

From: [REDACTED]
Sent: Friday, April 22, 2022 8:41 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Letter to Visa

[REDACTED]

Happy Friday!

As a follow up to our discussion earlier this month, I am happy to provide additional information which I hope you will find helpful. I would also be pleased to address any further questions you may have.

Visa's commitment to the transgender community is steadfast. Visa's rules and standards have always provided issuers and financial institutions in our network the flexibility to offer their customers the option to choose the name that appears on their Visa card.

From Visa's perspective, cardholders can choose the name on their Visa credit, debit, or prepaid cards without having to conduct a legal name change, subject to local laws or regulations. Moreover, Visa rules do not require that a cardholder name or identifier placed on any Visa card match a government-issued identification. In fact, in October 2020, we reiterated to all our U.S. financial institution clients that – in connection with Visa rules – they do not need to make their cardholders choose a name that matches government identification.

It is important to note that Visa is not a financial institution and does not maintain a direct relationship with Visa cardholders. That is the role of our financial institution partners who issue Visa payment credentials to consumers. In addition, acquirers on the Visa network manage the direct relationship with businesses who accept Visa payments. As a result, Visa does not have insight nor input into what issuing banks require vis-à-vis their customers and whether a user may change their public-facing name to one that matches their identify across all of its applications absent legal documentation.

In addition, Visa does not have practices that "deadname" or "out" transgender customers. To the contrary, Visa's policies afford flexibility to issuers to protect transgender customers as noted above.

I also wanted to highlight that Visa has undertaken a number of initiatives to support our LGBTQ+ employees and the broader LGBTQ+ community. For example, we established a [partnership](#) with Daylight, a digital platform aimed at improving the financial lives of the more than 30 million members of the LGBTQ+ community in the United States. The Daylight Visa card allows consumers to choose their preferred name on their card. In addition, Visa is working with Daylight to build and advocate for more inclusive financial systems for LGBTQ+ people around the world. Our goal is to create an environment where the LGBTQ+ community feels empowered and confident to plan for their future and feel safe doing so.

Moreover, Visa has also signed the Business Statement for TransEquality in 2019, calling for transparency in policy-making and equality under the law. Visa joined the Human Rights Campaign's Business Coalition for the Equality Act to create clear, consistent protections to prohibit discrimination

on the basis of sexual orientation and gender identity in employment. As evidence of our commitment to LGBTQ+ rights, Visa has received a perfect score on the Corporate Equality Index from the Human Rights Campaign for 6 years in a row, and a designation as a Best Place to Work for LGBTQ Equality.

Thanks again for reaching out to Visa, and please let us know if you have any additional questions.

Have a great weekend,
Megan



Visa Inc.
325 7th Street NW Suite 800
Washington, DC 20004





Maplebear Inc. d/b/a Instacart
50 Beale Street, Suite 600
San Francisco, CA 94105

April 15, 2022

The Honorable Edward J. Markey
United States Senate
255 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Pramila Jayapal
United States House of Representatives
2346 Rayburn House Office Building
Washington, DC 20515

Dear Senator Markey and Representative Jayapal:

Thank you for your March 31 letter regarding transgender users and the process to change an individual's name on the Instacart platform. We appreciate your leadership on this issue and we share your unwavering commitment to ensuring members of the transgender community are respected, protected, and supported.

At Instacart, we believe that every family should have access to the food they love and more time to enjoy it together. We welcome everyone into our community as they are, embracing the uniqueness of each individual from team members to customers and shoppers. We are proud to be recognized by the Human Rights Campaign Foundation for earning a 100 percent rating and the designation of being a "Best Place to Work for LGBTQ+ Equality" for the second year in a row.

In your letter, you used the term "users," which we interpret to mean individuals shopping/earning on our platform. The majority of shoppers are independent contractors who pick, pack, and/or deliver customer orders. It is of the utmost importance to validate the identity of shoppers on an ongoing basis in order to ensure the safety of our entire Instacart community. **We do not require shoppers to provide legal documentation of their name change;** however, when a shopper requests a name change, they must reach out to our support team so we can verify their identity. This protects them against any potential fraudulent or unauthorized activity on their accounts. We will continue to assess what additional steps we can take to improve this process.



