

## HR 1873

Arbitration Fairness Act of 2011

**Congress:** 112 (2011–2013, Ended)

**Chamber:** House

**Policy Area:** Law

**Introduced:** May 12, 2011

**Current Status:** Referred to the Subcommittee on Courts, Commercial and Administrative Law.

**Latest Action:** Referred to the Subcommittee on Courts, Commercial and Administrative Law. (Jun 1, 2011)

**Official Text:** <https://www.congress.gov/bill/112th-congress/house-bill/1873>

### Sponsor

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**Name:** Rep. Johnson, Henry C. "Hank," Jr. [D-GA-4]

**Party:** Democratic • **State:** GA • **Chamber:** House

**Cosponsors** (81 total)

| Cosponsor                                   | Party / State | Role | Date Joined  |
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| Del. Norton, Eleanor Holmes [D-DC-At Large] | D · DC        |      | May 12, 2011 |
| Rep. Baldwin, Tammy [D-WI-2]                | D · WI        |      | May 12, 2011 |
| Rep. Bass, Karen [D-CA-33]                  | D · CA        |      | May 12, 2011 |
| Rep. Blumenauer, Earl [D-OR-3]              | D · OR        |      | May 12, 2011 |
| Rep. Boswell, Leonard L. [D-IA-3]           | D · IA        |      | May 12, 2011 |
| Rep. Brady, Robert A. [D-PA-1]              | D · PA        |      | May 12, 2011 |
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| Rep. Clarke, Yvette D. [D-NY-11]            | D · NY        |      | May 12, 2011 |
| Rep. Conyers, John, Jr. [D-MI-14]           | D · MI        |      | May 12, 2011 |
| Rep. Cummings, Elijah E. [D-MD-7]           | D · MD        |      | May 12, 2011 |
| Rep. Davis, Danny K. [D-IL-7]               | D · IL        |      | May 12, 2011 |
| Rep. Deutch, Theodore E. [D-FL-19]          | D · FL        |      | May 12, 2011 |
| Rep. Doggett, Lloyd [D-TX-25]               | D · TX        |      | May 12, 2011 |
| Rep. Doyle, Michael F. [D-PA-14]            | D · PA        |      | May 12, 2011 |
| Rep. Ellison, Keith [D-MN-5]                | D · MN        |      | May 12, 2011 |
| Rep. Filner, Bob [D-CA-51]                  | D · CA        |      | May 12, 2011 |
| Rep. Frank, Barney [D-MA-4]                 | D · MA        |      | May 12, 2011 |
| Rep. Gonzalez, Charles A. [D-TX-20]         | D · TX        |      | May 12, 2011 |
| Rep. Green, Al [D-TX-9]                     | D · TX        |      | May 12, 2011 |
| Rep. Grijalva, Raúl M. [D-AZ-7]             | D · AZ        |      | May 12, 2011 |
| Rep. Gutierrez, Luis V. [D-IL-4]            | D · IL        |      | May 12, 2011 |
| Rep. Hastings, Alcee L. [D-FL-23]           | D · FL        |      | May 12, 2011 |
| Rep. Heinrich, Martin [D-NM-1]              | D · NM        |      | May 12, 2011 |
| Rep. Hirono, Mazie K. [D-HI-2]              | D · HI        |      | May 12, 2011 |
| Rep. Honda, Michael M. [D-CA-15]            | D · CA        |      | May 12, 2011 |
| Rep. Jackson Lee, Sheila [D-TX-18]          | D · TX        |      | May 12, 2011 |
| Rep. Jackson, Jesse L., Jr. [D-IL-2]        | D · IL        |      | May 12, 2011 |
| Rep. Kildee, Dale E. [D-MI-5]               | D · MI        |      | May 12, 2011 |
| Rep. Kucinich, Dennis J. [D-OH-10]          | D · OH        |      | May 12, 2011 |
| Rep. Langevin, James R. [D-RI-2]            | D · RI        |      | May 12, 2011 |
| Rep. Lee, Barbara [D-CA-9]                  | D · CA        |      | May 12, 2011 |
| Rep. Loeb sack, David [D-IA-2]              | D · IA        |      | May 12, 2011 |
| Rep. Lofgren, Zoe [D-CA-16]                 | D · CA        |      | May 12, 2011 |
| Rep. Lynch, Stephen F. [D-MA-9]             | D · MA        |      | May 12, 2011 |
| Rep. Maloney, Carolyn B. [D-NY-14]          | D · NY        |      | May 12, 2011 |
| Rep. McDermott, Jim [D-WA-7]                | D · WA        |      | May 12, 2011 |
| Rep. McNerney, Jerry [D-CA-11]              | D · CA        |      | May 12, 2011 |
| Rep. Nadler, Jerrold [D-NY-8]               | D · NY        |      | May 12, 2011 |
| Rep. Napolitano, Grace F. [D-CA-38]         | D · CA        |      | May 12, 2011 |

