

The Honorable Bill Pascrell, Jr.
House Committee on Energy and Commerce
Member Day Remarks
July 25, 2019

Chairman Pallone/Chairwoman Schakowsky, thank you for this opportunity highlight the need for transparency and regulation in the badly corrupted primary and second live events ticket marketplace. I have followed this marketplace for over a decade. Wherever I may roam across our country, and Canada too, I hear complaints from my constituents on their frantic experiences with ticket sales.

And much of this can be traced to the Live Nation-Ticketmaster merger. The combined behemoth dominates a \$9 billion per year industry and holds over 80% market share. They have sway over everything. The record sales, licensing, talent management, venue ownership, ticket sales, and concessions down to selling hot dogs and pretzels. The GAO study of the live tickets industry that Chairman Pallone and I requested notes questionable industry practices that surprise no one who has tried to buy tickets.

It's important to emphasize the marketplace has been governed by zero federal regulation. Live Nation operates with impunity. Nothing else matters to them than profits.

It's time for Congress to turn the page and pass legislation to add regulation, impose some order, and stop bad actors who make a living by ripping regular people off. The Better Oversight of Secondary Sales and Accountability in Concert Ticketing or BOSS ACT (H.R.3248) is endorsed by all the consumers groups and attacks problems in both the primary and secondary ticket marketplace. The BOSS ACT makes one easy fix makes: bans last second fees and requires every seller advertise all fees up front. GAO estimated that primary and secondary ticketing companies charge fees averaging 27 and 31 percent of ticket prices.

At the FTC's ticket forum last month, nearly every stakeholder agreed that they could accept such a law. And, for fans, all-in pricing would allow for easier comparison shopping to find the best deals. The BOSS ACT lets ticket buyers know how many tickets are going on sale, how many are being held back, and where those tickets are coming from. It also prevents those with connections to venues and artists from knowingly reselling tickets at a jacked-up price.

For the secondary marketplace, the BOSS Act addresses speculative ticket sales and so-called white label sites that can trick consumers.

I first introduced this bill 12 years ago when there was a major issue with a Bruce Springsteen tour on sale. And these problems are not going away. Just last week, Billboard Magazine uncovered the latest scam perpetrated upon consumers. Unbeknownst to fans, apparently Live Nation was working with the band's management to hold back 88,000 tickets and post them directly on resale sites. Sad but true!

Ticketmaster has denied past participation in such schemes. But, in a case of whiplash, Live Nation admitted to the scheme last week and "about a dozen artists" between 2016 and 2017. And could still be doing this today. This is wrong. And we should investigate these deceptive practices.

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Be the hero of the day help me support consumer transparency and give fans have a fairer chance to purchase live event tickets. John Donne, Earnest Hemingway, and James Hetfield have each asked for whom the bell tolls?

I ask this committee to toll the bell for the end of an unregulated ticket marketplace by passing the BOSS ACT.

Also, I wish to highlight the bipartisan Laboratory Access for Beneficiaries (LAB) Act (H.R. 3584) I helped Representative Scott Peters introduce. The ongoing cuts to clinical labs hurt patient access and erect further barriers to care. I encourage the committee to consider H.R. 3584 to ensure payment rates under the Clinical Lab Fee Schedule will reflect market prices and that data collection will be representative of the whole laboratory community. Clinical laboratory services account for less than two percent of Medicare fee-for-service spending, but the results of laboratory tests help guide critical decisions for diagnosis, treatment, and prevention for millions of patients. We must tear down any barriers to this critical resource so that we are improving health care for patients every day.