

Congress of the United States
Washington, DC 20515

March 31, 2022

Roger C. Hochschild
Chief Executive Officer
Discover Financial Services
2500 Lake Cook Road
Riverwoods, IL 60015

Dear Mr. Hochschild,

We write regarding Discover's restrictive name change policies, which can pose health and safety risks for transgender individuals. Discover requires a client's public-facing name on their credit card to match their legal name. This means that a transgender person who — because of their transition — wants to use a different name than their legal name on their card must change their legal name and provide Discover with evidence of that change. Consequently, transgender clients who lack the resources to change their legal name may be outed against their will during each Discover transaction, especially if their legal name and their appearance after transition do not match.

When transgender individuals cannot change their legal name and their former birth or legal name remains displayed as their profile name online, they are “deadnamed.” The Cleveland Clinic warns that deadnaming a transgender individual can be a “stressful and traumatic experience,” remind them of negative times in their life pre-transition, and trigger gender dysphoria, which is correlated with mental health issues such as depression and anxiety.¹ Deadnaming can have an especially harsh impact on transgender youth. LGBTQ youth are two to three times more likely to commit suicide than their heterosexual or cisgender peers,² and transgender youth are almost four times more likely than their cisgender peers to experience depression³. Additionally, displaying a transgender individual's deadname on their credit cards can “out” or reveal that person's gender identity and sexual orientation without their consent, which can endanger their safety and even their life.⁴

Discover's current name change policies appear to require a transgender individual who wishes to change the name on their credit card to first change their legal name and submit evidence of that change to Discover. Discover's Credit Resource Center shares steps on how to change the

¹ *Why Deadnaming is Harmful: Find out what it is and why it should be avoided*, Cleveland Clinic (Nov. 18, 2021), <https://health.clevelandclinic.org/deadnaming/>.

² *Suicide and Violence Prevention*, Centers for Disease Control and Prevention (Feb. 2016), <https://www.cdc.gov/msmhealth/suicide-violence-prevention.htm>.

³ *Mental Health and the LGBTQ Community: LGBTQ Youth and Mental Health*, Human Rights Campaign Foundation (July 2017), https://suicidepreventionlifeline.org/wp-content/uploads/2017/07/LGBTQ_MentalHealth_OnePager.pdf.

⁴ *Outing*, ACLU, <https://www.aclu.org/issues/lgbtq-rights/lgbtq-youth/outing>.

name on your credit card “when you get married or change your name for other reasons.”⁵ These steps include taking completed forms to a local Social Security office, changing your driver’s license — which “requires three forms of identification” — and finally contacting the credit card provider.⁶ But a legal name change and the subsequent updating of government-issued documentation to match it can be costly.

It is estimated that name changes under various state laws can range from \$50 to \$500.⁷ The cost to update the gender and name on a U.S. passport is at least \$165.⁸ Changing an individual’s gender and name on state-issued driver’s licenses can require lengthy medical, legal, and administrative processes with physician letters, court petitions, and Social Security Administration updates.⁹ The total cost estimate for these administrative and legal services can be as high as \$210 in states such as New York¹⁰ and \$900 in Pennsylvania.¹¹ In short, a legal name change and the corresponding updates to identification cards may effectively place the option of changing the name on a Discover card out of reach for low-income or unemployed transgender individuals.

Other credit networks allow transgender individuals to use their chosen first names without submitting documentation. Indeed, MasterCard’s “True Name” initiative works with business partners so that LGBTQ+ clients can have their “chosen names appear on the cards, helping ease a major pain point for the transgender and non-binary communities.”¹² Additionally, on its application page, American Express has a designated space for the preferred first name that will be printed on the card, separate from the space for the full name.¹³

Discover has earned a perfect score from the Human Rights Campaign’s (HRC) Annual Corporate Equality Index for eight consecutive years¹⁴ — an honor that HRC has said requires a “deep and serious commitment” not only to LGBT employees, but also depends on whether the company is “speaking out in the public square to advocate for LGBT equality here in this

⁵ *How do you change your name on your credit card?*, Discover, (Sept. 9, 2021), <https://www.discover.com/credit-cards/resources/change-your-name-on-a-credit-card/>.

⁶ *Id.*

⁷ Anna Baluch, *How Much Does a Legal Name Change Cost?*, The Balance (Nov. 20, 2021), <https://www.thebalance.com/how-much-does-a-legal-name-change-cost-5185160>.

⁸ U.S. Dep’t of State. *United States Passport Fees*, https://travel.state.gov/content/dam/passports/forms-fees/Passport%20Fees%20Chart_TSG_JAN%202022.pdf.

⁹ *ID Documents Center: Massachusetts*, Nat’l Center for Transgender Equality, <https://transequality.org/documents/state/massachusetts>.

¹⁰ Dan Stahl, *Making a Name for yourself: For trans people, it’s ‘life-changing’*, NBC News (Sept. 6, 2019), <https://www.nbcnews.com/feature/nbc-out/making-name-yourself-trans-people-it-s-life-changing-n1049721>.