| Cosponsor   | Party / State | Role | Date Joined  |
|---|---------------|------|--------------|
| Rep. Pingree, Chellie [D-ME-1]                            | D · ME        |      | May 12, 2011 |
| Rep. Price, David E. [D-NC-4]                             | D · NC        |      | May 12, 2011 |
| Rep. Richardson, Laura [D-CA-37]                          | D · CA        |      | May 12, 2011 |
| Rep. Ryan, Tim [D-OH-17]                                  | D · OH        |      | May 12, 2011 |
| Rep. Sarbanes, John P. [D-MD-3]                           | D · MD        |      | May 12, 2011 |
| Rep. Schakowsky, Janice D. [D-IL-9]                       | D · IL        |      | May 12, 2011 |
| Rep. Scott, Robert C. "Bobby" [D-VA-3]                    | D · VA        |      | May 12, 2011 |
| Rep. Serrano, Jose E. [D-NY-16]                           | D · NY        |      | May 12, 2011 |
| Rep. Stark, Fortney Pete [D-CA-13]                        | D · CA        |      | May 12, 2011 |
| Rep. Sutton, Betty [D-OH-13]                              | D · OH        |      | May 12, 2011 |
| Rep. Thompson, Bennie G. [D-MS-2]                         | D · MS        |      | May 12, 2011 |
| Rep. Towns, Edolphus [D-NY-10]                            | D · NY        |      | May 12, 2011 |
| Rep. Tsongas, Niki [D-MA-5]                               | D · MA        |      | May 12, 2011 |
| Rep. Van Hollen, Chris [D-MD-8]                           | D · MD        |      | May 12, 2011 |
| Rep. Visclosky, Peter J. [D-IN-1]                         | D · IN        |      | May 12, 2011 |
| Rep. Wasserman Schultz, Debbie [D-FL-20]                  | D · FL        |      | May 12, 2011 |
| Rep. Waters, Maxine [D-CA-35]                             | D · CA        |      | May 12, 2011 |
| Rep. Watt, Melvin L. [D-NC-12]                            | D · NC        |      | May 12, 2011 |
| Rep. Wilson, Frederica S. [D-FL-17]                       | D · FL        |      | May 12, 2011 |
| Rep. Woolsey, Lynn C. [D-CA-6]                            | D · CA        |      | May 12, 2011 |
| Resident Commissioner Pierluisi, Pedro R. [D-PR-At Large] | D · PR        |      | May 12, 2011 |
| Rep. Clay, Wm. Lacy [D-MO-1]                              | D · MO        |      | May 26, 2011 |
| Rep. Waxman, Henry A. [D-CA-30]                           | D · CA        |      | May 26, 2011 |
| Rep. Inslee, Jay [D-WA-1]                                 | D · WA        |      | Jun 1, 2011  |
| Rep. Capuano, Michael E. [D-MA-8]                         | D · MA        |      | Jun 13, 2011 |
| Rep. Miller, Brad [D-NC-13]                               | D · NC        |      | Jun 24, 2011 |
| Rep. Rangel, Charles B. [D-NY-15]                         | D · NY        |      | Jun 24, 2011 |
| Rep. Barrow, John [D-GA-12]                               | D · GA        |      | Jul 8, 2011  |
| Rep. Smith, Adam [D-WA-9]                                 | D · WA        |      | Jul 8, 2011  |
| Rep. Edwards, Donna F. [D-MD-4]                           | D · MD        |      | Aug 5, 2011  |
| Del. Christensen, Donna M. [D-VI-At Large]                | D · VI        |      | Sep 13, 2011 |
| Rep. DeGette, Diana [D-CO-1]                              | D · CO        |      | Oct 31, 2011 |
| Rep. Higgins, Brian [D-NY-27]                             | D · NY        |      | Oct 31, 2011 |
| Rep. Cicilline, David N. [D-RI-1]                         | D · RI        |      | Jan 25, 2012 |
| Rep. McGovern, James P. [D-MA-3]                          | D · MA        |      | Feb 1, 2012  |
| Rep. Cleaver, Emanuel [D-MO-5]                            | D · MO        |      | Feb 6, 2012  |
| Rep. Green, Gene [D-TX-29]                                | D · TX        |      | Feb 8, 2012  |
| Rep. Hinojosa, Ruben [D-TX-15]                            | D · TX        |      | Mar 5, 2012  |
| Rep. Baca, Joe [D-CA-43]                                  | D · CA        |      | Mar 26, 2012 |
| Rep. Hinchey, Maurice D. [D-NY-22]                        | D · NY        |      | May 22, 2012 |

## Committee Activity

| Committee           | Chamber | Activity    | Date        |
|---------------------|---------|-------------|-------------|
| Judiciary Committee | House   | Referred to | Jun 1, 2011 |

## Subjects & Policy Tags

### Policy Area:

Law

## Related Bills

| Bill        | Relationship   | Last Action   |
|-------------|----------------|---|
| 112 HR 4181 | Related bill   | <b>Mar 15, 2012:</b> Referred to the Subcommittee on Courts, Commercial and Administrative Law.   |
| 112 S 987   | Identical bill | <b>Oct 13, 2011:</b> Committee on the Judiciary. Hearings held. Hearings printed: S.Hrg. 112-177. |

## Summary (as of May 12, 2011)

Arbitration Fairness Act of 2011 - Declares that no predispute arbitration agreement shall be valid or enforceable if it requires arbitration of an employment, consumer, or civil rights dispute.

Declares, further, that the validity and enforceability of an agreement to arbitrate shall be determined by a court, under federal law, rather than an arbitrator, irrespective of whether the party resisting arbitration challenges the arbitration agreement specifically or in conjunction with other terms of the contract containing such agreement.

Exempts from this Act arbitration provisions in a contract between an employer and a labor organization or between labor organizations. Denies to any such arbitration provision, however, the effect of waiving the right of an employee to seek judicial enforcement of a right arising under the U.S. Constitution, a state constitution, a federal or state statute, or related public policy.

## Actions Timeline

- **Jun 1, 2011:** Referred to the Subcommittee on Courts, Commercial and Administrative Law.
- **May 12, 2011:** Introduced in House
- **May 12, 2011:** Referred to the House Committee on the Judiciary.