

111TH CONGRESS  
1ST SESSION

# H. R. 4376

To amend the Equal Credit Opportunity Act to prohibit discrimination on account of sexual orientation or gender identity when extending credit.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 16, 2009

Mr. ISRAEL (for himself, Mr. FRANK of Massachusetts, Ms. BALDWIN, Mr. POLIS of Colorado, Mr. SERRANO, Mr. MORAN of Virginia, Mr. HASTINGS of Florida, Mr. GRIJALVA, Mr. TOWNS, Mr. ACKERMAN, Mr. WEINER, Mr. GUTIERREZ, Mr. HONDA, Mr. CAPUANO, Ms. SPEIER, Mr. CROWLEY, Ms. PINGREE of Maine, Mr. NADLER of New York, Ms. WATSON, Mrs. MALONEY, Mr. QUIGLEY, Mr. SABLAN, Ms. SUTTON, Mr. SHERMAN, Mrs. CAPPS, Ms. BERKLEY, Ms. LINDA T. SÁNCHEZ of California, Mr. PETERS, Ms. ZOE LOFGREN of California, Mr. WAXMAN, Ms. LEE of California, Ms. WASSERMAN SCHULTZ, Mr. ENGEL, Mr. OLVER, Mr. ANDREWS, Mr. HINCHEY, Mr. LUJÁN, Mr. KENNEDY, Mr. WU, Ms. CLARKE, Ms. CHU, Mr. MCGOVERN, Mr. CLAY, Mr. TONKO, and Mr. MURPHY of Connecticut) introduced the following bill; which was referred to the Committee on Financial Services

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## A BILL

To amend the Equal Credit Opportunity Act to prohibit discrimination on account of sexual orientation or gender identity when extending credit.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Freedom from Dis-  
3 crimination in Credit Act of 2009”.

4 **SEC. 2. PROHIBITION AGAINST DISCRIMINATION ON AC-  
5 COUNT OF SEXUAL ORIENTATION OR GEN-  
6 DER IDENTITY.**

7 Subsection (a)(1) of section 701 of the Equal Credit  
8 Opportunity Act (15 U.S.C. 1691) is amended—

9 (1) by striking “on the basis of race, color, reli-  
10 gion, national origin, sex or marital status,”; and

11 (2) by inserting “on the basis of race, color, re-  
12 ligion, national origin, sex, sexual orientation, gender  
13 identity, or marital status,”.

14 **SEC. 3. DEFINITIONS.**

15 Section 702 of the Equal Credit Opportunity Act (15  
16 U.S.C. 1691a) is amended—

17 (1) by striking subsections (f) and (g); and

18 (2) by inserting after subsection (e) the fol-  
19 lowing new subsections:

20 “(f) The term ‘gender identity’ means the gender-re-  
21 lated identity, appearance, or mannerisms or other gen-  
22 der-related characteristics of an individual, with or with-  
23 out regard to the individual’s designated sex at birth.

24 “(g) The term ‘person’ means a natural person, a  
25 corporation, government or governmental subdivision or

1 agency, trust, estate, partnership, cooperative, or associa-  
2 tion.

3 “(h) The term ‘sexual orientation’ means homosex-  
4 uality, heterosexuality, or bisexuality.

5 “(i) Any reference to any requirement imposed under  
6 this title or any provision of this title shall be deemed to  
7 include a reference to the regulations of the Board under  
8 this title or the provision of this title in question.”.

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