¹¹ Candy Woodall, *Transgender Pennsylvanians are facing higher costs to change name, gender on state documents*, Go Erie (June 30, 2021), <https://www.goerie.com/story/news/2021/06/30/transgender-pennsylvania-document-costs/7806482002/>.

¹² *Introducing True Name*, MasterCard, <https://www.mastercard.com/europe/en/aboutus/overview/pride.html>.

¹³ *Card Application*, American Express, <https://card.americanexpress.com/d/american-express/>.

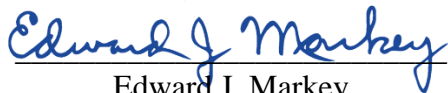
¹⁴ *Discover Named a Best Place to Work for LGBTQ Equality for Eighth Consecutive Year*, Discover, (Feb. 9, 2021), <https://investorrelations.discover.com/newsroom/press-releases/press-release-details/2021/Discover-Named-a-Best-Place-to-Work-for-LGBTQ-Equality-For-Eighth-Consecutive-Year/>.

country and around the world.”¹⁵ In that spirit, we respectfully request that you respond in writing to the following questions by April 15, 2022:

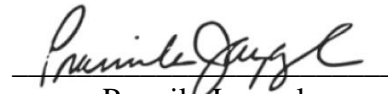
1. Will Discover allow a user to change their public-facing name to one that matches their identity, across all its applications, without submitting legal documentation?
2. Will Discover commit to ending practices that deadname or out its transgender users?
3. What tangible actions is Discover taking to ensure the safety and security of its transgender clients?

Thank you in advance for your attention to this important issue. If you have any questions, please contact Sedef Berk in Senator Markey’s office at Sedef_berk@markey.senate.gov.

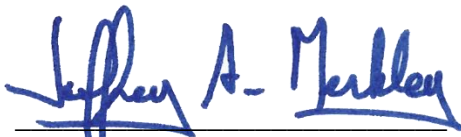
Sincerely,



Edward J. Markey
United States Senator



Pramila Jayapal
Member of Congress



Jeffrey A. Merkley
United States Senator



Richard Blumenthal
United States Senator



Marie Newman
Member of Congress



Dina Titus
Member of Congress

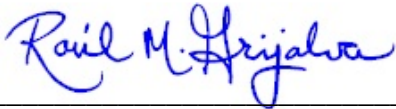
¹⁵ *Discover Earns Top Marks on Human Rights Campaign’s Corporate Equality Index*, Discover, (Dec. 4, 2014), <https://investorrelations.discover.com/newsroom/press-releases/press-release-details/2014/Discover-Earns-Top-Marks-On-Human-Rights-CampaignS-Corporate-Equality-Index/default.aspx>.



Sean Casten
Member of Congress



David Cicilline
Member of Congress



Raúl Grijalva
Member of Congress



Alan Lowenthal
Member of Congress



Mark Takano
Member of Congress



Ritchie Torres
Member of Congress

/s/

Andre Carson
Member of Congress

/s/

Gwen Moore
Member of Congress

Congress of the United States
Washington, DC 20515

March 31, 2022

Mark Zuckerberg
Chief Executive Officer
Meta
1 Hacker Way
Menlo Park, CA 94025

Dear Mr. Zuckerberg,

We write regarding Facebook’s restrictive name change policies, which can pose health and safety risks for transgender individuals. Facebook requires a user’s public-facing “profile” name to match their legal name. This means that a transgender person who — because of their transition and new identity — wants to use a different profile name than their legal name must change their legal name and provide Facebook with evidence of that change. Consequently, transgender users who lack the resources to change their legal name may be outed against their will while using Facebook.

When transgender individuals cannot change their legal name and their former birth or legal name remains displayed as their profile name online, they are “deadnamed.” The Cleveland Clinic warns that deadnaming a transgender individual can be a “stressful and traumatic experience,” remind them of negative times in their life pre-transition, and trigger gender dysphoria, which is correlated with mental health issues such as depression and anxiety.¹ Deadnaming can have an especially harsh impact on transgender youth. LGBTQ youth are two to three times more likely to commit suicide than their heterosexual or cisgender peers,² and transgender youth are almost four times more likely than their cisgender peers to experience depression³. Additionally, displaying a transgender individual’s deadname on their profiles can “out” or reveal that person’s gender identity and sexual orientation without their consent, which can endanger their safety and even their life.⁴

Facebook’s current name change policies appear to require a transgender individual who wishes to change their profile name to first change their legal name and submit evidence of that change to Facebook. To “transgender, gender non-conforming, genderqueer, and non-binary people,” Facebook asks to “please note that updating your name in some places on Facebook may require you to submit one or more documents with your authentic name.”⁵ In order to “confirm your

¹ *Why Deadnaming is Harmful: Find out what it is and why it should be avoided*, Cleveland Clinic (Nov. 18, 2021), <https://health.clevelandclinic.org/deadnaming/>.

