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MITIGATING AUTOMATED INTERNET
NETWORKS FOR EVENT TICKETING ACT

R E P O R T

OF THE

COMMITTEE ON COMMERCE, SCIENCE, AND
TRANSPORTATION

ON

S. 196



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SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

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FIRST SESSION

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MITIGATING AUTOMATED INTERNET NETWORKS FOR EVENT TICKETING ACT

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Mr. CRUZ, from the Committee on Commerce, Science, and
Transportation, submitted the following

R E P O R T

[To accompany S. 196]

[Including cost estimate of the Congressional Budget Office]

The Committee on Commerce, Science, and Transportation, to which was referred the bill (S. 196) to improve online ticket sales and protect consumers, and for other purposes, having considered the same, reports favorably thereon with an amendment, in the nature of a substitute, and recommends that the bill, as amended, do pass.

PURPOSE OF THE BILL

The purpose of S. 196 is to strengthen the Better Online Ticket Sales (BOTS) Act of 2016¹ to expressly prohibit the use of applications that perform automated tasks to purchase online tickets and to require that online ticket issuers establish, implement, and maintain security measures to enforce their posted ticket purchasing limits and purchasing order rules against applications, including software applications, that attempt to circumvent the online ticket issuer's security measures.

BACKGROUND AND NEEDS

Ticket bots—software that automates the purchase of online event tickets—allow the online purchase of tickets faster than human users. Bots are often programmed to circumvent the limits imposed by online ticket platforms against how many tickets one

¹ Public Law 114–274.

person can buy. Because of their speed and ability to purchase a large number of tickets, ticket bots have an advantage over human buyers. A person using a bot will often buy large quantities of tickets and then sell them at inflated prices on the secondary market. Consumers should not have to compete for tickets with automated bots that cheat the system.

In 2016, Congress passed the BOTS Act to prohibit circumventing a ticket issuer's security measures or purchasing rules. Since the BOTS Act was signed into law, online ticket sellers have still experienced challenges defending against the use of automated bots and consumers have still had to compete with bots to buy tickets for events.

One example was the chaos that ensued in November 2022 as fans vied for tickets to attend Taylor Swift's Eras Tour. Although Ticketmaster, the official online ticket platform, had established a Verified Fan program to attempt to keep bots out of the ticket sale queue, its website experienced unprecedented traffic, which led to extremely long waits, technical glitches, and site crashes. Ticketmaster later canceled the announced general sale due to "massive demand."²

SUMMARY OF PROVISIONS

S. 196 would do the following:

- Update the BOTS Act to expressly prohibit a person from using an application, including a software application, that automates tasks to purchase event tickets from an online ticket issuer and circumvents any access control system, security measure, or other technological controls used to enforce online ticket purchasing rules.
- Require online ticket issuers to have an access control system, security measure, or other technological controls in place to enforce posted event ticket purchasing limits or to maintain the integrity of the posted online ticket purchasing order rules.
- Require online ticket issuers to regularly evaluate and adjust access control systems, security measures, or other technological controls in light of any material changes in technology, internal or external threats to system security, and the changing business arrangements or operations of the online ticket issuer.
- Require online ticket issuers to report incidents of circumvention to the Federal Trade Commission (FTC or Commission) no later than 30 days after discovering the circumvention.
- Require online ticket issuers to take reasonable steps to improve their access control systems, security measures, or other technological controls or measures to address any known or reasonably foreseeable risks connected to incidents of circumvention.
- Require law enforcement coordination and data sharing among the Commission, Federal Bureau of Investigation, Department of Justice, and other relevant State or local law enforcement officials with respect to known instances of cyberattacks on secu-

²Kari Bendlin, "Taylor Swift's Eras Tour: A Timeline of the Ticketmaster Fiasco," *People*, March 29, 2023, <https://people.com/music/taylor-swift-eras-tour-ticketmaster-timeline/>.

rity measures, access controls systems, or other technological controls.

LEGISLATIVE HISTORY

S. 196 was introduced on January 22, 2025, by Senator Blackburn (for herself and Senator Luján) and was referred to the Committee on Commerce, Science, and Transportation of the Senate. On April 30, 2025, the Committee met in open Executive Session and, by voice vote, ordered S. 196 reported favorably with an amendment (in the nature of a substitute).

H.R. 2713, a House bill identical to S. 196, was introduced on April 8, 2025, by Representative Harshbarger (for herself and Representative Carter (LA)) and was referred to the Committee on Energy and Commerce of the House of Representatives.