Maplebear Inc. d/b/a Instacart
50 Beale Street, Suite 600
San Francisco, CA 94105

Please let me know if you have additional questions about these policies. Our Director of Federal Affairs, Belinda Garza, or I are available to visit with you to discuss further.

Sincerely,

Casey Aden-Wansbury

Casey Aden-Wansbury
Vice President, Policy and Government Affairs
Of MAPLEBEAR INC. (d/b/a Instacart)

cc:

Senator Jeffrey A. Merkley
Senator Richard Blumenthal
Representative Marie Newman
Representative Dina Titus
Representative Sean Casten
Representative David Cicilline
Representative Raúl Grijalva
Representative Alan Lowenthal
Representative Mark Takano
Representative Ritchie Torres
Representative Andre Carson
Representative Gwen Moore



June 16, 2022

The Honorable Edward Markey
United States Senate
255 Dirksen Senate Office Building
Washington, D.C. 20510

RE: *"Name Change Policies"*

Dear Senator Markey,

Thank you for your letter highlighting the unique challenges confronting transgender Americans. We greatly appreciate your thoughtful leadership and the efforts by you and your colleagues to protect the health and safety of the transgender community.

We share your views on the importance of promoting greater inclusivity, security, and opportunity for financial products and services for the LGBTQ+ community, as well as our entire customer base. As your letter notes, we have been recognized for being supporters and allies of the LGBTQ+ community. Over the years, Discover has established numerous programs and received various awards due to our commitment to diversity, equity, and inclusion.

At Discover, we believe that our diverse perspectives and experiences make us stronger and better able to help our customers, employees, and communities achieve brighter financial futures. We believe that all—regardless of race, ethnicity, gender identity, sexual orientation, disability, veteran status, religion, or age—should feel valued, have a sense of belonging, be treated equitably, and enjoy the freedom to be themselves. Additional highlights of our dedication to these principles can be found in Discover's DE&I Report and associated microsite, which can be found here: <https://www.discover.com/company/dei/home/>.

We appreciate this opportunity to reply to the questions in your letter and share our perspectives on the actions we have taken and ongoing improvements we are undertaking to create better outcomes for LGBTQ+ customers.

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?*
 - Discover currently allows customers to use their chosen/preferred first name without legal documentation in certain circumstances. For example, customers may request the use of a preferred first name when speaking with a customer service representative about their debit account. We are also determining the process for enabling customers to change their first name on their payment card without legal documentation. Furthermore, Discover is exploring how to expand the ability to use a customer's preferred/chosen first name across additional channels and products in the future. Due to legal and regulatory requirements, as well as to protect consumers from fraud, customers may need to continue to use their legal first name for certain communications, and we may request a legal name as required by law and/or for identity verification purposes.

2. *Will Discover commit to ending practices that deadname or out its transgender users?*

- Discover is committed to determining the process for enabling methods by which customers can change their first name on their payment card to their preferred/chosen name.
- Discover is also seeking advice and guidance from its PRIDE Employee Resource Group (ERG) to identify and assess potential improvements to our customer experience for our LGBTQ+ customers. The PRIDE ERG's mission is to unite the power and collective knowledge of our lesbian, gay, bisexual, transgender, and ally employees to enhance the customer experience and create a welcoming and inclusive environment for Discover's LGBTQ+ customers, suppliers, partners, and employees.
- While being committed to diversity and inclusion, there are scenarios in which use of legal name is necessary to comply with applicable laws and to protect and service customers. For example, we must comply with federal laws and regulations such as the Anti-Money Laundering Act (including OFAC and KYC requirements). Use of Driver's Licenses, passports or birth certificates, helps us comply with those laws and helps us protect our customers from fraud by validating their identity to prevent unauthorized account opening or access to their accounts with us. Additionally, this process ensures uniformity where matching identities may be necessary to complete a transaction, such as booking a hotel or airline reservation.