² *Suicide and Violence Prevention*, Centers for Disease Control and Prevention (Feb. 2016), <https://www.cdc.gov/msmhealth/suicide-violence-prevention.htm>.

³ *Mental Health and the LGBTQ Community: LGBTQ Youth and Mental Health*, Human Rights Campaign Foundation (July 2017), https://suicidepreventionlifeline.org/wp-content/uploads/2017/07/LGBTQ_MentalHealth_OnePager.pdf.

⁴ *Outing*, ACLU, <https://www.aclu.org/issues/lgbtq-rights/lgbtq-youth/outing>.

⁵ *Being your Authentic Self on Facebook*, Facebook, <https://www.facebook.com/help/186614050293763>.

name on Facebook”, Facebook requires “a copy of something with your name on it”, including “photo IDs issued by the government, IDs from non-government organizations, official certificates or licenses that include your name or other physical items like a magazine subscription or a piece of mail”.⁶ For non-government IDs, at least two different IDs are required⁷. But a legal name change and the subsequent updating of government-issued documentation to match it can be costly.

It is estimated that name changes under various state laws can range from \$50 to \$500.⁸ The cost to update the gender and name on a U.S. passport is at least \$165.⁹ Changing an individual’s gender and name on state-issued driver’s licenses can require lengthy medical, legal, and administrative processes with physician letters, court petitions, and Social Security Administration updates.¹⁰ The total cost estimate for these administrative and legal services can be as high as \$210 in states such as New York¹¹ and \$900 in Pennsylvania.¹² In short, a legal name change and the corresponding updates to identification cards may effectively place the option of changing the name on a Facebook account out of reach for low-income or unemployed transgender individuals.

Other social media applications allow transgender individuals to use their chosen first names without submitting documentation. Indeed, Instagram¹³ and WhatsApp¹⁴, which Facebook owns, allow users to choose and edit the first and last names on profiles without submitting documentation. Additionally, other social media applications such as Twitter,¹⁵ LinkedIn,¹⁶

⁶ *What types of ID does Facebook accept?*, Facebook, <https://www.facebook.com/help/159096464162185>.

⁷ *Id.*

⁸ Anna Baluch, *How Much Does a Legal Name Change Cost?*, The Balance (Nov. 20, 2021), <https://www.thebalance.com/how-much-does-a-legal-name-change-cost-5185160>.

⁹ U.S. Dep’t of State. *United States Passport Fees*, https://travel.state.gov/content/dam/passports/forms-fees/Passport%20Fees%20Chart_TSG_JAN%202022.pdf.

¹⁰ *ID Documents Center: Massachusetts*, Nat’l Center for Transgender Equality, <https://transequality.org/documents/state/massachusetts/>.

¹¹ Dan Stahl, *Making a Name for yourself: For trans people, it’s ‘life-changing’*, NBC News (Sept. 6, 2019), <https://www.nbcnews.com/feature/nbc-out/making-name-yourself-trans-people-it-s-life-changing-n1049721>.

¹² Candy Woodall, *Transgender Pennsylvanians are facing higher costs to change name, gender on state documents*, Go Erie (June 30, 2021), <https://www.goerie.com/story/news/2021/06/30/transgender-pennsylvania-document-costs/7806482002/>.

¹³ *How do I update Instagram profile information like my name, username and email?*, Instagram, <https://help.instagram.com/583107688369069>.

¹⁴ *How to edit your profile*, WhatsApp, <https://faq.whatsapp.com/kaaios/account-and-profile/how-to-edit-your-profile/?lang=en>.

¹⁵ *How to customize your profile*, Twitter, <https://help.twitter.com/en/managing-your-account/how-to-customize-your-profile>.

¹⁶ *Changing How Your Name Appears On Your Profile*, LinkedIn, <https://www.linkedin.com/help/linkedin/answer/79/changing-how-your-name-appears-on-your-profile?lang=en>.

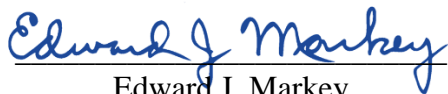
TikTok,¹⁷ Snapchat,¹⁸ GroupMe,¹⁹ Tumblr,²⁰ Google Plus,²¹ and Pinterest²² allow users to change their display name without submitting government identification.

Facebook's Help page states: "We understand that changing your name can be a challenging process for transgender, gender non-conforming, genderqueer and non-binary people."²³ In that spirit, we respectfully request that you respond in writing to the following questions by April 15, 2022:

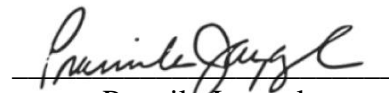
1. Will Facebook allow a user to change their public-facing name to one that matches their identity, across all its applications, without submitting legal documentation?
2. Will Facebook commit to ending practices that deadname or out its transgender users, across all its applications?
3. What tangible actions is Facebook taking to ensure the safety and security of its transgender clients?