ESTIMATED COSTS

In accordance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate and section 403 of the Congressional Budget Act of 1974, the Committee provides the following cost estimate, prepared by the Congressional Budget Office:

S. 196, MAIN Event Ticketing Act			
As ordered reported by the Senate Committee on Commerce, Science, and Transportation on April 30, 2025			
By Fiscal Year, Millions of Dollars	2025	2025-2030	2025-2035
Direct Spending (Outlays)	0	0	0
Revenues	0	*	*
Increase or Decrease (-) in the Deficit	0	*	*
Spending Subject to Appropriation (Outlays)	0	4	not estimated
Increases <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2036?	No	Statutory pay-as-you-go procedures apply? Yes	
Increases <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2036?	No	Mandate Effects	
		Contains intergovernmental mandate?	No
		Contains private-sector mandate?	Yes, Under Threshold
* = between -\$500,000 and \$500,000.			

S. 196 would prohibit individuals from using automated software to purchase event tickets from an online website or service and require the Federal Trade Commission (FTC) to enforce that prohibition. In addition, the bill would direct online ticket issuers to establish, maintain, and improve security measures to enforce limits on ticket purchasing. Ticket issuers would be required to report to the FTC if purchasers circumvented those measures. The bill would require the FTC to issue guidance to online ticket issuers on how to comply with the security standards set by the bill. S. 196 also would require the FTC to coordinate with the Department of Justice about any known instances of cyberattacks on security measures used to enforce limits on ticket purchasing. Finally, the FTC would be required to report to the Congress on the status of any enforcement actions.

Using information from the FTC and based on the cost of similar requirements, CBO estimates that implementing S. 196 would cost \$4 million over the 2025–2030 period. Any related spending would be subject to the availability of appropriated funds.

S. 196 would authorize the FTC to collect civil monetary penalties from businesses that violate the new provisions. Civil monetary penalties generally are remitted to the Treasury and recorded as revenues. Whether the FTC would pursue civil penalties or some other remedy for violations is unclear. In any event, CBO expects that companies would generally comply with the new requirements and that any additional revenues collected over the 2025–2030 period would be insignificant.

S. 196 would impose a private-sector mandate, as defined in the Unfunded Mandates Reform Act (UMRA), on online ticket issuers by requiring them to implement security measures to enforce ticket purchasing rules and to report to the FTC if any of those measures are circumvented. Because much of the ticket issuing industry already maintains such security measures, CBO estimates that the cost to comply with this mandate will be well below the threshold established in UMRA for private-sector mandates (\$206 million in 2025, adjusted annually for inflation).

S. 196 contains no intergovernmental mandates as defined in UMRA.

The CBO staff contacts for this estimate are David Hughes (for federal costs) and Rachel Austin (for mandates). The estimate was reviewed by Christina Hawley Anthony, Deputy Director of Budget Analysis.

PHILLIP L. SWAGEL,
Director, Congressional Budget Office.

REGULATORY IMPACT STATEMENT

In accordance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee provides the following evaluation of the regulatory impact of the legislation, as reported:

NUMBER OF PERSONS COVERED

S. 196 would cover the following persons and entities as well as any employees retained by such entities:

- Any person who violates the prohibited conduct specified in subsection (a) of the BOTS Act of 2016.
- Online ticket issuers.
- The Federal Trade Commission.
- State attorneys general.
- The Federal Bureau of Investigation.
- The Department of Justice.
- Relevant State or local law enforcement officials.

ECONOMIC IMPACT

By updating the BOTS Act to expressly prohibit the use of automated bots to circumvent online ticket issuers' security or other measures meant to enforce posted event ticket purchasing limits or posted online ticket purchasing order rules, as well as requiring that online ticket issuers establish, implement, and maintain security measures to enforce their posted ticket purchasing limits and

purchasing order rules, S. 196 would benefit consumers who could otherwise miss out on an event or be forced to buy a higher priced resale ticket. While S. 196 would impose additional reporting and technological requirements on ticket issuers, the bill is expected to save consumers time spent attempting to purchase tickets.

PRIVACY

S. 196 is not anticipated to impact the personal privacy of individuals.

PAPERWORK

The legislation would not increase paperwork requirements for private individuals or businesses although ticket issuers would have to report a circumvention of protections against bots within 30 days to the FTC. S. 196 would require one report from the FTC to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives no later than 1 year after enactment. The report would outline the status of any enforcement action taken pursuant to this Act and any identified limitations to the Commission's ability to pursue incidents of circumvention.

