

Amy Klobuchar

U.S. Senator for Minnesota

Klobuchar Statement on Reported Legal Action from Justice Department against Live Nation for Ticketing Violations

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WASHINGTON – U.S. Senator Amy Klobuchar (D-MN), Ranking Member of the Senate Judiciary Subcommittee on Antitrust, Competition Policy and Consumer Rights, issued this statement following reports that the Justice Department is preparing to take legal action against Live Nation Entertainment Inc. on allegations that the company has been flouting the conditions of a 2010 consent decree that cleared the way for a merger with Ticketmaster. In August, Klobuchar and Senator Richard Blumenthal (D-CT) urged the Department to conduct an investigation into the state of competition in the ticketing marketplace given concerns that the company was ignoring the 2010 consent decree, which had already been criticized as ineffective.

“Americans purchase millions of tickets each year and shouldn’t be forced to pay sky-high prices because of corporate greed in a broken ticketing industry.”

“As I have expressed time and again, the online ticket markets don’t work for American consumers. Lack of competition due to excessive consolidation has led to inadequate disclosures and inflated fees when people go to purchase tickets to live events. Live Nation’s dominance in the sector raises serious antitrust concerns. I’m glad that the Department of Justice is preparing to take action to ensure compliance with the Ticketmaster/Live Nation consent decree following my requests to look into potential anticompetitive behavior in the ticketing industry.”

In her role as Ranking Member of the Senate Judiciary Subcommittee on Antitrust, Competition Policy and Consumer Rights, Senator Klobuchar has championed efforts to protect consumers, promote competition, and fight consolidation in major industrial sectors, including the telecommunications, technology, agriculture, and pharmaceutical sectors. She has called for strong antitrust review and enforcement to protect consumers from mergers

that threaten to raise prices or harm competition, including the Comcast/Time Warner Cable, AT&T/Time Warner Inc., Anheuser-Busch/Miller-Coors, and T-Mobile/Sprint, and consolidation in the agricultural industry and the online travel industry. She has also led the call to protect the independence and integrity of the antitrust enforcement agencies from political interference by the Trump administration.

In September, in light of ongoing consolidation in the pharmaceutical sector, Klobuchar led a letter to Federal Trade Commission (FTC) Chairman Joseph Simons calling on the agency to closely scrutinize pharmaceutical mergers that raise competition issues. In the letter, Klobuchar and her colleagues raised concerns about the potential impact of these proposed transactions on pharmaceutical innovation and the potential harm to consumers that may come from the increased negotiating leverage of merging companies. The senators also urged the FTC to take all necessary steps to ensure that the terms of any consent decrees under which pharmaceutical mergers are allowed to proceed are effective in addressing threats to competition.

In August, Klobuchar introduced the *Monopolization Deterrence Act* to crack down on monopolies that violate antitrust law. The legislation would give the DOJ and FTC the authority to seek civil penalties for monopolization offenses under the antitrust laws, a power they currently do not have. In June, she led efforts to obtain details about possible FTC antitrust investigations into Amazon and Facebook and possible Justice Department antitrust investigations into Google and Apple. In letters to enforcers, the senators requested information regarding the existence and scope of the potential investigations.

Klobuchar has also been an outspoken voice in opposing anticompetitive mergers and has introduced legislation to help prevent them. In June, Klobuchar and Senator Chuck Grassley (R-IA) introduced new bipartisan legislation to ensure that antitrust authorities have the resources they need to protect consumers. The *Merger Filing Fee Modernization Act* would update merger filing fees for the first time since 2001, lower the burden on small and medium-sized businesses, ensure larger deals bring in more income, and raise enough revenue so that taxpayer dollars aren't required to fund necessary increases to agency enforcement budgets.

Klobuchar leads the *Consolidation Prevention and Competition Promotion Act* to restore the original purpose of the Clayton Antitrust Act to promote competition and protect American consumers. The bill would strengthen the current legal standard to help stop harmful consolidation that may materially lessen competition. It would clarify that a merger could

violate the statute if it gives a company “monopsony” power to unfairly lower the prices it pays or wages it offers because of lack of competition among buyers or employers. The bill further strengthens the law to guard against harmful “mega-mergers” and deals that substantially increase market concentration, shifting the burden to the merging companies to prove that their consolidation does not harm competition. She also introduced the Merger Enforcement Improvement Act which would update existing law to reflect the current economy and provide agencies with better information post-merger to ensure that merger enforcement is meeting its goals. This bill would modernize antitrust enforcement by improving the agencies’ ability to assess the impact of merger settlements, requiring studies of new issues, adjusting merger filing fees to reflect the 21st century economy, and providing adequate funding for antitrust agencies to meet their obligations to protect American consumers. Klobuchar introduced both bills in February.

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