Thank you in advance for your attention to this important issue. If you have any questions, please contact Sedef Berk in Senator Markey's office at Sedef_berk@markey.senate.gov.

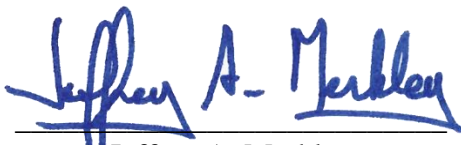
Sincerely,



Edward J. Markey
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Pramila Jayapal
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Jeffrey A. Merkley
United States Senator



Richard Blumenthal
United States Senator

¹⁷ Barbara Krasnoff, *How to Change your name on TikTok*, The Verge, (July 21, 2021), <https://www.theverge.com/22585579/tiktok-name-username-change-how-to>.

¹⁸ *How to Change your Display Name*, Snapchat Support, <https://support.snapchat.com/en-US/a/display-name>.

¹⁹ *How do I change my name or nickname in GroupMe?*, GroupMe, <https://support.microsoft.com/en-us/office/how-do-i-change-my-name-or-nickname-in-groupme-d6171e5a-1ce8-474b-9cc0-f0334f1f7040>.

²⁰ *Changing your username/URL*, Tumblr, <https://tumblr.zendesk.com/hc/en-us/articles/230893588-Changing-Your-Username-URL>.

²¹ *Changing your Google Account Picture, name & other info*, Google, <https://support.google.com/accounts/answer/27442?hl=en&co=GENIE.Platform%3DiOS>.

²² *Edit your profile*, Pinterest, <https://help.pinterest.com/en/article/edit-your-profile>.

²³ *Being your Authentic Self on Facebook*, Facebook, <https://www.facebook.com/help/186614050293763>.



Marie Newman
Member of Congress



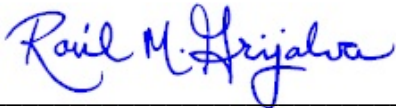
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Alan Lowenthal
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Mark Takano
Member of Congress



Ritchie Torres
Member of Congress

/s/

Andre Carson
Member of Congress

/s/

Gwen Moore
Member of Congress

Congress of the United States

Washington, DC 20515

March 31, 2022

Fidji Simo
Chief Executive Officer
Instacart
50 Beale Street
San Francisco, CA 94107

Dear Ms. Simo,

We write regarding Instacart’s name change policies, which can pose health and safety risks for transgender individuals. During the Instacart sign-up process, your company requires the public-facing name on a prospective Instacart user’s account to match their legal name. Furthermore, after the sign-up process is complete, Instacart users cannot change their public-facing name; only after reviewing a request from an Instacart user can Instacart support staff change the name.¹ This means that a transgender person who — because of their transition — wants to use a different public-facing name than their legal name must change their legal name and provide Instacart with evidence of that change. Consequently, transgender persons who lack the financial resources to change their legal name — as well as the ability to navigate Instacart’s name-change process — may be outed against their will during each Instacart transaction.

When transgender individuals cannot change their legal name and their former birth or legal name remains displayed on their profile, they are “deadnamed.” The Cleveland Clinic warns that deadnaming a transgender individual can be a “stressful and traumatic experience,” remind them of negative times in their life pre-transition, and trigger gender dysphoria which is correlated with mental health issues such as depression and anxiety.² Deadnaming can have an especially harsh impact on transgender youth. LGBTQ youth are two to three times more likely to commit suicide than their heterosexual or cisgender peers,³ and transgender youth are almost four times more likely than their cisgender peers to experience depression.⁴ Additionally, displaying a transgender individual’s deadname on their profiles can “out” or reveal that person’s gender identity and sexual orientation without their consent, which can endanger their safety and even their life.⁵

In a Tweet responding to an Instacart user’s concerns about a friend being misnamed or misgendered, Instacart shared that “unfortunately, many verification systems (i.e. background

¹ *Updating Personal Information*, Instacart, <https://instacartonboarding.zendesk.com/hc/en-us/articles/360027181751-Updating-personal-information>

² *Why Deadnaming is Harmful: Found out what it is and why it should be avoided*. Cleveland Clinic. (Nov. 18, 2021), <https://health.clevelandclinic.org/deadnaming/>.

³ *Suicide and Violence Prevention*, Centers for Disease Control and Prevention (February 2016), <https://www.cdc.gov/msmhealth/suicide-violence-prevention.htm>

⁴ *Mental Health and the LGBTQ Community: LGBTQ Youth and Mental Health*, Human Rights Campaign Foundation (July 2017), https://suicidepreventionlifeline.org/wp-content/uploads/2017/07/LGBTQ_MentalHealth_OnePager.pdf.

