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January 27, 2026

Senator Marsha Blackburn
357 Dirksen Senate Office Building
Washington, D.C. 20510

Re: Examining the Impact of Ticket Sales Practices and Bot Resales on Concert Fans

Dear Senator Blackburn:

On behalf of over 300,000 supporters and activists across the nation, including Tennessee, the Center for Individual Freedom (CFIF) writes in anticipation of the scheduled January 28, 2026, [hearing](#) before the United States Senate Committee on Commerce, Science, & Transportation entitled “Examining the Impact of Ticket Sales Practices and Bot Resales on Concert Fans.”

First and foremost, CFIF wishes to express our gratitude to you for your unparalleled record of defending free-market principles and intellectual property (IP) rights that remain at the core of our own mission. At a moment when those principles have been diluted by regulatory overreach and ideological assault, your leadership has remained steadfast and grounded in first principles. Few members of Congress have done more to recognize that free markets, strong enforcement of IP rights and the rule of law – rather than punitive regulation aimed at demonized industries or entities – ultimately protect innovation, artists and consumers alike.

In that spirit, CFIF also appreciates your continuing focus on ticketing abuses driven by automated bots and large-scale scalping operations, which harm artists, distort markets and undermine consumer wellbeing. Additionally, CFIF recognizes the importance that policymaking in this field remains grounded in a fair understanding of both industry practices and existing law, particularly the Better Online Ticket Sales (BOTS) Act that you rightly championed.

While ticket resales driven by automated bots remains a genuine and ongoing concern, a recent Federal Trade Commission (FTC) complaint risks misdirecting enforcement energy away from true sources of abuse and toward enterprises that have, by objective measure, invested their own resources in combating bots and fraudulent activity. For instance, market participants report investment of over \$1 billion in ticketing security, anti-bot defenses, purchaser identity verification, rotating barcodes, digital ticketing and fraud detection. Those systems now deter billions of bot attempts annually, and prevent tens of millions of fraudulent account creation efforts each day. Those investments are thus not merely symbolic. Rather, they reflect the reality that private platforms engage in the constant arms race against increasingly sophisticated, artificial intelligence-driven abuse.

That is the free market at work.

For decades, professional resellers have operated using multiple accounts, a practice that predates modern online resale marketplaces. The abuse of that practice through automated account creation and scripted purchasing constitutes the true problem – and that is precisely the abuse that companies like Ticketmaster have focused on stopping.

The BOTS Act aimed to prohibit the circumvention of technological controls employed to enforce ticket sales limits, not to federalize ticket limits themselves. Accordingly, the FTC’s novel complaint risks expanding that statute beyond both its text and legislative intent. In turn, that would potentially sweep in ordinary consumers, families and community groups alongside professional bad actors. CFIF believes that interpretive leap merits careful scrutiny from the Committee and Congress.

Importantly, market participants have additionally announced new reforms that align closely with the concerns raised by lawmakers and fans. Those reforms include limiting all users – including brokers – to a single account, requiring resale account verification through taxpayer identification numbers, prohibiting resale listings exceeding posted ticket limits and deploying new AI-based tools to prevent replacement of canceled fraudulent accounts.

Those changes surpass typical industry norms, and reflect a recognition that prior practices, even if once accepted, have become unacceptable in light of modern technological abuse.

Going forward, the upcoming hearing therefore offers an important opportunity. Congress can reinforce statutory clarity, encourage targeted enforcement and ensure that well-intentioned laws like the BOTS Act are applied consistent with intended purposes. It can also uphold the principle that enforcement of existing statutes and technological realism – not headline-driven regulation or litigation – offer the best avenue toward ultimately returning tickets to actual fans at reasonable prices. CFIF believes that approach can best protect artists, fans and competition.

CFIF thanks you for your unrivaled leadership on these issues, and for your broader work defending free markets, artists, fans and America’s thriving entertainment industry alike. We appreciate your commitment, and welcome the opportunity to assist you and the Committee as it continues its oversight and legislative work in this field.

Sincerely,

Timothy Lee
Senior Vice President of Legal and Public Affairs