

Statement of

David Weingarden

Z2 Entertainment & Colorado Independent Venue Association

Before the

**Senate Committee on Commerce, Science, and Transportation's Subcommittee
on Consumer Protection**

On

**“Examining the Impact of Ticket Sales Practices and
Bot Resales on Concert Fans”**

January 28, 2026



Introduction

Chairman Blackburn, Ranking Member Hickenlooper, and Members of the Subcommittee, thank you for the opportunity to testify today.

My name is David Weingarden, and I am the Vice President of Concerts + Events for Z2 Entertainment, an independent live entertainment company based in Boulder, Colorado. Z2 owns and operates three independently owned venues across Colorado, including the Boulder Theater and Fox Theatre in Boulder, the Aggie Theatre in Fort Collins, and exclusively book additional venues in Boulder, Steamboat, Frisco. Together, we produce approximately 700 live shows each year, featuring artists at every stage of their careers.

I am here today not only on behalf of Z2, but also representing the Colorado Independent Venue Association, which includes more than 100 locally owned venues across the state. All of these venues and festivals are independent rooms ticketed by more than 20 different ticketing services. We are also a proud member of the National Independent Venue Association, which represents the independently-owned venues, festivals, and promoters nationwide.

I got into this business because of a love of live music. Independent venues exist to bring performance to new audiences, to create shared experiences, and to serve as cultural gathering places in our communities. We don't do this work because it's easy or highly profitable. We do it because live music and performance matters.

While independent venues operate on tight margins, our economic impact is significant. Across the country, independent stages support nearly \$52 billion in wages and benefits each year and contribute more than \$19 billion annually in local, state, and federal tax revenue.¹ In Colorado alone, independent live venues generate approximately \$2.3 billion in annual economic output.² Venues like ours are community anchors and economic engines but our business model is fragile.

Artists are typically paid through a guaranteed fee or a percentage of ticket sales after show expenses, whichever is greater. Their income is directly tied to how many tickets are sold. Venues, meanwhile, rely heavily on food and beverage revenue to stay afloat. We staff and budget weeks in advance based on ticket sales data, building each show carefully to ensure we can pay artists, employ our staff, and keep our doors open.

When something goes wrong in this ecosystem, the risk falls almost entirely on venues and artists. We are responsible for staffing, safety, production, payroll, and compliance regardless of what happens in the secondary market. Resellers do not share that risk. Yet increasingly, the practices of the secondary ticketing industry are directly undermining the stability of businesses like ours and truly harming the fans we serve.

Let me begin with several key points:

¹ National Independent Venue Association, *The 2025 State of Live Economic Research Study* (2025), <https://www.nivassoc.org/stateoflive>.

² National Independent Venue Association, *The 2025 State of Live Report: Colorado* (2025), <https://static1.squarespace.com/static/5e91157c96fe495a4baf48f2/t/68e5b46c9ce4337898935182/1759884396101/2025-NIVA-State-of-Live-Report-CO.pdf>

- Fans are being systematically steered into the resale market, where they are overcharged, misled, and frequently sold tickets that do not exist.
- Speculative and “concierge” tickets are simply ghost tickets, they are not real tickets, and they must be prohibited with no loopholes.
- Congress should ban resale above face value and allow for a reasonable fee of no more than 10% to be added to cover resale processing costs so that tickets cannot be flipped at extreme markups with unlimited add-on fees.
- Congress should also ban resale before the public onsale and prohibit deceptive URLs and spoof websites that impersonate official venue box offices.
- Congress should increase oversight of illegal bots by strengthening and enforcing the BOTS Act and by passing the MAIN Event Ticketing Act, a bipartisan bill led by Senator Blackburn and Senator Luján.
- Live Nation leverages their dominant control of tours and artists - with billions in revenue from Ticketmaster to allow them to take losses on shows - to systematically disadvantage independent venues and festivals. Congress should ensure the Administration, the U.S. Department of Justice, and state attorneys general have the support and resources they need to break up Live Nation and Ticketmaster.
- The Committee should be skeptical of “consumer” groups like the National Consumers League and Sports Fans Coalition as they are financed by resale platforms to lobby against real consumer protections in ticketing.