⁵ *Outing*. ACLU, <https://www.aclu.org/issues/lgbtq-rights/lgbtq-youth/outing>.

checks) require legal names. After the signup process is complete, users can reach out to support—we'd be happy to change their name in the system".⁶ But this requires users to not only out themselves to the support desk, but to deadname themselves as they must "include [their] full name and phone number" in the request to change their personal information.⁷ Furthermore, a legal name change and the subsequent updating of government-issued documentation to match it can be costly.

It is estimated that name changes under various state laws can range from \$50 to \$500.⁸ The cost to update the gender and name on a U.S. passport is at least \$165.⁹ Changing an individual's gender and name on state-issued driver's licenses can require lengthy medical, legal, and administrative processes with physician letters, court petitions, and Social Security Administration updates.¹⁰ The total cost estimate for these administrative and legal services can be as high as \$210 in states such as New York¹¹ and \$900 in Pennsylvania.¹² In short, a legal name change and the corresponding updates to identification cards may effectively place the option of changing the name for an Instacart account out of reach for low-income or unemployed transgender individuals.

Other food delivery and rideshare applications networks allow their users to change their names on the application without documentation or communication with support staff. Uber,¹³ Postmates (which Uber owns),¹⁴ Doordash,¹⁵ and Lyft¹⁶ all allow their users to change their publicly displayed name without submitting support requests or submitting new government identification.

⁶ Instacart (@Instacart), (June 3, 2021, 4:07 PM), https://twitter.com/Instacart/status/1130605255950049280?s=20&t=bjAwo_Kue3ulz7LKJtbTjA.

⁷ *Updating Personal Information*, Instacart, <https://instacartonboarding.zendesk.com/hc/en-us/articles/360027181751-Updating-personal-information>.

⁸ Anna Baluch, *How Much Does a Legal Name Change Cost?*, The Balance (Nov. 20, 2021), <https://www.thebalance.com/how-much-does-a-legal-name-change-cost-5185160>.

⁹ U.S. Dep't of State. *United States Passport Fees*, https://travel.state.gov/content/dam/passports/forms-fees/Passport%20Fees%20Chart_TSG_JAN%202022.pdf.

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¹¹ Dan Stahl. *Making a Name for yourself: For trans people, it's 'life-changing.'* NBC News (Sept. 6, 2019), <https://www.nbcnews.com/feature/nbc-out/making-name-yourself-trans-people-it-s-life-changing-n1049721>.

¹² Candy Woodall, *Go Erie* (June 30, 2021), <https://www.goerie.com/story/news/2021/06/30/transgender-pennsylvania-document-costs/7806482002/>.

¹³ *How do I update my account information?*, Uber, <https://help.uber.com/postmates/article/how-do-i-update-my-account-information?nodeId=55e64259-2bd4-4224-b2e8-44f6013a843e>.

¹⁴ *Id.*

¹⁵ *How do I update my account information?*, Doordash, https://help.doordash.com/consumers/s/article/How-do-I-update-my-account-information?language=en_US.

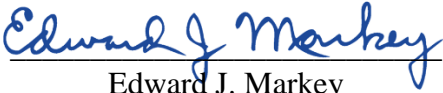
¹⁶ *How to edit your profile or account*, Lyft, <https://help.lyft.com/hc/et/articles/115013080748-How-to-edit-your-profile-or-account>.

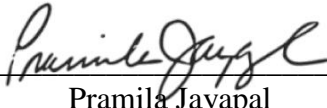
When responding to concerns over the misnaming or misgendering of its users, Instacart said “We hear you and agree with you.”¹⁷ In that spirit, we respectfully request that you respond in writing to the following questions by April 15, 2022:


1. Will Instacart allow a user to change their public-facing name to one that matches their identity, across all its applications, without submitting legal documentation?
2. Will Instacart commit to ending practices that deadname or out its transgender users?
3. What tangible actions is Instacart taking to ensure the safety and security of its transgender clients?


Thank you in advance for your attention to this important issue. If you have any questions, please contact Sedef Berk in Senator Markey’s office at Sedef_berk@markey.senate.gov.


Sincerely,


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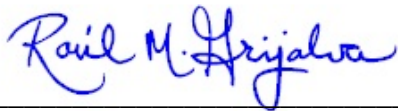
¹⁷ Instacart (@Instacart), (June 3, 2021, 4:07 PM),
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Ritchie Torres
Member of Congress

/s/

Andre Carson
Member of Congress

/s/

Gwen Moore
Member of Congress

Congress of the United States
Washington, DC 20515

March 31, 2022

Dan Schulman
President and CEO
PayPal Holdings, Inc.
2211 North First Street
San Jose, California 95131

Dear Mr. Schulman,

We write regarding PayPal’s restrictive name change policies, which can pose health and safety risks for transgender individuals. PayPal requires a user’s public-facing “profile” name to match their legal name. This means that a transgender person who — because of their transition and new identity — wants to use a different profile name than their legal name must change their legal name and provide PayPal with evidence of that change. Consequently, transgender clients who lack the resources to change their legal name may be outed against their will during each PayPal transaction.

