

# Freedom from Discrimination in Credit Act of 2017 (FDCA)

## *End Credit Discrimination against LGBTQ Americans*

Sponsored by Senator Patty Murray (D-WA) and Congressman Josh Gottheimer (D-NJ)

### BACKGROUND

Securing credit is critical to buying a home, going to college, or starting a small business. As such, credit decisions should not be based on personal characteristics unrelated to creditworthiness. Unfortunately, there is no federal law that protects individuals from credit discrimination on the basis of their sexual orientation or gender identity. The *Freedom from Discrimination in Credit Act of 2017* (FDCA) would amend the *Equal Credit Opportunity Act* to prohibit credit discrimination based on sexual orientation and gender identity.

### WHY THE FDCA IS NEEDED

Unfortunately, in many states LGBTQ Americans can be denied a mortgage, credit card, student loan, or other types of credit simply because of their sexual orientation or gender identity. While several states have passed laws prohibiting discrimination in credit based on sexual orientation or gender identity, there is no uniform, nationwide protection from sexual orientation or gender identity credit discrimination for LGBTQ Americans. The FDCA seeks to fix this.

### LEGISLATIVE SUMMARY

- Under current law, the *Equal Credit Opportunity Act* prohibits discrimination in the provision of credit on the basis of race, color, religion, national origin, sex, marital status, and age. The FDCA would amend the *Equal Credit Opportunity Act* to prohibit credit discrimination based on **actual or perceived** race, color, religion, national origin, sex, marital status, age, **sexual orientation and/or gender identity**.
- The FDCA was included in the *Equality Act* as Section 11, cosponsored by 220 Members of Congress and Senators in the 114<sup>th</sup> Congress.

### CURRENT STATUS OF STATE LAWS

Fifteen states and the District of Columbia prohibit credit discrimination based on sexual orientation and gender identity. Those states are California, Colorado, Connecticut, Illinois, Iowa, Maine, Maryland, Massachusetts, Minnesota, New Jersey, New Mexico, New York, Rhode Island, Vermont, and Washington. FDCA would prohibit credit discrimination against all LGBTQ Americans.

### SUPPORT

In previous Congresses the FDCA was endorsed by the Human Rights Campaign, National Center for Transgender Equality, National Center for Lesbian Rights, National Gay and Lesbian Taskforce, National Gay and Lesbian Chamber of Commerce, and Credit Union National Association.