We are one venue operator from one state, but I speak with independent venues and festivals across the country daily. What we are seeing is widespread and growing. This is not anecdotal. It is systemic, and it deserves a real response that puts people over profits.

What’s Going Wrong? The Deceptive Practices Harming My Fans

One of the biggest problems we see is price gouging driven by the secondary market. Fans regularly pay far more for tickets on secondary sites when cheaper tickets are still available directly. That doesn’t happen because of demand. It happens because fans are pushed into the resale market and made to believe the highly inflated prices are their only option. In a recent IPO filing, StubHub alone spends more than \$800 million annually to have their websites and tickets appear on search engines ahead of ours.³³

This is happening right now in Colorado. As of January 23, 2026, there are active listings on StubHub advertising \$37 tickets for Shakedown Street, a Grateful Dead cover band, performing on February 7th at the Boulder Theater. The problem? The show is free before 9pm. As of the same date, StubHub is advertising tickets priced as high as \$342 for Oh Wonder’s April 24th performance at the Boulder Theater, even though most seats are still available directly through our official box office. In fact, the seat immediately next to one listed on StubHub in Floor Section C is available from us for \$65.68. That’s more than **5 times** the price for tickets we still have available. Five times!

In another case this past year, a fan buying tickets to see The Devil Makes Three selected what appeared to be a \$95 option for two tickets, only to receive a confirmation charging \$165, with no explanation and

³ StubHub Holdings, Inc., *Form S-1 Registration Statement* (U.S. Securities and Exchange Commission), consolidated statements of operations, reporting approximately \$828 million in sales and marketing expenses for the year ended December 31, 2024, <https://www.sec.gov/Archives/edgar/data/1337634/000119312525060140/d225849ds1.htm>

no added value. These fans didn't do anything wrong. They were misled, and by the time they realized it, their money was gone and we were left to deal with the fallout.

Beyond price gouging, our box office staff deals with speculative and fake ticketing every day. These include tickets that don't scan, tickets sold multiple times, tickets for seats or sections that don't exist, and even tickets for events that were never scheduled at all. At the Fox Theatre in Boulder, tickets were advertised and sold online for a Joey Valence & Brae show on a date when no such event existed on our calendar.⁴ At the Boulder Theater, a fan paid more than \$300 for two tickets to a Big Bad Voodoo Daddy show that cost \$27.50 at our box office. The resale site promised "guaranteed first eight rows," even though the show was standing room only! The customer ultimately had to cancel his entire credit card to avoid charges.

At the Aggie Theatre in Fort Collins, fans arriving to see Champagne Drip had resale tickets that simply would not scan, forcing our staff to step in and prove the tickets were invalid just so the fans could try to get refunds. And at the Boulder Theater, a fan paid \$173.50 on a secondary site to see Ladysmith Black Mambazo, only to arrive and learn the tickets didn't exist. She purchased valid tickets at our box office for \$40. These aren't isolated incidents. They are daily examples of how speculative ticketing harms fans and leaves independent venues to clean up the damage.

"Seat Saver" or "Concierge Services" Are Actually Ghost Tickets

The most extreme version of this is what resale sites now call "concierge" or "seat saver" tickets. These are really non-existent ghost tickets. They're actually not tickets at all. The seller doesn't have the ticket when they sell it. Fans are led to believe they are buying a real seat, but they're just paying for a promise that someone might try to find a ticket later. This isn't an accident. It's how the secondary market keeps selling fake or speculative tickets under a nicer name.

Resale platforms market these ghost tickets as if they are a helpful convenience. In practice, they function as speculative ticketing: the seller takes a fan's money before possessing a real ticket, then may locate something later or plan to never deliver it at all. Scalpers list their ghost ticket at an extreme price (say \$1000) which is exponentially above the original price (say \$100). They use their expensive reseller software to scour the internet and as long as they find a ticket below \$1000, they've turned a significant profit, manipulated the market, and price gouged the consumer. The patterns are consistent and documented across the country:

- **Fake ticket listings appear before any legitimate ticket could exist.** For example, a show at Britt Pavilion (Bonnie Raitt, June 3, 2026) was not scheduled to begin member presale until January 26, 2026. Yet a resale listing was already posted on November 17, 2025, offering a "ticket" for \$453. A consumer cannot resell what no consumer can legally possess. The only way that listing exists is if the seller is speculating, planning to source later, or relying on broker inventory that never went through fair consumer access.⁵

