check. For that check, hosts must contact customers by phone, text, or email and ask: (1) if they are playing within their means; (2) if their play impacts their quality of life, and (3) if they are playing for entertainment purposes. Any potentially concerning or inadequate responses must be escalated to the DraftKings RET. Responsible Engagement Checks are assigned on the 15th of the month and must be completed by the end of the month. Hosts that do not complete 100% of their checks within the quarter become ineligible for incentive-based compensation for the quarter.

Does DraftKings ever coach or train its VIP managers to develop personal relationships with their clients in order to encourage more gambling?

DraftKings hosts primary goals consist of creating an engaging experience that encourages long term retention and ensuring customers choose DraftKings over competitor platforms. DraftKings does train hosts to forge and cultivate positive customer-service relationships with our most engaged customers to help deliver a world-class experience. DraftKings trains every employee, including hosts, on responsible engagement. While all employees receive annual responsible engagement training, DraftKings' customer-facing employees receive additional training. Due to their familiarity with their assigned customers, hosts are well-positioned to identify potentially problematic behaviors and escalate these instances to the RET.

4. **Does DraftKings use artificial intelligence to track and target gamblers with perks and predatory promotions? If so, please describe how AI is used in this manner and what data about a bettor is used for these purposes.**

DraftKings does not use AI to identify the customers most likely to lose and get them to bet more, nor does DraftKings use AI to target customers based on indicators of potential problem gaming. **DraftKings uses data science and machine learning, not generative or agentic AI, to target promotions based on customer preferences, a basic marketing practice.** The vast majority of our promotions are site-wide offers.

We estimate that approximately 80 to 90 percent of our Sportsbook promotions, as an example, are site-wide offers available to all eligible DraftKings customers. The mechanics of a site-wide promotion are the same for everyone, but the amount of the promotion (sometimes referred to as generosity) can vary.

The remaining 10 to 20 percent of Sportsbook promotions are offered to cohorts of customers or by hosts to individual customers. A cohort is a group of customers who share one or more defined characteristics—such as similar behavior, preferences, or engagement patterns—for operational purposes and so they can be analyzed together rather than individually. Some are selected using rules written by DraftKings employees, such as a NFL promotion that is offered only to customers who have used the DraftKings: Sports & Casino app in the last 14 days and bet on NFL games.

Where data science is used, the Data Science team's models are designed to address two questions in sequence: (1) who should be offered a promotion ("audience selection"); and (2) which offer from our standard catalogue is most relevant ("offer selection"). Offers are selected for cohorts, defined by preferences such as preferred sport, offer type, and offer size, rather than designed for any one particular person.

DraftKings' promotional models are designed to ensure that promotional offers are not significantly outsized compared to a customer's usual activity. For example, the models are designed so that a customer whose typical maximum wager size is $10-$15 is not prompted to make a much larger wager as part of a promotional offer. The offers themselves are constructed, priced, and approved by DraftKings employees.

Thank you again for the opportunity to offer information on the DraftKings Rewards program.

Respectfully Submitted,

DraftKings Inc.