

103^D CONGRESS
2^D SESSION

H. R. 4994

To apply the antitrust laws of the United States to major league baseball.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 18, 1994

Mr. SYNAR (for himself, Mr. BUNNING, Mr. OWENS, and Mr. BILIRAKIS) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To apply the antitrust laws of the United States to major league baseball.

1 *Be it enacted by the Senate and House of Represent-*
2 *atives of the United States of America in Congress assem-*
3 *bled,*

4 **SECTION 1. SHORT TITLE.**

5 This Act may be cited as the “Baseball Fans and
6 Communities Protection Act of 1994”.

7 **SEC. 2. PURPOSE.**

8 It is the purpose of the amendment made by section
9 3 to encourage serious negotiations between the major
10 league baseball players and the owners of major league

1 baseball, to prevent the continued economic loss to individ-
2 uals not involved in the negotiations whose livelihood de-
3 pends on baseball being played, to prevent ongoing losses
4 to those communities that host major league baseball, and
5 to preserve the remainder of the season, the playoffs, and
6 the World Series for the fans of baseball.

7 **SEC. 3. APPLICATION OF THE ANTITRUST LAWS TO MAJOR**
8 **LEAGUE BASEBALL IN EXCEPTIONAL AND EX-**
9 **TRAORDINARY CIRCUMSTANCES.**

10 The Clayton Act (15 U.S.C. 12 et seq.) is amended
11 by adding at the end the following new section:

12 “SEC. 27. (a) In the event that unilateral terms or
13 conditions are imposed by any party that has been subject
14 to an agreement between the owners of major league base-
15 ball and the labor organization representing the players
16 of major league baseball, the antitrust laws shall apply to
17 such terms and conditions and such terms and conditions
18 may be challenged by any party to such agreement in any
19 district court of the United States for the district in which
20 one of the parties is doing business.

21 “(b) If, prior to the mutual adoption of an agreement
22 between the owners of major league baseball and the labor
23 organization representing the players of major league
24 baseball that replaces the basic agreement between the
25 parties that expired on December 31, 1993, unilateral

1 terms and conditions are imposed by any party to the
2 prior agreement, and those terms and conditions are chal-
3 lenged in a court action in accordance with subsection (a),
4 the application of such unilaterally imposed terms and
5 conditions shall be stayed during the pendency of any such
6 action or appeal therefrom.

7 “(c) The term ‘terms and conditions’ shall not include
8 either a strike or a lockout.”.

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