⁴ National Independent Venue Association, Letter to Yelp CEO Jeremy Stoppelman (Aug. 28, 2024), <https://static1.squarespace.com/static/5e91157c96fe495a4baf48f2/166cf14e95df2e53976dedfb/1724887295053/NIVA+Letter+to+Yelp>

⁵ National Independent Venue Association, Independent Venues & Festivals Call for U.S. States to Replicate the UK's New Ticket Resale Price Cap Policy and to End Speculative Listings (Nov. 19, 2025), <https://www.nivassoc.org/statements/2025/independent-venues-festivals-call-for-us-states-to- replicate-the-uks-new-ticket-resale-price-cap-policy-and-to-end-speculative-listings>

- **Speculative sellers manufacture urgency to push fans into overpaying early.** For Aimee Mann at Revolution Hall (March 13, 2026) in Portland, OR, the first presale was scheduled for November 18, 2025 at 10:00 AM, with public onsale on November 21. Yet a resale listing appeared at 8:54 AM on November 18, 2025 offering “tickets” for \$143, paired with a scarcity claim like “less than 2% remaining,” while the official ticket price was shown as \$63.23. This is not a functioning market. It is a pressure tactic built on a listing that should not exist yet.⁶
- **Speculative sellers set extreme prices on ghost tickets before a single ticket is sold.** An internal primary system screenshot for a Rachel is Kozi show at The Howlin’ Wolf (October 3, 2025) in New Orleans, LA showed a \$10 face value price and zero tickets sold, meaning no inventory was circulating. Despite that, a resale listing was posted on StubHub offering a speculative ticket for \$964 while claiming “Only 1% of tickets left.” That is the core of the “concierge” and “seat saver” model: charge first, source later, and use fear to justify the markup.⁷
- **Seats and rows are advertised that do not exist, even for the biggest tours in the world.** We have seen “Seat Saver” resale listings sell “seats” that do not exist in the venue, such as seats 9001 to 9004 for a show at The Fitzgerald Theater in St. Paul, MN even though the venue has 1,058 seats and no seat numbers anywhere near the 9000s. We have also seen the same practice scaled up for stadium events, including multiple Beyoncé shows where resale listings advertised floor tickets in rows that the primary ticketing seat map does not show at all, such as NRG Stadium in Houston listing Floor Q, Row 22 when the primary map’s last listed row is Row 12, Mercedes Benz Stadium in Atlanta listing Floor M, Row 20 when the primary map’s last listed row is Row 15, MetLife Stadium listing Floor 12, Row 24 when the primary map’s last listed row is Row 12, and Allegiant Stadium in Las Vegas listing Field A3, Row 25 when the primary map’s last listed row is Row 8. These are not minor discrepancies. They are concrete proof that platforms are hosting listings that are not tied to real tickets that could ever exist.⁸

When these ghost tickets fall apart, fans come to our box offices desperate for help after they’ve already spent money on travel, hotel rooms, outfits, childcare, and time off work. And there’s nothing we can do for them. The resale platforms face little to no consequence for listing something that was never real in the first place. You couldn’t sell a car, a hotel room, or a plane ticket you don’t own and call it a service. Live entertainment shouldn’t be any different. Unfortunately, the federal TICKET Act currently explicitly says some of these practices should be legal - **and that needs to change.**

Negative Impact of The Mounting Resale Deceptive Practices

When something goes wrong with these fake and overcharged tickets, fans don’t blame the scalper who sold it to them from a basement halfway across the country. They blame the venues. They come to our box offices angry and confused when their ticket doesn’t scan or when they realize they wildly overpaid. Our staff is the only face they see, so we take the hit. We get the bad reviews, and it is our reputation that is damaged.

At Z2, we’ve been forced to print out and keep a sheet at our box office with customer service contact information for all the major resale sites, not because it helps us but because fans are desperate, and this is quite literally the only thing we can do to help. Anyone who’s tried to get help from these sites knows

⁶ Same reference as 5.

