

United States Senate

WASHINGTON, DC 20510

September 30, 2025

VIA ELECTRONIC TRANSMISSION

Joe Berchtold
President & Chief Financial Officer
Live Nation Entertainment, Inc.
Beverly Hills, CA 90210

Dear Mr. Berchtold:

We write to express our grave concern over recent allegations regarding the harm that Ticketmaster engaged in a “bait-and-switch” scheme to drive up ticket prices.¹ When you testified before the Senate Judiciary Committee in 2023, you told Congress “We believe that the artist-fan connection is the foundation of the live entertainment industry, the source of nearly all commercial value, and the number one thing that public policy should protect.”² Yet, according to a lawsuit filed by the Federal Trade Commission and seven states attorneys general, Ticketmaster coordinated with ticket brokers allowing them to obtain millions of dollars of tickets which they then resold on the secondary market.³

Ticketmaster has allegedly turned a blind eye to bad actors violating the Better Online Ticket Sales (BOTS) Act for years, costing fans billions of dollars in hard earned money. Instead of working with trusted cybersecurity professionals and Congress to protect consumers and stop ticket scalping, Ticketmaster went so far as to provide technical support to help “brokers” exceed their purchasing limits to buy up tickets.⁴ This decision allowed Ticketmaster to collect fees at three different points in the purchasing process. Ticketmaster collects fees when scalpers buy tickets on the primary market, they collect *more* fees when those tickets are then sold on its own secondary market, and they charge *even more* fees when fans eventually purchase the resold tickets.⁵

This conduct was not isolated, nor was meaningful action taken to bring this misconduct to a halt. When employees flagged the abuse occurring on Ticketmaster’s platform, their concerns were allegedly ignored. Ticketmaster was not worried about the consumer. In fact, reporting indicates that Ticketmaster was more concerned when brokers complained about high-volume purchases that were blocked. A Ticketmaster executive even wrote that they “turn a blind eye as a matter of policy” to the violation of their own purchasing limits.⁶ LiveNation went so far as to “offer technological support to brokers through a software platform called TradeDesk, which enables

¹ *FTC v. Live Nation Ent., Inc.*, Compl. for Perm. Inj., Monetary Relief, Civil Penalties, and Other Relief at 6, No. 2:25-cv-08884 (C.D. Cal. Sept. 18, 2025) [hereinafter *FTC Compl.*].

² *That’s the Ticket: Promoting Competition and Protecting Consumers in Live Ent. Hearing Before the S. Comm. on the Judiciary*, 118th Cong. 8 (2023) (statement of Joe Berchtold, President & CEO, Live Nation Ent.) [hereinafter *Senate Hearing*].

³ *FTC Compl.* at 54.

⁴ *Id.* at 41.

⁵ *Id.*

⁶ *Id.* at 9.

brokers to track and aggregate tickets purchased from multiple Ticketmaster accounts into a single interface for simpler resale management.”⁷ These actions stem from purely financial motives—if Ticketmaster had enforced its ticket purchasing limits, the company stood to lose up to \$220 million in resale revenue per year.⁸

When you appeared before the Senate Judiciary Committee in 2023 following the Taylor Swift Ticketmaster meltdown, you repeatedly assured the committee that Ticketmaster does everything in its power to stop bots and scalpers.⁹ When pressed on the issue of cybersecurity protections, you seemed dumbfounded and argued that LiveNation spent over a billion dollars investing in site protections against bots.¹⁰ It is astounding that you would make such a claim while actively colluding with scalpers and bad actors to extort the American public.

America’s world-leading live entertainment industry is the center of our culture, and consumers deserve the opportunity to see their favorite band or cheer on their hometown sports team without competing with bots and fraudsters. Instead of casting blame on any entity other than Ticketmaster, we urge you to be forthright with Congress and the American public about the extent of your complicity in allowing bots to buy up and hoard massive amounts of tickets. With that in mind, please respond to the following questions by October 14, 2025:

1. Live Nation’s July 2025 comment in response to the DOJ-FTC RFI on Anticompetitive Practices in Live Ticketing claims that “Ticketmaster does not turn a blind eye”¹¹ to violations of the BOTS Act. However, in an internal email that copied Live Nation leadership, a senior Ticketmaster executive wrote that the companies “turn a blind eye as a matter of policy” to brokers’ violations of posted ticket limits.¹² Do you stand by the statement that Live Nation, its Ticketmaster subsidiary, or any other Live Nation-affiliated entity does not “turn a blind eye” to violations of the BOTS Act?
2. Did Live Nation or Ticketmaster ever purposefully relax enforcement of ticket limits for certain buyers or brokers for financial gain?
3. In 2023, you told the Senate Judiciary Committee that the issues in the ticketing industry are “the direct result of the industrial-scale scalping that goes on today”¹³ and that “[w]e are doing everything we can to fight the people who attack our sales and steal tickets meant for real fans.”¹⁴ By contrast, a recent investigation found that Ticketmaster knew that just five brokers controlled thousands of Ticketmaster accounts, possessing nearly a quarter of a million tickets. Despite being aware of this, Ticketmaster continued to offer and sell tickets to these very same brokers purchased by circumventing Ticketmaster’s enforcement

⁷ *Id.* at 43.

⁸ *Id.* at 49.

⁹ *See, e.g.*, Senate Hearing at 9 (statement of Joe Berchtold, President & CEO, Live Nation Ent.).

¹⁰ *Id.* at 48.

¹¹ Live Nation Ent. Inc., Comment Letter on DOJ-FTC RFI on Anticompetitive Practices in Live Ticketing 12 (July 7, 2025), <https://www.regulations.gov/comment/ATR-2025-0002-3566>.

¹² FTC Compl. at 9.

¹³ Senate Hearing at 9 (statement of Joe Berchtold, President & CEO, Live Nation Ent.).

¹⁴ Senate Hearing at 57 (written statement of Joe Berchtold, President & CEO, Live Nation Ent.).

measures. Do you still stand by your statement that the company is doing “everything we can” to fight “industrial-scale scalping”?

4. You testified in 2023 that Ticketmaster invested millions in anti-BOT technology every year and that the company is “far and away the leader in preventing fraud and getting tickets into the hands of real fans.”¹⁵ By contrast, the FTC’s investigation found that—far from preventing fraudulent use of multiple accounts by brokers—the company considered encouraging brokers to consolidate their duplicate accounts into a single account so that they could continue accessing their unlawfully purchased tickets.
 - a. Why is Ticketmaster investing millions of dollars annually in anti-bot technology while you are actively helping scalpers circumvent it?
 - b. Given the FTC’s findings, do you stand by your statement that Ticketmaster is “far and away the leader in preventing fraud and getting tickets into the hands of real fans”?
5. The FTC asserts that brokers routinely exceeded posted ticket limits and then resold through Ticketmaster’s resale marketplace.
 - a. Did Live Nation or Ticketmaster ever audit brokers to ensure compliance with posted limits?
 - b. If any brokers were discovered to have exceeded limits, how were they disciplined or excluded?
6. Do you support the MAIN Event Ticketing Act’s reporting requirement that obligates ticket sellers to notify the FTC of any known circumvention incidents?

Sincerely,



Marsha Blackburn
United States Senator



Ben Ray Luján
United States Senator

¹⁵ *Id.*