

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 7757
OFFERED BY MRS. DINGELL OF MICHIGAN**

Page 76, after line 10, insert the following:

1 **TITLE VII—ARBITRATION**

2 **SEC. 701. DEFINITIONS.**

3 In this title, the terms “predispute arbitration agree-
4 ment” and “predispute joint-action waiver” have the
5 meaning given those terms in section 401 of title 9, United
6 States Code.

7 **SEC. 702. NO COMPELLED ARBITRATION.**

8 (a) **INVALIDITY OF PREDISPUTE ARBITRATION**
9 **AGREEMENTS AND JOINT-ACTION WAIVERS.**—Notwith-
10 standing any other provision of law, a predispute arbitra-
11 tion agreement or predispute joint-action waiver that re-
12 lates to conduct constituting a violation of the privacy or
13 online safety of a minor shall not be valid or enforceable.

14 (b) **ADJUDICATION OF PREDISPUTE ARBITRATION**
15 **AGREEMENTS AND JOINT-ACTION WAIVERS.**—The appli-
16 cability of this title to a predispute arbitration agreement
17 or predispute joint-action waiver and the validity and en-
18 forceability of such an agreement or waiver shall be deter-
19 mined by a Federal court, rather than an arbitrator, irre-

1 spective of whether the party resisting arbitration chal-
2 lenges the agreement or waiver specifically or in conjunc-
3 tion with other terms of the contract containing the agree-
4 ment or waiver, and irrespective of whether the agreement
5 or waiver purports to delegate such determinations to an
6 arbitrator.