⁷ Same reference as 5.

⁸ Same reference as 5.

how that goes. 99% of the time, phones don't get answered. Emails go nowhere. Fans leave frustrated and that frustration lands squarely on us.

The damage doesn't stop there. On the night of a show, we staff as if it's sold out: full production, bar, security, and box office. But when resellers can't unload their inventory, a show that looked sold out on paper is suddenly only 60 to 70 percent full but we don't know that until doors open. That means we lose 30 to 40 percent of our expected food and bar revenue, while labor costs stay the same. And to add a pile of salt on the wound, venues find out weeks later that the scalpers claim fraud for what was unsold and are refunded thousands of dollars by the credit card companies. These 'chargebacks' also come with a fee, which is paid by the venues. That shortfall comes after the show, after the band is paid, after staff is paid, after the lights are turned off. And there's no way to make that money back. This amounts to stealing, but we have no recourse.

Z2 produces around 700 shows a year. That adds up to a massive amount of lost revenue, but more importantly, it represents hundreds if not thousands of fans who were deceived and left with a worse experience. Fewer fans come back. Bar sales drop. Merchandise sales drop. Money that should stay with the artist and local businesses leaves the community and the state. And increasingly, fans give up entirely or look elsewhere, even traveling out of the country for shows because 1) it's cheaper and 2) they no longer trust the system here. The fans, the venues, the artists, and local economies all lose.

Independent venue owners did not choose to become policy advocates. We chose to run small businesses, employ local workers, and bring live music to our communities. The scale and aggressiveness of today's scalping platforms has left us with no choice. The harm to our fans and our businesses has become so severe that we have been forced to dig into what's happening behind the scenes and engage in policy fights simply to protect the people who walk through our doors.

That reality hit home in Colorado. As deceptive resale practices escalated, well-funded resale interests poured resources into shaping state legislation that directly affected our businesses, often without independent venues meaningfully included at the table. We watched policies, including the scalper-backed Colorado House Bill 24-1378, being pushed that favor resale profits over fan protection, even as local venues were left dealing with the fallout night after night. That experience made one thing clear: this is not just a local problem, and it is not accidental.

When we followed the money, the same players kept appearing. What looks like a scattered, chaotic resale market on the surface is, underneath, a highly coordinated and professionalized national industry. To understand why independent venues across the country like mine are facing the same problems every day, and why government intervention is necessary, it's important to understand who is shaping the debate, how much money is at stake, and why these companies are fighting so hard to preserve the status quo.

The Multibillion Dollar Industries That Are Harming Our Consumers and Our Business

The highly professionalized resale industry extracts enormous profits while refusing to operate transparently. The Ticket Policy Forum, led by former National Association of Ticket Brokers' lobbyist Brian Berry, is a clear example. It is a coalition of the largest resale platforms in the country, including StubHub, SeatGeek, TickPick, GameTime, Vivid Seats, and Event Tickets Center. These companies are not advocating for fans or venues. Their platforms host scalpers and they are advocating for their own revenue streams and stock prices - and the scale of their profits matters. In 2024, StubHub reported

approximately \$1.77 billion in revenue, and Vivid Seats reported roughly \$780 million.⁹¹⁰ That is more than \$2.5 billion from just two of the six companies represented by the Ticket Policy Forum.

When this coalition opposes reform, it is not protecting constituents. It is protecting their profit margins. SeatGeek, Event Tickets Center, and GameTime routinely receive some of the lowest consumer ratings in the industry, averaging around one out of five stars with the Better Business Bureau. If an independent venue treated patrons that poorly, it would shut down.

These platforms like to argue that they sometimes sell tickets below face value. That is fine. We have no quarrel with that and no issue with genuine fan-to-fan resale. We understand sometimes fans can't make it to shows. But that is not what defines this market. According to the U.S. Government Accountability Office, "professional resellers, or brokers, have a competitive advantage over consumers in buying tickets as soon as they are released. Brokers can use numerous staff and software ('bots') to rapidly buy many tickets. As a result, many consumers can buy tickets only on the resale market at a substantial markup."¹¹ This is not a consumer-driven ecosystem. It is a professionalized extraction machine.

