

117TH CONGRESS
2D SESSION

S. 3833

To end the antitrust safe harbor for baseball cartels.

IN THE SENATE OF THE UNITED STATES

MARCH 14, 2022

Mr. SANDERS introduced the following bill; which was read twice and referred
to the Committee on the Judiciary

A BILL

To end the antitrust safe harbor for baseball cartels.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Save American Base-
5 ball Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Major League Baseball is an organization
9 controlled by a number of billionaires who are more
10 concerned with increasing their wealth and profits
11 than with strengthening our national pastime.

1 (2) Recently, Major League Baseball has ex-
2 ploited its monopoly control over America's pastime
3 and hurt players, families, and communities to in-
4 crease their already high level of profits.

5 (3) In December 2021, Major League Baseball
6 locked players out and refused to bargain in good
7 faith in an attempt to break the players' union.

8 (4) In March 2022, Major League Baseball
9 threatened players with a delay of the 2022 baseball
10 season to force them into an unfair contract deal.

11 (5) The actions of Major League Baseball have
12 not only threatened players, but also the livelihood
13 of thousands of stadium workers and communities
14 across the United States.

15 (6) In 2021, Major League Baseball revoked
16 the affiliation of more than 40 Minor League Base-
17 ball teams, causing needless economic pain and suf-
18 fering and breaking the hearts of fans in small- and
19 mid-sized towns all over the United States.

20 (7) Rising Major League Baseball ticket prices
21 are increasingly unaffordable for working class fami-
22 lies.

23 (8) The anticompetitive grip of Major League
24 Baseball on the sport, its players, its workers, and
25 its communities must end.

1 **SEC. 3. DEFINITION.**

2 In this Act, the term “antitrust laws”—

3 (1) has the meaning given the term in sub-
4 section (a) of the first section of the Clayton Act (15
5 U.S.C. 12); and

6 (2) includes section 5 of the Federal Trade
7 Commission Act (15 U.S.C. 45) to the extent that
8 such section applies to unfair methods of competi-
9 tion.

10 **SEC. 4. PROFESSIONAL BASEBALL SUBJECT TO ANTITRUST**
11 **LAWS.**

12 (a) REMOVAL OF EXEMPTION.—Persons in the busi-
13 ness of organized professional baseball shall not be exempt
14 from the antitrust laws.

15 (b) REPEAL.—Section 27 of the Clayton Act (15
16 U.S.C. 26b) is repealed.

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