



BASEBALL AND ANTITRUST:

The Legislative History of the Curt Flood Act of 1998

Public Law No. 105-297, 112 Stat. 2824

Edited by

William H. Manz and Edmund P. Edmonds

The First Title in Hein's Sports Law Legislative History Series!!

In the years since the Supreme Court made its decision in 1972 regarding Curtis Charles Flood's case against Major League Baseball Commissioner Bowie Kuhn, free agency has become commonplace in baseball and most other major sports, leading to severe escalation in player salaries and the frequent movement of athletes from one team to another. In 1998, the 105th Congress passed legislation to address Major League Baseball's exemption from U.S. antitrust laws (which it had enjoyed since 1922), allowing players the same rights as other professional athletes to use the laws as leverage against owners in the collective bargaining process.

Baseball and Antitrust: The Legislative History of the Curt Flood Act of 1998 contains all of the relevant Congressional debate, the major hearing and report from 1997, various versions of the legislation considered throughout the 1990's, the presidential statement, and related hearings from 1992 to 1995. The history of Major League Baseball's antitrust exemption is also explored, as are the numerous components of the act and the development of the nonstatutory

labor exemption within the specific context of the sports arena.

In addition, an article by Ed Edmonds is reprinted and included in the legislative history [a version of this article was first published as *The Curt Flood Act of 1998: A Hollow Gesture After All These Years?* at 9 MARQ. SPORTS L.J. 315 (1999)]. This commentary concludes that the legislation will have a limited impact upon the labor relations between the two parties because the existence of a collective bargaining relationship means that Supreme Court jurisprudence leaves little use for antitrust leverage.

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