



February 16, 2021

**Via ECFS**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
45 L Street, NE  
Washington, DC 20554

**RE: Petitions for Emergency Relief to Allow the Use Of E-Rate Funds to Support Remote Learning During The COVID-19 Pandemic, WC Docket No. 21-31**

Dear Ms. Dortch:

The LGBT Technology Institute (“LGBT Tech”) respectfully submits these comments urging the FCC to allow the use of E-Rate funds to support remote learning.<sup>1</sup>

PowerOn, a program of LGBT Tech, is a first-of-its-kind program that distributes technology to homeless, isolated, and disadvantaged LGBTQ+ individuals across the country through our network of LGBTQ+ grantee organizations. This grantee network (our PowerOn partner centers) allows us to work at a national scale to distribute life-saving technology at the most impactful grassroots level, empowering individuals with the tools to take charge of their circumstances and tackle the digital divide head-on.

With partner organizations spread across the United States, from Puerto Rico to Brooklyn, NY and to the northern most points of the U.S. in Anchorage, AK we serve incredibly diverse urban and rural populations spanning all races, ethnicities, ages, and socioeconomic groups. In our communications with our LGBTQ+ partner organizations, we frequently hear about the need for consistent internet access, both in the form of broadband and through internet-enabled devices. Expanding the E-Rate program to fund devices and services outside physical school and

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<sup>1</sup> *Wireline Competition Bureau Seeks Comments on Petitions for Emergency Relief to Allow the Use of E-Rate Funds to Support Remote Learning During the COVID-19 Pandemic*, Public Notice, WC Docket No. 21-31, DA 21-98 (rel. Feb. 1, 2021) (*Notice*).



library buildings is a crucial part of ensuring fair and equal access to education, healthcare, and other resources during this pandemic and beyond.

Approximately 9.5% of American youth ages 13-17 identify as LGBT.<sup>2</sup> These youth, especially in rural areas, have limited resources when it comes to accessing the internet. The COVID-19 pandemic has made it even more clear and urgent how important access to high-speed internet is for everyone in America. However, it has also exposed significant gaps and barriers to affordable and reliable connectivity that persist across the country, especially in rural communities. An estimated 18 million people in the U.S. lack broadband internet service according to the Federal Communications Commission (FCC). Since the COVID pandemic began, schools and other publicly provided services have moved almost entirely online leaving youth without a home computer and/or home internet access literally and figuratively disconnected. Additionally, these disconnected youth also lack access to outside supportive services such as local LGBTQ+ community centers, help lines like The Trevor Project and connection to supportive community leaders that they would have otherwise accessed at their school or library. Public facilities that provide access, such as libraries and school computer labs, are closed or operating with limited hours, effectively cutting off this group of youth from crucial resources and educational opportunities. Those who cannot afford a home computer or internet access should not be unfairly punished for trying to complete their education while staying home and following pandemic guidelines.

The issues of connectivity and access are even more critical for LGBTQ+ people of color in rural areas who are often at risk of multiple types of discrimination, further limiting their chances to access quality services, health care, and employment. Further amplifying this problem, many service providers in rural areas are religiously affiliated and are covered under religious exemption laws that may allow them to discriminate. For these LGBTQ+ individuals, broadband connectivity may be the only way to access medical, mental health or employment opportunities not available in their local communities due to discrimination.

These disparities do not only exist in rural areas. PowerOn partners with Fostering Change for Children (FCFC), a Brooklyn, NY-based organization working to serve young people who have aged out of the foster care system. Despite their location in the country's largest metropolitan area, their youth still face challenges with getting adequate access to technology. PowerOn works closely with FCFC's UpFront program, a peer-led group focused on supporting one

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<sup>2</sup> LGBT Youth Population in the United States, UCLA School of Law Williams Institute, <https://williamsinstitute.law.ucla.edu/publications/lgbt-youth-pop-us/>

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another and exploring each participant's potential. UpFront members can earn a laptop or phone from PowerOn by participating in group activities. Many of these young people are in the process of applying for college, completing their GED, or searching for jobs, all efforts that require a computer and internet access. The most pressing issue facing these young people lately, especially since the start of COVID, is their lack of devices or internet access at home. They may have a laptop or smartphone but may be unable to afford adequate service for the data heavy applications required to conduct school during the COVID pandemic. In the past they may have gone to a library, cafe, or FCFC's offices to access the internet, but that is no longer an option for them with so many COVID closures and restrictions. The usual resources of their city are unavailable or stretched thin due to the pandemic. The staff at FCFC have expressed the need for wireless hotspots to enable these young people to continue their education and endeavors while locked down at home.

