

119TH CONGRESS  
1ST SESSION

# H. R. 6172

To amend title 9, United States Code, with respect to arbitration of disputes involving race discrimination.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 20, 2025

Mr. BELL (for himself, Mr. JOHNSON of Georgia, Mr. QUIGLEY, Ms. TLAIB, Mr. CASTRO of Texas, Ms. NORTON, Mr. CLEAVER, Ms. LOIS FRANKEL of Florida, Ms. DEAN of Pennsylvania, Mr. DOGGETT, Ms. KELLY of Illinois, Ms. SCANLON, Mr. IVEY, Mr. DAVIS of Illinois, Mrs. WATSON COLEMAN, and Ms. LEE of Pennsylvania) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend title 9, United States Code, with respect to arbitration of disputes involving race discrimination.

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 “Ending Forced Arbi-  
5 tration of Race Discrimination Act of 2025”.

1 **SEC. 2. PREDISPUTE ARBITRATION OF DISPUTES INVOLV-**  
 2 **ING RACE DISCRIMINATION.**

3 (a) IN GENERAL.—Title 9, United States Code, is  
 4 amended by adding at the end the following:

5 **“CHAPTER 5—ARBITRATION OF DISPUTES**  
 6 **INVOLVING RACE DISCRIMINATION**

“Sec.

“501. Definitions.

“502. No validity or enforceability.

7 **“§ 501. Definitions**

8 “In this chapter:

9 “(1) PREDISPUTE ARBITRATION AGREEMENT;  
 10 PREDISPUTE JOINT-ACTION WAIVER.—The terms  
 11 ‘predispute arbitration agreement’ and ‘predispute  
 12 joint-action waiver’ have the meanings given the  
 13 terms in section 401.

14 “(2) RACE DISCRIMINATION DISPUTE.—The  
 15 term ‘race discrimination dispute’ means a dispute  
 16 relating to conduct that is alleged to constitute dis-  
 17 crimination (including harassment), or retaliation,  
 18 on the basis of race, color, or national origin under  
 19 applicable Federal, Tribal, State, or local law.

20 **“§ 502. No validity or enforceability**

21 “(a) IN GENERAL.—Notwithstanding any other pro-  
 22 vision of this title, at the election of the person alleging  
 23 conduct constituting a race discrimination dispute, or the  
 24 named representative of a class or in a collective action

1 alleging such conduct, no predispute arbitration agree-  
2 ment or predispute joint-action waiver shall be valid or  
3 enforceable with respect to a case which is filed under  
4 Federal, Tribal, State, or local law and relates to the race  
5 discrimination dispute.

6 “(b) DETERMINATION OF APPLICABILITY.—An issue  
7 as to whether this chapter applies with respect to a dispute  
8 shall be determined under Federal law. The applicability  
9 of this chapter to an agreement to arbitrate and the valid-  
10 ity and enforceability of an agreement to which this chap-  
11 ter applies shall be determined by a court, rather than  
12 an arbitrator, irrespective of whether the party resisting  
13 arbitration challenges the arbitration agreement specifi-  
14 cally or in conjunction with other terms of the contract  
15 containing such agreement, and irrespective of whether  
16 the agreement purports to delegate such determinations  
17 to an arbitrator.”.

18 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

19 (1) IN GENERAL.—Title 9, United States Code  
20 is amended—

21 (A) in section 2, by inserting “or 5” before  
22 the period at the end;

23 (B) in section 208, in the second sentence,  
24 by inserting “or 5” before the period at the  
25 end; and

1 (C) in section 307, in the second sentence,  
2 by inserting “or 5” before the period at the  
3 end.

4 (2) TABLE OF CHAPTERS.—The table of chap-  
5 ters for title 9, United States Code, is amended by  
6 adding at the end the following:

**“5. Arbitration of disputes involving race discrimina-  
tion ..... 501.”.**

7 **SEC. 3. APPLICABILITY.**

8 This Act, and the amendments made by this Act,  
9 shall apply with respect to any dispute or claim that arises  
10 or accrues on or after the date of enactment of this Act.

