

THE FAIR ACCESS TO FINANCIAL SERVICES ACT

COMBATTING DISCRIMINATION IN BANKING

Senators Sherrod Brown, Tina Smith, Cory Booker, and Robert Menendez

Background

Mr. Sauntore Thomas, a Black man from Detroit, was simply trying to deposit a check in January 2020 at his local bank when he suffered racially based harassment from bank employees. Bank employees questioned the origins of his check, refused to deposit his check, and ultimately called the police on him¹. For Mr. Thomas, this was just another setback in the constant, uphill battle against systemic racism. The check he was trying to deposit was a settlement from a discrimination lawsuit with his former employer.

Mr. Thomas isn't the only person who has experienced racial discrimination at a financial institution, Black and brown Americans often face racial profiling and unequal treatment when trying to access services at financial institutions. However, victims of such discrimination are unable to hold financial institutions accountable because current law does not prohibit discrimination in banks and other financial institutions.² **The Fair Access to Financial Services Act would prohibit banks and other financial institutions from discrimination in the services they offer on the basis of race, color, religion, national origin, or sex (including sexual orientation and gender identity).**

The Civil Rights Act of 1964 outlawed discrimination in certain places of public accommodation, such as hotels and restaurants, but does not cover financial institutions, further limiting legal recourse against racism and discrimination in the financial services industry.³

Organizations Supporting this Legislation

Lawyers' Committee on Civil Rights
Under Law
The Leadership Conference on Civil and
Human Rights
The National Urban League
NAACP
UnidosUS

Americans for Financial Reform
Local Initiatives Support Corporation
National Association of Real Estate Brokers
League of United Latin American Citizens
National Community Reinvestment Coalition
National Action Network
Center for Responsible Lending

¹ Detroit News: *Discriminated against once, Detroiters sue when bank fails to cash settlement check*
<https://www.detroitnews.com/story/news/local/wayne-county/2020/01/23/detroiters-sues-says-bank-refused-accept-checks-because-hes-black/4551849002/>

² New York Times: *'Banking While Black': How Cashing a Check Can Be a Minefield.*
<https://www.nytimes.com/2020/06/18/business/banks-black-customers-racism.html>;

New York Times: *This Is What Racism Sounds Like in the Banking Industry.*
<https://www.nytimes.com/2019/12/11/business/jpmorgan-banking-racism.html>.

³ CNN: *A 911 call, a racial slur, a refusal to cash a check. This is what it's like for some Black bank customers.*
<https://www.cnn.com/2020/07/02/us/banking-while-black-racism-trnd/index.html>.