CONGRESSIONALLY DIRECTED SPENDING

In compliance with paragraph 4(b) of rule XLIV of the Standing Rules of the Senate, the Committee provides that no provisions contained in the bill, as reported, meet the definition of congressionally directed spending items under the rule.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title.

This section would provide that the bill may be cited as the "Mitigating Automated Internet Networks for Event Ticketing Act" or the "MAIN Event Ticketing Act".

Section 2. Strengthening the BOTS Act.

This section would amend the BOTS Act to prohibit a person from using an application, including a software application, that performs automated tasks to purchase event tickets from a website or online service used by a ticket issuer through circumventing an access control system, security measure, or other technological control or measure to enforce posted online ticket purchasing rules.

This section would require each online ticket issuer to establish, implement, and maintain an access control system, security measure, or other technological controls to enforce and maintain the integrity of posted online ticket purchasing rules.

It would additionally require an online ticket issuer to regularly evaluate and adjust the access control system, security measure, or other technological controls in light of any material changes in technology, internal or external threats to system security, and the changing business arrangements or operations of the online ticket issuer.

This section would require an online ticket issuer to report to the FTC any known incidents of circumvention no later than 30 days

after the circumvention incident is discovered. The FTC would be directed to share with State attorneys general any reports received under this section from online ticket issuers and any submitted consumer complaints related to this subsection.

This section would require an online ticket issuer to take reasonable steps to improve its access control system, security measure, or other technological controls to address any known or reasonably foreseeable risks connected to incidents of circumvention.

This section would require the Federal Bureau of Investigation, the Department of Justice, and other relevant State or local law enforcement to coordinate with the Commission to share information about known instances of cyberattacks on any security measures, access control systems, or other technological controls used on websites of ticket issuers to enforce posted event ticket purchasing limits or to maintain the integrity of posted online ticket purchasing rules.

This section would require the Commission to report to relevant congressional committees on the status of enforcement actions taken pursuant to this Act, and any limitations in the FTC's ability to pursue incidents of circumvention no later than 1 year after enactment.

Lastly, this section would define the terms "circumvention", "cyberattack", and "online ticket issuer".

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new material is printed in *italic*, existing law in which no change is proposed is shown in roman):

BETTER ONLINE TICKET SALES ACT OF 2016

* * * * *

[15 U.S.C. 45c; Pub. L. 114–274]

SEC. 2. UNFAIR AND DECEPTIVE ACTS AND PRACTICES RELATING TO CIRCUMVENTION OF TICKET ACCESS CONTROL MEASURES.

(a) CONDUCT PROHIBITED.—

(1) IN GENERAL.—Except as provided in paragraph (2), it shall be unlawful for any person—

(A) to circumvent a security measure, access control system, or other technological control or measure on an Internet website or online service that is used by the *online* ticket issuer to enforce posted event ticket purchasing limits or to maintain the integrity of posted online ticket purchasing order rules~~;~~ *or*;

(B) to sell or offer to sell any event ticket in interstate commerce obtained in violation of subparagraph (A) if the person selling or offering to sell the ticket either—

(i) participated directly in or had the ability to control the conduct in violation of subparagraph (A); or

(ii) knew or should have known that the event ticket was acquired in violation of subparagraph (A) []; or

(C) to use or cause to be used an application, including a software application, that performs automated tasks to purchase event tickets from an Internet website or online service used by an online ticket issuer through the circumvention of an access control system, security measure, or other technological control or measure used by such Internet website or online service to enforce posted online ticket purchasing order rules of the Internet website or online service.

(2) EXCEPTION.—It shall not be unlawful under this section for a person to create or use any computer software or system—

(A) to investigate, or further the enforcement or defense, of any alleged violation of this section or other statute or regulation; or

(B) to engage in research necessary to identify and analyze flaws and vulnerabilities of measures, systems, or controls described in paragraph (1)(A), if these research activities are conducted to advance the state of knowledge in the field of computer system security or to assist in the development of computer security product.

(b) *REQUIRING ONLINE TICKET ISSUERS TO ENFORCE SITE POLICIES.*—

(1) *REQUIREMENT TO ENFORCE AND UPDATE SITE POLICIES.*—Each online ticket issuer shall—

(A) establish, implement, and maintain an access control system, security measure, or other technological control or measure to enforce posted event ticket purchasing limits and to maintain the integrity of posted online ticket purchasing order rules; and

(B) regularly evaluate and make adjustments, as necessary, to such an access control system, security measure, or other technological control or measure in light of any material changes in technology, internal or external threats to system security, and the changing business arrangements or operations of the ticket issuer.

