



### **Procedural History:**

#### **The Forced Arbitration Injustice Repeal Act (FAIR Act, S. 505/H.R. 963)**

NELA strongly supports the Forced Arbitration Injustice Repeal Act of 2021 (FAIR Act, [S.505/H.R. 963](#)), which would end forced arbitration by amending the Federal Arbitration Act (FAA). It would provide that no pre-dispute arbitration clause is valid or enforceable if it requires arbitration of an employment dispute, consumer dispute, antitrust dispute, or civil rights dispute. Mandatory arbitration that has been agreed to pursuant to a collective bargaining agreement would not be affected by the FAIR Act. The bill also prohibits agreements and practices, whether part of or separate from a forced arbitration clause, that interfere with the right of individuals, workers, and small businesses to participate in joint, class, or collective action related to an employment, consumer, antitrust, or civil rights dispute.

This document details, in reverse chronological order, the procedural history of the FAIR Act in the 117<sup>th</sup> Congress. The list of cosponsors of this bill, as with all bills, changes as Members of Congress decide to sign on as cosponsors. **We are providing links to the most up-to-date lists of cosponsors of the FAIR Act. The current cosponsors of the House bill can be seen [here](#), and cosponsors of the Senate bill can be seen [here](#). (You will want to know if your Member of Congress has signed on as a cosponsor before you talk to their staffer. Please note that this list is in *date order* of when a member signed on. Thus, you must scroll through the entire list to see if your member is a cosponsor.)**

#### ***March 1, 2021***

Senator Richard Blumenthal (D-CT), reintroduced the FAIR Act in the Senate of the 117<sup>th</sup> Congress on March 1, 2021. The bill currently has the support 39 [cosponsors](#) in the Senate. Upon reintroduction, the Senate Bill was referred to the [U.S. Senate Judiciary Committee](#).

#### ***February 11, 2021***

Representative Hank Johnson (D-GA), reintroduced the FAIR Act in the House of Representatives of the 117<sup>th</sup> Congress on February 11, 2021. The bill currently has the support of 196 [cosponsors](#) in the House. NELA [submitted testimony](#) for the record of the introduction. Upon reintroduction, the bill was referred to the [U.S. House Committee on the Judiciary](#).

#### ***September 20, 2019***

The U.S. House of Representatives passed the FAIR Act with a [final vote of 225-186](#). The identical Senate bill died in committee.

**May 16, 2019**

The U.S. House Judiciary Subcommittee on Antitrust, Commercial, and Administrative Law, held a hearing on forced arbitration and the FAIR Act. Ahead of the hearing, NELA submitted a letter in support of the FAIR Act to the Subcommittee Chairman, Representative David Cicilline, and the Ranking Member, Representative F. James Sensenbrenner. [Justice Denied: Forced Arbitration and the Erosion of our Legal System.](#)

**February 28, 2019**

Authored by Senator Richard Blumenthal (D-CT) and Representative Hank Johnson (D-GA), the FAIR Act was introduced in the 116<sup>th</sup> Congress on February 28, 2019 with the support of 155 cosponsors in the House and 33 [cosponsors](#) in the Senate. Upon introduction, the identical bills were referred to the [U.S. House Committee on the Judiciary](#) and the [U.S. Senate Judiciary Committee](#).