

ONE HUNDRED FOURTEENTH CONGRESS  
**Congress of the United States**  
**House of Representatives**

COMMITTEE ON ENERGY AND COMMERCE

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June 6, 2016

Mr. Peter Schoenke  
President  
RotoWire  
740 Regent Street, Suite 200  
Madison, WI 53715

Dear Mr. Schoenke,

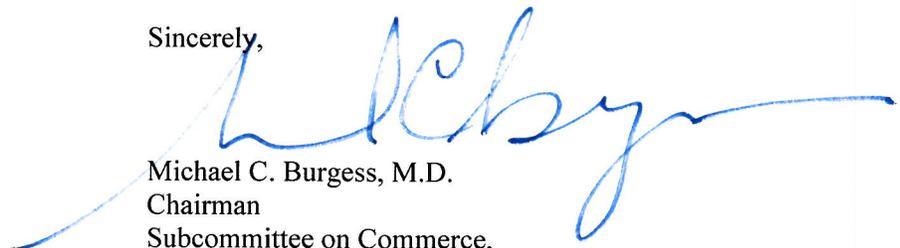
Thank you for appearing before the Subcommittee on Commerce, Manufacturing, and Trade on Wednesday, May 11, 2016, to testify at the hearing entitled "Daily Fantasy Sports: Issues and Perspectives."

Pursuant to the Rules of the Committee on Energy and Commerce, the hearing record remains open for ten business days to permit Members to submit additional questions for the record, which are attached. The format of your responses to these questions should be as follows: (1) the name of the Member whose question you are addressing, (2) the complete text of the question you are addressing in bold, and (3) your answer to that question in plain text.

To facilitate the printing of the hearing record, please respond to these questions by the close of business on Monday, June 20, 2016. Your responses should be mailed to Giulia Giannangeli, Legislative Clerk, Committee on Energy and Commerce, 2125 Rayburn House Office Building, Washington, DC 20515 and e-mailed in Word format to [Giulia.Giannangeli@mail.house.gov](mailto:Giulia.Giannangeli@mail.house.gov).

Thank you again for your time and effort preparing and delivering testimony before the Subcommittee.

Sincerely,



Michael C. Burgess, M.D.  
Chairman  
Subcommittee on Commerce,  
Manufacturing, and Trade

cc: Jan Schakowsky, Ranking Member, Subcommittee on Commerce, Manufacturing, and Trade

Attachment

Attachment - Additional Questions for the Record

**The Honorable Gregg Harper**

1. Self-exclusion for problem gamers is an issue that has been raised in this context because of the serious amount of money at stake in daily fantasy sports. How is the self-exclusion principle implemented in the daily fantasy sports marketplace? Is there a central hub for all of the operators to exchange information securely?
2. Can you describe the different types of games available on your members' websites, particularly the different types of contests offered in the daily fantasy sports category. I've heard about head-to-head contests that could have entry fees as high a thousand dollars. Would a player, who is signing onto a site for the first time, have any idea if they were playing in a head-to-head contest with a highly skilled player or "shark"?

**The Honorable Frank Pallone**

1. FanDuel and DraftKings declined to testify and were instead represented by the Fantasy Sports Trade Association (FSTA), of which they are both members. As I mentioned during the hearing, I would like to follow up on some of the questions I have for FanDuel and DraftKings that the FSTA was unable to answer in the hearing.
  - a. What percentage of FanDuel's players win money in an average week? What about DraftKings?
  - b. What percentage of FanDuel players lose money? What about DraftKings players?
  - c. What was the most amount of money deposited into a FanDuel account by one player, one username, and/or one IP address in one given day? For DraftKings?
  - d. What was the most amount of money won by one participant, username, and/or IP address playing FanDuel, across all games, contests, etc. in one day? And for DraftKings?
  - e. What is the rake that FanDuel collects on each contest? What about DraftKings?
2. Last year, DraftKings applied and received a gambling license in the United Kingdom. FanDuel also applied for a gambling license in the U.K. Yet, in the U.S. both companies maintain that DFS is not gambling.
  - a. What is DraftKings' rationale for getting a gambling license in the UK if DFS is not gambling?
  - b. What is FanDuel's rationale for getting a gambling license in the UK if DFS is not gambling?
3. Last fall, Ethan Haskell, a DraftKings employee, was accused of using information he obtained in the course of his work to help his play on FanDuel's platform. An independent investigation cleared him of any wrongdoing, noting that he did not receive the information until his lineup was locked.

- a. The report prepared by the law firm that conducted the “independent” investigation was not publicly released. Why did DraftKings not release that report?
  - b. Where did the information received by Mr. Haskell come from? Who sent it to him? Was that person playing DFS? Did that person gain an advantage from the information?
4. DraftKings prohibits its own employees and employees of other daily fantasy sports operators from playing on its site. FanDuel prohibits its employees from playing on its own site or other DFS sites.
  - a. How does DraftKings ensure that employees of other DFS operators are not playing? Do competitors share their employee lists with DraftKings?
  - b. How does FanDuel ensure that its employees are not playing on another DFS site? Do competitors share lists of users with FanDuel?
  - c. As Professor Kurt Eggert mentioned in his testimony, employees have access to spreadsheets that show the players who are the biggest losers on the DFS sites. How does FanDuel ensure that those lists are not being used to invite those “losers” to head-to-head matches? What about DraftKings?
5. We have heard a number of complaints about daily fantasy sports advertising. And I do not just mean the overabundance of their ads. Some are concerned that the advertisements suggest the ability to win more than is truly possible or fail to mention the statistical chance of actually winning. How does DraftKings ensure that its advertisements are not deceptive? What about FanDuel?