When transgender individuals cannot change their legal name and their former birth or legal name remains displayed as their profile name online, they are “deadnamed.” The Cleveland Clinic warns that deadnaming a transgender individual can be a “stressful and traumatic experience,” remind them of negative times in their life pre-transition, and trigger gender dysphoria, which is correlated with mental health issues such as depression and anxiety.¹ Deadnaming can have an especially harsh impact on transgender youth. LGBTQ youth are two to three times more likely to commit suicide than their heterosexual or cisgender peers,² and transgender youth are almost four times more likely than their cisgender peers to experience depression³. Additionally, displaying a transgender individual’s deadname during financial transactions can “out” or reveal that person’s gender identity and sexual orientation without their consent, which can endanger their safety and even their life.⁴

PayPal’s current name change policies appear to require a transgender individual who wishes to change their profile name to first change their legal name and submit evidence of that change to PayPal. After “a marriage, divorce, etc.,”⁵ PayPal requires “a few documents to confirm” the

¹ *Why Deadnaming is Harmful: Find out what it is and why it should be avoided*, Cleveland Clinic (Nov. 18, 2021), <https://health.clevelandclinic.org/deadnaming/>.

² *Suicide and Violence Prevention*, Centers for Disease Control and Prevention (Feb. 2016), <https://www.cdc.gov/msmhealth/suicide-violence-prevention.htm>.

³ *Mental Health and the LGBTQ Community: LGBTQ Youth and Mental Health*, Human Rights Campaign Foundation (July 2017), https://suicidepreventionlifeline.org/wp-content/uploads/2017/07/LGBTQ_MentalHealth_OnePager.pdf.

⁴ *Outing*, ACLU, <https://www.aclu.org/issues/lgbtq-rights/lgbtq-youth/outing>.

⁵ *How do I change the name on my PayPal account?*, PayPal, <https://www.paypal.com/us/smarthelp/article/how-do-i-change-the-name-on-my-paypal-account-faq926>.

user's identity,"⁶ such as a passport or passport card, driver's license (front and back), or state- or government-issued identification card (front and back).⁷ But a legal name change and the subsequent updating of government-issued documentation to match it can be costly.

It is estimated that name changes under various state laws can range from \$50 to \$500.⁸ The cost to update the gender and name on a U.S. passport is at least \$165.⁹ Changing an individual's gender and name on state-issued driver's licenses can require lengthy medical, legal, and administrative processes with physician letters, court petitions, and Social Security Administration updates.¹⁰ The total cost estimate for these administrative and legal services can be as high as \$210 in states such as New York¹¹ and \$900 in Pennsylvania.¹² In short, a legal name change and the corresponding updates to identification cards may effectively place the option of changing the name on a PayPal account out of reach for low-income or unemployed transgender individuals.

Other money transfer providers now allow transgender individuals to change their chosen first names without submitting documentation. Indeed, Venmo, which PayPal owns, allows users to choose and edit the first and last names on profiles without submitting documentation.¹³ Additionally, PayPal's direct competitors such as CashApp¹⁴, Zelle¹⁵, and GooglePay¹⁶ allow their clients to easily change their display names without lengthy or expensive processes.

In June 2021, a PayPal spokesperson shared the following statement with the United Kingdom-based newspaper The Mirror: "PayPal is committed to fostering diversity, inclusion, equity, and belonging, both within our company and in the communities we serve. We know how important it is for the name on accounts to reflect our customers' true identities, and we offer several ways to change the name associated with an account, which may require uploading documentation.

⁶ *Id.*

⁷ *What documents can I upload to confirm my identity?*, PayPal, <https://www.paypal.com/us/smarthelp/article/faq4007>.

⁸ Anna Baluch, *How Much Does a Legal Name Change Cost?*, The Balance (Nov. 20, 2021), <https://www.thebalance.com/how-much-does-a-legal-name-change-cost-5185160>.

⁹ U.S. Dep't of State. *United States Passport Fees*, https://travel.state.gov/content/dam/passports/forms-fees/Passport%20Fees%20Chart_TSG_JAN%202022.pdf.

¹⁰ *ID Documents Center: Massachusetts*, Nat'l Center for Transgender Equality, <https://transequality.org/documents/state/massachusetts>.

¹¹ Dan Stahl, *Making a Name for yourself: For trans people, it's 'life-changing'*, NBC News (Sept. 6, 2019), <https://www.nbcnews.com/feature/nbc-out/making-name-yourself-trans-people-it-s-life-changing-n1049721>.

¹² Candy Woodall, *Transgender Pennsylvanians are facing higher costs to change name, gender on state documents*, Go Erie (June 30, 2021), <https://www.goerie.com/story/news/2021/06/30/transgender-pennsylvania-document-costs/7806482002/>.

¹³ *Edit Account and Notification Settings*, PayPal Inc. (2021), <https://help.venmo.com/hc/en-us/articles/217532247-Edit-Account-and-Notification-Settings>.