What makes this even more troubling and frustrating is how these companies fund and hide behind organizations that masquerade as consumer advocates. Across the country, and in Colorado, scalping platforms finance groups that lobby against consumer protection reform while claiming to speak for fans.⁷¹² Organizations like the National Consumers League, Sports Fans Coalition, Protect Ticket Rights, Fan Freedom Project, Coalition for Ticket Fairness, Chamber of Progress, and NetChoice have all received funding or direct support from ticket resale companies, including StubHub, Vivid Seats, Event Tickets Center, and the National Association of Ticket Brokers. These groups lobby against bans on speculative tickets, resale price caps, and limits on predatory resale practices while marketing themselves as defenders of consumers, which could not be further from reality.

Time and time again, resale companies will not disclose who on their platforms are professional resellers. They will not identify broker networks. They don't even disclose the username, or business name of who is reselling these tickets. And they will not cooperate in ways that allow regulators to enforce the law. Instead, they fund front groups to muddy the waters and slow reform. Their business model does not improve with transparency. It collapses under it. That is why it festers in darkness, purposefully.

Industrial Resellers With No Skin In the Live Entertainment Game Should Not Be Treated The Same As the Artists and Small Businesses That Assume The Risk

This is a professional resale industry getting richer through fees, while independent venues are just trying to keep the doors open. The secondary market is fundamentally different from what we do. These are large, well-capitalized companies that don't actually put on the show and don't carry the costs or risks of

⁹ *StubHub's 2024 revenue was approximately \$1.77 billion*, per the company's IPO filing disclosures and reporting on that filing, <https://www.reuters.com/markets/deals/ticketing-marketplace-stubhub-files-us-ipo-2025-03-21/>

¹⁰ *Vivid Seats reported full-year 2024 revenues of approximately \$775.6 million*, per the company's reported financial results, <https://investors.vividseats.com/news-releases/news-release-details/vivid-seats-reports-fourth-quarter-and-full-year-2024-results-0>

¹¹ U.S. Government Accountability Office, *Event Ticket Sales: Market Characteristics and Consumer Protection Issues*, GAO-18-347 (Apr. 12, 2018), <https://www.gao.gov/products/gao-18-347>.

¹² Marc Hogan, *A Guide to "Fan" Organizations Funded by the Ticketing Industry*, Pitchfork (Aug. 3, 2023), <https://pitchfork.com/thepitch/consumer-groups-take-money-from-ticketing-industry/>.

live events. Companies like StubHub have publicly disclosed that they have no show costs at all, yet they collect significant fees on every resale transaction.¹³

By contrast, the fees charged by independent venues exist to cover the real and unavoidable costs of producing live events: paying artists through guarantees or box office splits; employing production crews, sound and lighting engineers, and front-of-house staff; staffing security, box office, bar, and cleaning teams; covering payroll taxes and workers' compensation; maintaining and insuring the building; paying utilities and basic operating expenses; running ticketing systems and payment processing; meeting safety, accessibility, and compliance requirements; promoting shows so fans know they exist; and paying mandatory performing rights organization fees to ASCAP, BMI, and SESAC so songwriters are compensated when their music is performed live.

Secondary ticket platforms and scalpers don't pay any of these costs. They don't carry the legal, financial, or operational responsibility of hosting live events, yet they collect ticket service and other fees on top of ours. That is why comparing primary ticket fees to secondary resale fees is misleading, and why the responsibility and risk remain squarely with local venues even as resale platforms extract billions from the system.

The Disastrous Market Control of Live Nation

Live Nation doesn't just sell tickets. It controls the choke points that determine who gets access to tickets at all. And when one company controls ticketing, artist management, promotion, venue ownership, and resale, it has the ability to shape the market in ways that no independent venue, artist, or fan can counter on their own. From where I sit as a venue operator, Live Nation is not adjacent to these problems. It is part of the structure that allows them to persist.

