



Executive Summary of Testimony of David Touhey

- I am testifying on behalf of the International Association of Venue Managers. IAVM has 7,200+ active members who are managers and senior executives from public assembly venues including auditoriums, arenas, convention centers, exhibit halls, stadiums, performing arts centers, university complexes, amphitheaters, and fairgrounds. IAVM is a member of the Fix the Tix Coalition.
- I've witnessed huge changes in the ticket business during my 30-year career. In the old days, tickets were purchased mostly onsite, and scalpers stood outside buildings selling physical tickets while evading law enforcement. Today, most tickets are purchased online, and computer programs, including bots, fuel ticket scalping. The "secondary ticket market" preys on uninformed consumers desperate to see their favorite artists or teams.
- **The top two problems** contributing to inflated ticket costs for consumers and lack of ticket inventory are:
 - **Speculative – or fake – tickets:** The problems in the industry will not be addressed unless resellers are prevented from reselling tickets they don't yet possess or have a contract to possess.
 - **Deceptive reseller websites** including images of artists and venues and deceptive URLs: These confuse consumers into thinking they are dealing directly with the primary seller. That results in consumers paying exorbitantly marked up prices for tickets, frequently without ever visiting the site actually run by the artist or venue which may still have originally priced tickets available for sale. The only party who benefits from the marked-up resale prices are ticket resellers.
- The Ticket Act, the Boss Swift Act and the Speculative Ticketing Draft collectively contain provisions that begin to fix these problems, but no one bill goes far enough. In fact, the disclosure requirements for primary ticket sellers in the Boss Swift Act could have the unintended consequence of making it easier for ticket brokers to drive up costs and inject more fake, or speculative, tickets in the market.
- The all-in pricing disclosure requirement of H.R. 3950, The TICKET Act, is a good first step so that consumers know all the fees they will be charged. However, the bill's speculative ticket disclosure requirement only serves to legitimize speculative tickets. Consumers may not read or understand disclosures. Congress needs to ban speculative tickets. That is why IAVM and the Fix the Tix Coalition support the Speculative Ticketing Ban Discussion Draft under consideration today.
- The provision to prevent deceptive URLs in H.R. 3660, the BOSS and SWIFT Act, must be expanded and strengthened to prevent the use of images that deceive buyers into thinking they are dealing directly with the artist or venue website.
- If the Ticket Act is amended to also ban speculative tickets and deceptive websites, it will go a long way to solve problems in ticket sales created by resellers. There are additional policy changes the Fix the Tix Coalition recommends adopting that I'm happy to discuss if you are interested. We stand ready to work with Congress to find common sense solutions to cure problems in the ticket industry and provide a safer, more positive consumer experience.