¹⁴ *How to Finance, How To Change Name Cash App - How To Change Full Name on Cash App - Cash App Change Name Help*, YouTube (June 3, 2021), <https://www.youtube.com/watch?v=i4XFIXdCGUs>.

¹⁵ Jessie Richardson, *How To Change Your Name in Zelle*, Alphr, (Aug. 17, 2020), <https://www.alphr.com/change-zelle-name/>.

¹⁶ *Changing your Google Account Picture, name & other info*, Google, <https://support.google.com/accounts/answer/27442?hl=en&co=GENIE.Platform%3DiOS>.

We are continuously evaluating our processes as we strive to provide a seamless customer experience while striking the right balance with our regulatory obligations.”¹⁷

In that spirit, we respectfully request that you respond in writing to the following questions by April 15, 2022:

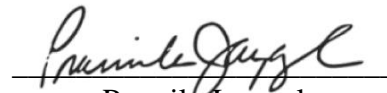
1. Will PayPal allow a user to change their public-facing name to one that matches their identity, across all its applications, without submitting legal documentation?
2. Will PayPal commit to ending practices that deadname or out its transgender clients, across all its applications?
3. What tangible actions is PayPal taking to ensure the safety and security of its transgender clients?

Thank you in advance for your attention to this important issue. If you have any questions, please contact Sedef Berk in Senator Markey’s office at Sedef_berk@markey.senate.gov.

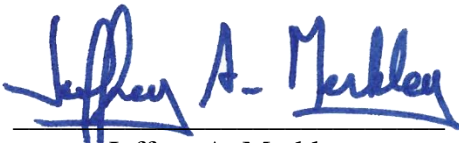
Sincerely,



Edward J. Markey
United States Senator



Pramila Jayapal
Member of Congress



Jeffrey A. Merkley
United States Senator



Richard Blumenthal
United States Senator



Marie Newman
Member of Congress



Dina Titus
Member of Congress

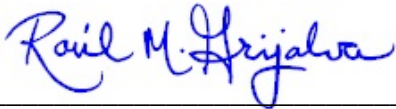
¹⁷ Sam Barker, *PayPal under fire over policy that stops transgender people changing their names*, The Mirror (June 27, 2021), <https://www.mirror.co.uk/money/paypal-under-fire-over-policy-24399825>.



Sean Casten
Member of Congress



David Cicilline
Member of Congress



Raúl Grijalva
Member of Congress



Alan Lowenthal
Member of Congress



Mark Takano
Member of Congress



Ritchie Torres
Member of Congress

/s/

Andre Carson
Member of Congress

/s/

Gwen Moore
Member of Congress

Congress of the United States
Washington, DC 20515

March 31, 2022

Alfred F. Kelly Jr.
Chief Executive Officer
Visa
900 Metro Center Boulevard
Foster City, CA 94404

Dear Mr. Kelly,

We write regarding Visa’s restrictive name change policies, which can pose health and safety risks for transgender individuals. Visa requires a client’s public-facing name on their credit card to match their legal name. This means that a transgender person who — because of their transition — wants to use a different name than their legal name on their card must change their legal name and provide Visa with evidence of that change. Consequently, transgender clients who lack the resources to change their legal name may be outed against their will during each Visa transaction, especially if their legal name and their appearance after transition do not match.

When transgender individuals cannot change their legal name and their former birth or legal name remains displayed as their profile name online, they are “deadnamed.” The Cleveland Clinic warns that deadnaming a transgender individual can be a “stressful and traumatic experience,” remind them of negative times in their life pre-transition, and trigger gender dysphoria, which is correlated with mental health issues such as depression and anxiety.¹ Deadnaming can have an especially harsh impact on transgender youth. LGBTQ youth are two to three times more likely to commit suicide than their heterosexual or cisgender peers,² and transgender youth are almost four times more likely than their cisgender peers to experience depression³. Additionally, displaying a transgender individual’s deadname on their credit cards can “out” or reveal that person’s gender identity and sexual orientation without their consent, which can endanger their safety and even their life.⁴

Visa does not currently have a policy in place for LGBTQ clients to choose the name displayed on their credit card⁵. In fact, Visa’s customer service line directs callers to consult with the card-issuing bank or credit union. But in order to change the display name on their credit cards, those financial institutions may require government-issued identification or other supporting

¹ *Why Deadnaming is Harmful: Find out what it is and why it should be avoided*, Cleveland Clinic (Nov. 18, 2021), <https://health.clevelandclinic.org/deadnaming/>.

² *Suicide and Violence Prevention*, Centers for Disease Control and Prevention (Feb. 2016), <https://www.cdc.gov/msmhealth/suicide-violence-prevention.htm>

³ *Mental Health and the LGBTQ Community: LGBTQ Youth and Mental Health*, Human Rights Campaign Foundation (July 2017), https://suicidepreventionlifeline.org/wp-content/uploads/2017/07/LGBTQ_MentalHealth_OnePager.pdf.