(2) *REQUIREMENT TO REPORT INCIDENTS OF CIRCUMVENTION; CONSUMER COMPLAINTS.*—

(A) *IN GENERAL.*—Each online ticket issuer shall report to the Commission any incidents of circumvention of which the ticket issuer has actual knowledge not later than 30 days after the incident of circumvention is discovered by the online ticket issuer.

(B) *ELECTRONIC SUBMISSION.*—The Commission may establish a reporting mechanism to provide for the electronic submission of reports required by subparagraph (A).

(C) *COORDINATION WITH STATE ATTORNEYS GENERAL.*—The Commission shall share with State attorneys general, as appropriate—

(i) any report received from online ticket issuers under subparagraph (A); and

(ii) consumer complaints related to any violation of this subsection that are submitted through the Commission's website.

(3) *REQUIREMENT TO ADDRESS KNOWN CAUSES OF CIRCUMVENTION.*—Each online ticket issuer shall take reasonable steps to improve its access control systems, security measures, and other technological controls or measures to address any known or reasonably foreseeable risks connected to incidents of circumvention.

(4) *COMMISSION GUIDANCE.*—Not later than 1 year after the date of enactment of the Mitigating Automated Internet Networks for Event Ticketing Act, the Commission shall publish guidance for online ticket issuers regarding compliance with the requirements of this subsection.

[(b)](c) *ENFORCEMENT BY THE FEDERAL TRADE COMMISSION.*—

(1) *UNFAIR OR DECEPTIVE ACTS OR PRACTICES.*—A violation of [subsection (a)] subsection (a) or (b) shall be treated as a violation of a rule defining an unfair or a deceptive act or practice under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(2) *POWERS OF COMMISSION.*—

(A) *IN GENERAL.*—The Commission shall enforce this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this section.

(B) *PRIVILEGES AND IMMUNITIES.*—Any person who violates [subsection (a)] subsection (a) or (b) shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

(C) *AUTHORITY PRESERVED.*—Nothing in this section shall be construed to limit the authority of the Federal Trade Commission under any other provision of law.

(3) *LIMITATION ON COMMISSION GUIDANCE.*—

(A) *IN GENERAL.*—No guidance issued by the Commission with respect to this Act shall confer any rights on any person, State, or locality, nor shall operate to bind the Commission or any person to the approach recommended in such guidance.

(B) *SPECIFIC ALLEGATIONS.*—In any enforcement action brought pursuant to this Act, the Commission—

(i) shall allege a specific violation of a provision of this Act; and

(ii) may not base an enforcement action on, or execute a consent order based on, practices that are alleged to be inconsistent with any such guidance, unless the practices allegedly violate this Act.

[(c)](d) *ENFORCEMENT BY STATES.*—

(1) *IN GENERAL.*—In any case in which the attorney general of a State has reason to believe that an interest of the residents of the State has been or is threatened or adversely

affected by the engagement of any person subject to **【subsection (a)】** *subsection (a) or (b)* in a practice that violates such subsection, the attorney general of the State may, as *parens patriae*, bring a civil action on behalf of the residents of the State in an appropriate district court of the United States—

(A) to enjoin further violation of such subsection by such person;

(B) to compel compliance with such subsection; and

(C) to obtain damages, restitution, or other compensation on behalf of such residents.

(2) RIGHTS OF FEDERAL TRADE COMMISSION.—

(A) NOTICE TO FEDERAL TRADE COMMISSION.—

(i) IN GENERAL.—Except as provided in clause (iii), the attorney general of a State shall notify the Commission in writing that the attorney general intends to bring a civil action under paragraph (1) not later than 10 days before initiating the civil action.

(ii) CONTENTS.—The notification required by clause (i) with respect to a civil action shall include a copy of the complaint to be filed to initiate the civil action.

(iii) EXCEPTION.—If it is not feasible for the attorney general of a State to provide the notification required by clause (i) before initiating a civil action under paragraph (1), the attorney general shall notify the Commission immediately upon instituting the civil action.