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

- We believe that our transgender customers should feel valued, have a sense of belonging, be treated equitably, and enjoy the freedom to be themselves. As mentioned above, Discover continually looks to foster an environment in which our customers from all walks of life feel valued, safe, and supported. Our most recent changes – as well as the changes we are formulating - are reflective of that pledge. At the same time, we are ensuring that any potential changes are in line with our regulatory and legal obligations, such as the Anti-Money Laundering Act (including OFAC, BSA, and KYC) to maintain the safety and security of our transgender customers.

Thank you for raising this issue with us and working to address the challenges that transgender consumers encounter. We look forward to collaborating with you and your staff on ways to promote positive outcomes.

Should you have any questions regarding any of the items discussed in this letter, please contact me directly at rogerhochschild@discover.com or Richard Santoro our Head of Government Relations in Washington at richardsantoro@discover.com or 202-215-5478.

Sincerely,



Roger C. Hochschild

Chief Executive Officer and President
Discover Financial Services

May 9, 2022

Sen. Ed Markey
255 Dirksen Senate Office Building
Washington, DC 20510

Dear Senators and Representatives,

Thank you for your letter of March 31. Meta shares your concerns regarding the health, safety, and security of the people who use our platforms, including transgender individuals.

Facebook is a place where people share and connect with their family and friends. For this to happen, people need to feel safe and be confident they know who they are communicating with. On Facebook, we require people to use the name their friends and family know them by. To be clear, Facebook does not require people's public-facing name to match their legal name, but rather their authentic name – the name they go by in everyday life. We view the name people identify with as their authentic name. We allow users to submit both government and non-government IDs. Our list of [accepted IDs](#)¹ outlines the information we require when a user is prompted to submit an ID, and provides guidance on what to do if your government ID does not include your authentic name.

We trust that most people want to be their authentic selves when they join Facebook, and we don't verify all names against identity documents. We authenticate people if and when there's an indication of identity misrepresentation. An inherently violating name (such as those containing slurs), frequent name changes, or impersonation are examples of identity misrepresentation. We also set a high bar of authenticity for products like Political Ads or Facebook Dating. Overall, our authenticity approach aims to help lower the cost of self-expression where possible and increase the cost of inauthenticity where it can do most harm.

We remain committed to this policy. Since hearing feedback from our community several years ago, we have recognized that it's also important that this policy works for everyone, especially for historically underserved groups. That's why we have sought to continue to make improvements in this area based on many conversations with community leaders and safety organizations around the world.

Meta is also currently working on several initiatives to improve the supportive experiences we deliver to the LGBTQ+ community, including work on issues identified in GLAAD's inaugural Social Media Safety Index (which was ongoing concurrent with or occurring prior to release of the report). One of the areas we've focused on is improving the transparency and supportiveness of our help center resources. For example, we've published dedicated Facebook² and Instagram³ Help Center pages that focus on the

¹ <https://www.facebook.com/help/159096464162185?ref=shareable>

² <https://www.facebook.com/help/186614050293763>

³ <https://help.instagram.com/401525221649141>

subject of supporting authentic platform experiences and safety for the LGBTQ+ community. In particular, these Help Center pages address support for authentic representation on the platform. We are working to share information on these resources with community stakeholders to build awareness and ensure that our products are serving the needs of our users.

We have also worked in partnership with LGBTQ+ advocacy groups to develop a “Be Kind Online” guide, which includes bullying prevention and safety tips to tackle LGBTQ+ abuse online. This guide is available in the Resource section of the Facebook Safety Center⁴. And we link to the Trevor Project as a way to get help in our Emotional Health hub – a centralized resource center on the Facebook app with tips and information from leading experts – and include them in our ongoing suicide prevention efforts. We also engage LGBTQ+ advocacy groups and think tanks regularly in product and policy development conversations.

With this context in mind, please find answers to your specific questions below.

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?

We already allow name changes to reflect an authentic (or public-facing) name, rather than a legal (or given) name. This is consistent with the spirit of our Authenticity policy. People are allowed to change their names directly through account settings.

In the increasingly limited circumstances where a user is asked to provide an ID, we understand that people may face challenges in providing an identification document. We are constantly striving to improve the ways in which we authenticate people and are exploring alternatives to document-based verification.

We understand that changing your name can be a challenging process for transgender, gender non-conforming, genderqueer, and non-binary people.