⁴ *Outing*, ACLU, <https://www.aclu.org/issues/lgbtq-rights/lgbtq-youth/outing>.

⁵ Lindsay Vansomeran, *What Are Credit Card Issuer True Name Policies?*, The Balance (Dec. 31, 2021), <https://www.thebalance.com/what-are-credit-card-issuer-true-name-policies-5180006>.

documentation such as a new Social Security card. But a legal name change and the subsequent updating of government-issued documentation to match it can be costly.

It is estimated that name changes under various state laws can range from \$50 to \$500.⁶ The cost to update the gender and name on a U.S. passport is at least \$165.⁷ Changing an individual's gender and name on state-issued driver's licenses can require lengthy medical, legal, and administrative processes with physician letters, court petitions, and Social Security Administration updates.⁸ The total cost estimate for these administrative and legal services can be as high as \$210 in states such as New York⁹ and \$900 in Pennsylvania.¹⁰ In short, a legal name change and the corresponding updates to identification cards may effectively place the option of changing the name on a Visa card out of reach for low-income or unemployed transgender individuals.

Other credit processing networks allow transgender individuals to use their chosen first names without submitting documentation. Indeed, MasterCard's "True Name" initiative works with business partners so that LGBTQ+ clients can have their "chosen names appear on the cards, helping ease a major pain point for the transgender and non-binary communities."¹¹ Additionally, on its application page, American Express has a designated space for the preferred first name that will be printed on the card, separate from the space for the full name.¹²

On its blog, Visa writes: "Visa is also committed to supporting initiatives that advocate for the good of all people and that help shape practices which positively impact equality and inclusion for the LGBTQ+ community around the world."¹³ In that spirit, we respectfully request that you respond in writing to the following questions by April 15, 2022:

1. Will Visa allow a user to change their public-facing name to one that matches their identity, across all its applications, without submitting legal documentation?
2. Will Visa commit to ending practices that deadname or out its transgender users?

⁶ Anna Baluch, *How Much Does a Legal Name Change Cost?*, The Balance (Nov. 20, 2021), <https://www.thebalance.com/how-much-does-a-legal-name-change-cost-5185160>.

⁷ U.S. Dep't of State. *United States Passport Fees*, https://travel.state.gov/content/dam/passports/forms-fees/Passport%20Fees%20Chart_TSG_JAN2021.pdf.

⁸ *ID Documents Center: Massachusetts*, Nat'l Center for Transgender Equality, <https://transequality.org/documents/state/massachusetts>.

⁹ Dan Stahl, *Making a Name for yourself: For trans people, it's 'life-changing'*, NBC News (Sept. 6, 2019), <https://www.nbcnews.com/feature/nbc-out/making-name-yourself-trans-people-it-s-life-changing-n1049721>.

¹⁰ Candy Woodall, *Transgender Pennsylvanians are facing higher costs to change name, gender on state documents*, Go Erie (June 30, 2021), <https://www.goerie.com/story/news/2021/06/30/transgender-pennsylvania-document-costs/7806482002/>.

¹¹ *Introducing True Name*, MasterCard, <https://www.mastercard.com/europe/en/aboutus/overview/pride.html>.

¹² *Card Application*, American Express, <https://www.americanexpress.com/us/credit-cards/card-application/apply/blue-cash-everyday-credit-card/59000-10-0#/>.

¹³ *Visa shows support for the LBGTQ+ Community*, Visa, (Mar. 29, 2019), <https://usa.visa.com/visa-everywhere/blog/bdp/2019/03/29/visa-shows-support-1553880375337.html>.

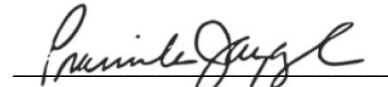
3. What tangible actions is Visa taking to ensure the safety and security of its transgender clients?

Thank you in advance for your attention to this important issue. If you have any questions, please contact Sedef Berk in Senator Markey's office at Sedef_berk@markey.senate.gov.

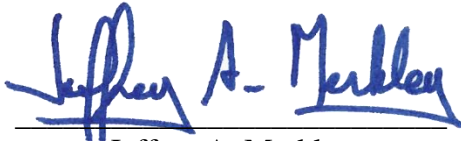
Sincerely,



Edward J. Markey
United States Senator



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Jeffrey A. Merkley
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Richard Blumenthal
United States Senator



Marie Newman
Member of Congress



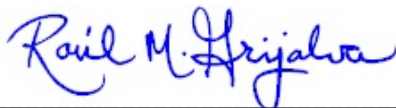
Dina Titus
Member of Congress



Sean Casten
Member of Congress



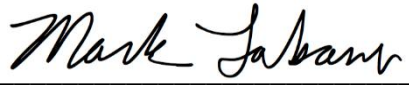
David Cicilline
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/s/

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/s/

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