(B) INTERVENTION BY FEDERAL TRADE COMMISSION.—

The Commission may—

(i) intervene in any civil action brought by the attorney general of a State under paragraph (1); and

(ii) upon intervening—

(I) be heard on all matters arising in the civil action; and

(II) file petitions for appeal of a decision in the civil action.

(3) INVESTIGATORY POWERS.—Nothing in this subsection may be construed to prevent the attorney general of a State from exercising the powers conferred on the attorney general by the laws of the State to conduct investigations, to administer oaths or affirmations, or to compel the attendance of witnesses or the production of documentary or other evidence.

(4) PREEMPTIVE ACTION BY FEDERAL TRADE COMMISSION.—

If the Commission institutes a civil action or an administrative action with respect to a violation of **【subsection (a)】** *subsection (a) or (b)*, the attorney general of a State may not, during the pendency of such action, bring a civil action under paragraph (1) against any defendant named in the complaint of the Commission for the violation with respect to which the Commission instituted such action.

(5) VENUE; SERVICE OF PROCESS.—

(A) VENUE.—Any action brought under paragraph (1) may be brought in—

- (i) the district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28, United States Code; or
- (ii) another court of competent jurisdiction.

(B) SERVICE OF PROCESS.—In an action brought under paragraph (1), process may be served in any district in which the defendant—

- (i) is an inhabitant; or
- (ii) may be found.

(6) ACTIONS BY OTHER STATE OFFICIALS.—

(A) IN GENERAL.—In addition to civil actions brought by attorneys general under paragraph (1), any other consumer protection officer of a State who is authorized by the State to do so may bring a civil action under paragraph (1), subject to the same requirements and limitations that apply under this subsection to civil actions brought by attorneys general.

(B) SAVINGS PROVISION.—Nothing in this subsection may be construed to prohibit an authorized official of a State from initiating or continuing any proceeding in a court of the State for a violation of any civil or criminal law of the State.

(e) LAW ENFORCEMENT COORDINATION.—

(1) IN GENERAL.—*The Federal Bureau of Investigation, the Attorney General, and other relevant State or local law enforcement officials shall coordinate as appropriate with the Commission to share information about any known instance of a cyberattack on a security measure, access control system, or other technological control or measure on an Internet website or online service that is used by an online ticket issuer to enforce posted event ticket purchasing limits or to maintain the integrity of posted online ticket purchasing order rules. Such coordination may include providing information about ongoing investigations, but may exclude classified information or information that could compromise a law enforcement or national security effort, as appropriate.*

(2) CYBERATTACK DEFINED.—*In this paragraph, the term “cyberattack” means an attack, via cyberspace, targeting an enterprise’s use of cyberspace for the purpose of—*

- (A) *disrupting, disabling, destroying, or maliciously controlling a computing environment or computing infrastructure; or*
- (B) *destroying the integrity of data or stealing controlled information.*

(f) CONGRESSIONAL REPORT.—*Not later than 1 year after the date of enactment of this paragraph, the Commission shall report to Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives on the status of any enforcement action taken pursuant to this Act, as well as any identified limitations to the Commission’s ability to pursue incidents of circumvention described in subsection (a)(1)(A).*

SEC. 3. DEFINITIONS.

In this Act:

(1) **COMMISSION.**—The term “Commission” means the Federal Trade Commission.

(2) **EVENT.**—The term “event” means any concert, theatrical performance, sporting event, show, or similarly scheduled activity, taking place in a venue with a seating or attendance capacity exceeding 200 persons that—

(A) is open to the general public; and

(B) is promoted, advertised, or marketed in interstate commerce or for which event tickets are generally sold or distributed in interstate commerce.

(3) **EVENT TICKET.**—The term “event ticket” means any physical, electronic, or other form of a certificate, document, voucher, token, or other evidence indicating that the bearer, possessor, or person entitled to possession through purchase or otherwise has—

(A) a right, privilege, or license to enter an event venue or occupy a particular seat or area in an event venue with respect to one or more events; or

(B) an entitlement to purchase such a right, privilege, or license with respect to one or more future events.

(4) **CIRCUMVENTION.**—*The term “circumvention” means the act of avoiding, bypassing, removing, deactivating, or otherwise impairing an access control system, security measure, safeguard, or other technological control or measure described in section 2.*

(5) **ONLINE TICKET ISSUER.**—*The term “online ticket issuer” means a ticket issuer that owns or operates an Internet website or online service that, in the regular course of trade or business of the issuer, facilitates or executes the sale of event tickets to the general public.*

* * * * *