We also note that names, gender identity, and personal pronouns are not required on Instagram, but users can choose to add them to their account if they wish.

2. Will Facebook commit to ending practices that deadname or out its transgender users, across all its applications?

Please see above for more information about how Meta has changed its processes based on feedback from our community over the past several years. We also note that names, gender identity, and personal pronouns are not required

⁴ <https://www.facebook.com/safety/resources>

on Instagram, but users can choose to add them to their account if they wish. We are committed to continuing to work closely with stakeholders to create the best experience that we can for everyone.

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

Please see the responses to your previous questions. In addition, Meta is engaged in ongoing research to continue to find ways we can improve our products and processes in this area.

Thank you again for the opportunity to answer your questions. We welcome the opportunity to work with your offices in this area going forward, and we look forward to addressing your concerns.

Sincerely,



Kevin Martin
Vice President, U.S. Public Policy

cc:

Rep. Pramila Jayapal
Sen. Jeffrey A. Merkley
Sen. Richard Blumenthal
Rep. Marie Newman
Rep. Dina Titus
Rep. Sean Casten
Rep. David Cicilline
Rep. Raúl Grijalva
Rep. Alan Lowenthal
Rep. Mark Takano
Rep. Ritchie Torres
Rep. Andre Carson
Rep. Gwen Moore



Dan Schulman
President & CEO
2211 North First Street
San Jose, CA 95131

April 15, 2022

The Honorable Edward J. Markey
United States Senate
255 Dirksen Senate Office Building
Washington, DC 20515

Dear Senator Markey,

Thank you for your letter and inquiry. Inclusion is one of the core values that guide PayPal's mission and vision. PayPal is dedicated to providing an inclusive experience for our employees, customers, and communities we serve. We welcome this opportunity to share PayPal's approach to designing product experiences that help build financial health and inclusion for those who face marginalization and discrimination.

PayPal fully appreciates the importance of our customers having the ability to display the name that reflects their identity authentically and inclusively on our platform. We have begun conducting additional internal and external research, documenting insights into the customer experience and pain points, and designing solutions for our name change policies and customer experiences.

We know that government-issued identification does not always reflect a person's true identity, and there are members of the trans community who might be in the process of changing their legal name or are unable to do so due to the considerable costs, time, and paperwork involved. We are exploring solutions that take into account the different experiences our customers might be having in the legal name change process outside of PayPal.

We continue to improve our platform to help ensure an inclusive experience on PayPal while adhering to our regulatory obligations and meeting our product and security standards. PayPal operates under a stringent set of financial regulatory obligations including bank secrecy act, anti-money laundering, and other federal legal frameworks that require PayPal to verify the identity of its customers and maintain records of the information used to verify the person's identity including legal name,

address, and other identifying information. In some cases, this may require customers to upload legal documentation such as government-issued identification. We strive to balance these responsibilities with a seamless customer experience. While we currently offer several ways to change the name associated with an account, we are focused on reviewing and strengthening these procedures to ensure a more inclusive and seamless experience.

Please know that PayPal has long been a proud advocate for the LGBTQ+ community, including withdrawing our plans to expand in North Carolina due to legislation invalidating protections for LGBTQ+ citizens, partnering with the Human Rights Campaign in opposition to anti-transgender efforts across several states, and longstanding support for Pride, our dedicated employee resource group for LGBTQ+ employees and allies. We are committed to ensuring this support for the trans community is reflected in our products and processes across the company.

We appreciate the feedback and share your commitment to ensuring that transgender individuals feel included and welcomed as their authentic selves. PayPal remains deeply committed to building an inclusive experience for all our global customers, and we are continuing to reexamine our name change and display name process to determine areas where we can make the experience more empathetic, seamless, and simple. We recognize the difficulties that people face when their legal or display name doesn't reflect their true identity. While this letter describes our commitment to addressing these issues, we look forward to advancing this important work and reaching our collective goals. Thank you for the opportunity to respond and please reach out anytime that we might be helpful in your important work.

Yours sincerely,



Dan Schulman
President and Chief Executive Officer, PayPal

cc: Co-signors