Live Nation employs a suite of anti-competitive tactics that severely limit access to the live music market for independent operators. It manages hundreds of major artists, giving its promotions division the right of first refusal on those artists' live shows. It leverages all-or-nothing touring deals that route artists exclusively through Live Nation venues and ticketing systems, while using a stick or a carrot to ensure artists know there are financial penalties if they choose to work with independent promoters. It enforces radius clauses that are waived for other Live Nation venues but not for independent ones. Local artists have been barred from performing at non-Live Nation festivals because they agreed to play a Live Nation-branded event. Even when Live Nation controls a venue, it has refused to rent the space to artists or promoters it does not control, leaving rooms dark rather than enabling competition. Independent venues report being told they will lose performers whose tours are managed by Live Nation if they don't switch to Ticketmaster, a clear violation of their consent decree. And in some cases, Live Nation has demanded to be added as a "co-promoter" on shows it had no involvement in booking, claiming up to half of the profits under threat that refusal will jeopardize future bookings. This is not competition, and the U.S. Department of Justice lawsuit to break up this monopoly makes this clear.

Those tactics do not operate in isolation. They are reinforced by Live Nation and Ticketmaster's vertical integration, a flywheel that links artist management, promotion, venue access, primary ticketing, and monetization through fees and affiliated resale channels. When one company can influence routing decisions, venue availability, and the ticketing system fans must use, it can raise rivals' costs and reduce

¹³ StubHub Holdings, Inc., *Form S-1/A* (SEC), describing a business model that does not assume ticket inventory risk, <https://www.sec.gov/Archives/edgar/data/1337634/000119312525197614/d225849ds1a.htm>.

competitive alternatives without ever having to compete on service or price. That is why independent promoters and venues experience these tactics as a package: pressure on tours, pressure on rooms, pressure on ticketing, and limited recourse.

The competitive harms are not only theoretical. They translate directly into the ticketing outcomes that fans experience, including diminished access to face value inventory and an ecosystem that is more vulnerable to manipulation by professional resellers. In its lawsuit, the FTC alleges that Ticketmaster and Live Nation knowingly allowed, and even encouraged, brokers to use multiple Ticketmaster accounts to circumvent Ticketmaster's own security measures and access control systems, and that those resellers then listed tickets directly on Live Nation's resale marketplace. The FTC also alleges that a senior Ticketmaster executive admitted in an internal email, copied to Live Nation leadership, that the companies "turn a blind eye as a matter of policy" to brokers' violations of posted ticket limits, including an internal review finding that five brokers controlled 6,345 Ticketmaster accounts and possessed 246,407 concert tickets to 2,594 events.¹⁴ This is all why Live Nation must be broken up.

What Reform Looks Like

At this point, we know the harm is real. We see it every night at our box offices. We know the scale of the abuse, and we know it is being driven by highly professionalized, multibillion-dollar operations. The question before Congress is not whether fans are being harmed. It is whether federal policy will finally catch up to the realities of how tickets are bought, sold, and manipulated in the digital age. From where I sit as a venue operator, meaningful reform must protect fans at every step of the experience, from the moment they search for a show online to the moment they walk through our doors.

Ban Predatory Resale Before the Public Onsale

One of the most damaging practices we see is the resale of tickets before the public ever has a fair chance to buy them, and it must be banned. Professional scalpers routinely invade artist presales, fan clubs, and early-access programs meant for real fans. They buy up inventory in bulk and immediately list those tickets on secondary platforms at inflated prices before the public onsale even begins.

From a fan's perspective, it looks like the show sold out instantly. In reality, access was intercepted by design. This practice creates artificial scarcity, allows resellers to set prices before the real market ever opens, and guarantees tickets will be funneled into the secondary market. It is pure manipulation. Ending resale before the public onsale is essential to restoring fair access and price integrity.

Ban Deceptive URLs, Spoof Websites, and Predatory Search Engine Optimization

Reform must also address what happens when fans search for tickets online. Right now, deceptive resale websites routinely impersonate official box offices. At Z2, fans regularly show up believing they purchased tickets directly from us, only to discover they were misled by a site designed to look official. In most cases, our venues don't even appear on the first page of search results for our own shows. Large resale platforms like StubHub spend hundreds of millions of dollars each year on advertising and

¹⁴ ⁹ *FTC v. Live Nation Entertainment, Inc. and Ticketmaster LLC, Complaint (C.D. Cal. Sept. 18, 2025),* https://www.ftc.gov/system/files/ftc_gov/pdf/FTCvLiveNation-Ticketmaster-Complaint-filed.pdf

marketing, a level of spending independent venues cannot match. The result is resale sites appearing ahead of official venue websites, forcing consumers to scroll past resale listings to find the original seller.

No other consumer market allows businesses to impersonate official sellers and profit from confusion. Live entertainment should not be an exception. Congress should ban deceptive URLs and spoof websites outright. And, they should investigate how predatory search engine optimization harms fans.

Ban Speculative Tickets With Zero Loopholes

Speculative ticket listings must be banned outright, with no loopholes. It is unacceptable for resale platforms to allow brokers to sell tickets they do not own, do not possess, or may never deliver. This includes so-called “concierge” or “seat saver” services, which are simply ghost tickets under a different name.

These listings mislead fans, create artificial scarcity, and regularly result in serious financial and emotional harm. In some cases, fans only learn their tickets are invalid after traveling long distances, booking nonrefundable hotels, taking time off work, and arranging childcare. No legitimate consumer market allows companies to sell products they don’t have and cancel at the last minute without consequence. Any serious reform must prohibit speculative tickets entirely.

Institute Resale Price Caps to Restore Affordability

From where I sit as a venue operator, resale price caps are about affordability and restoring balance to a market that has gone largely unchecked for decades. Ticketing moved online faster than policy ever caught up. In that gap, a resale industry emerged that now inflates prices instantly, at scale, with almost no limits.

This is not about setting ticket prices or interfering with artists and venues in the primary market. It is about stopping extreme markups that have nothing to do with demand and everything to do with speculation. Without guardrails, tickets meant to cost \$40 or \$60 are flipped for hundreds of dollars before fans ever get a fair chance to buy them. That is not access. That is exclusion.

States are already responding to this reality. Washington, D.C., Delaware, Hawaii, Oklahoma, Washington State, Wisconsin, and Vermont have all introduced resale price cap legislation recently, and Maine passed one last year, because they are seeing the same harm in their communities. Federal policy is falling behind.

Close BOTS Act Enforcement Gaps and Pass the MAIN Event Ticketing Act

Many of these abuses are fueled by automated bots that buy up tickets at scale the moment they go on sale. Congress recognized this problem when it passed the BOTS Act in 2016. But in nearly a decade, that law has been enforced only once.

That lack of enforcement has sent a clear message to bad actors. The risk is low and the rewards are high in duping fans. Independent venues like mine want to see the MAIN Event Ticketing Act passed because without real enforcement authority, the same abuses will continue no matter how many rules exist on paper.

Stop Letting Scalper-Funded Front Groups Speak for Fans

Finally, Congress and federal agencies need to be clear-eyed about who is shaping this debate. Across the country, resale platforms fund organizations that claim to represent consumers while lobbying against reforms that would actually protect fans. These are not independent voices. When questioned closely, their representatives have acknowledged selective data, partial studies, and direct financial ties to the resale industry. That alone should give policymakers pause. Congress should be listening to constituents, artists, and local businesses who live with the consequences of these practices, not corporate-funded groups whose job is to obfuscate and defend resale profits.

Conclusion

This is a defining moment. The live entertainment industry is not broken by accident. It has been bent, over time, by unchecked consolidation, deceptive business models, and deliberate inaction. Every fake ticket, every hidden fee, every mandated transfer or inflated resale is not just a flaw in the system. It reflects a system built to serve profit, not the people. But artists should be able to control how their tickets are sold. Fans should be able to trust the platforms they use. And independent venues should not have to fight for survival while others make billions off of their risk. We are not asking for favors. We are demanding guardrails and consumer protection. Congress is charged with protecting consumers and ensuring competition must meet this moment and the threats facing our nation in ticketing deserve more than words. In an era defined by division, live music and performance continues to create connection and common ground. And that is worth protecting.

While there are organizations truly advocating for fan and small business voices, like the Fix the Tix Coalition or the Fan Alliance, we cannot do it alone. We need Congress to act now. Consumers are helpless. In the absence of Congressional action, we have gone state-by-state to pass strong consumer protections in ticketing, and we will continue to do so. At the same time, a national solution is what fans, artists, and independent venues need, and we stand ready to craft it with you.

Thank you for your time.

#