PowerOn has also heard from LGBTQ+ center clients at partner center Out Boulder County in Boulder, CO. Again, despite living in a large city, residents who are low-income are disproportionately affected by pandemic-related shutdowns. As Jenna, an Out Boulder County client, said, "I'm a single queer mom to my trans child with very limited access to funds for anything but utilities and groceries. When we both have work or school, or classes, or support groups online due to COVID, we have to pick and choose due to limited technology." Providing students with the resources to effectively complete schoolwork and classes at home means that families no longer need to make difficult choices about how to share their limited resources. Jenna would be able to use the family's laptop for her remote work to continue earning money for the family, and her child could still attend virtual classes with a laptop and internet service funded by the E-Rate program.

Without a doubt our youth need access to the internet for their formal education, but there are other aspects of student life and learning that must also be fostered. The lack of access to the internet and the absence of connection for LGBTQ+ youth can be a matter of life or death. The negative effects of the isolation caused by the pandemic, especially for those LGBTQ+ youth in unsupportive homes, cannot be discounted. According to Deanna Zachary, co-director of The Diversity Center in Santa Cruz, CA, the mental health of their clients has been a matter of paramount importance at her organization as of late: "Our LGBTQ+ youth have been melting down with depression and anxiety including eating disorders, so we started a daily exercise class for youth on our 24/7 online platform and a weekly cooking class. We are using the tablets to help with our 24/7 online youth platform for LGBTQ+ youth who are isolated and living in homes with families that often don't accept or support them." About 18% of LGBT youth say

they participate very often or sometimes in an LGBT group outside of school. However, 52% of LGBT youth say they participate very often or sometimes in an **online community** that addresses issues facing LGBT youth.<sup>3</sup> Providing access to these online communities is crucial to the well-being of LGBTQ+ students, particularly during the pandemic.

LGBTQ+ students who may not have a supportive family at home have lost their potential safe space at school or a local community organization. According to Sabia Prescott at New America, “Not being able to see friends and connect with teachers at school is difficult for most students. But for lesbian, gay, bisexual, transgender and queer students, for whom school might be the only safe place, it’s devastating. Research [shows](#) that the majority of LGBTQ+ students depend on key support at school, even—and especially—if they’re not publicly out. Groups like gay-straight alliances (GSAs), which are designed to be safe, supportive environments for LGBTQ+ students and their allies, are sometimes the only place where queer and trans students can safely be themselves. Without these opportunities to be heard, understood, and unwind from constant self-defense, the mental and physical health of many young LGBTQ+ people are at risk.”<sup>4</sup> Ellen Kahn, Senior Director of Programs and Partnerships at Human Rights Campaign, echoes this sentiment: “LGBTQ students are not getting the support, affirmation and safety they need and deserve.”<sup>5</sup> With schools operating online, what happens to clubs and extracurricular activities like GSAs? E-Rate services should extend to enable these groups to continue meeting and providing support in a virtual format and give every student the opportunity to participate regardless of their internet and technology situation at home.

To address this gap left by the transition to virtual learning and living, computers and internet access provided by an expanded E-Rate program will offer a source of education, emotional support, and crucial resources for LGBTQ+ students and their families. However, it is important that services provided through the E-Rate program provide equal, unfettered access to helpful LGBTQ+ content. LGBT Tech has worked with members of Congress to introduce the Don’t Block LGBT bill three times, most recently in June 2020 with Rep. Brad Schneider of Illinois.

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<sup>3</sup> Growing Up LGBT in America, Human Rights Campaign, [https://assets2.hrc.org/files/assets/resources/Growing-Up-LGBT-in-America\\_Report.pdf?\\_ga=2.187323937.805143854.1613054519-1033251884.1612808621](https://assets2.hrc.org/files/assets/resources/Growing-Up-LGBT-in-America_Report.pdf?_ga=2.187323937.805143854.1613054519-1033251884.1612808621)

<sup>4</sup> Prescott, Sabia. “For LGBTQ Students, School Closures Can Mean the Loss of a Critical Safe Space.” New America, May 19, 2020. <https://www.newamerica.org/weekly/lgbtq-students-school-closures-can-mean-loss-critical-safe-space/>.

<sup>5</sup> New CDC Data Shows LGBTQ Youth are More Likely to be Bullied Than Straight Cisgender Youth, Human Rights Campaign, <https://www.hrc.org/news/new-cdc-data-shows-lgbtq-youth-are-more-likely-to-be-bullied-than-straight-cisgender-youth>

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Currently the laws outlining how filters are set in public schools and libraries give the local district Chief Technology Officer (CTO) the power to interpret the laws of what content to filter. This gives the local district CTO the ability to block useful (and potentially life-saving) LGBTQ+ resources that are not inappropriate in any way based on some CTO's personal opinion and/or biases—including crucial sites for LGBTQ+ students like [The Trevor Project](#) and [PFLAG](#). The Don't Block LGBT Act would amend the Communications Act of 1934 to prohibit elementary schools, secondary schools, or libraries that receive discount rates for telecommunications services under the universal service support program from blocking Internet access to lesbian, gay, bisexual, transgender, or queer resources. The bill does not prohibit schools or libraries from blocking content that is obscene, pornographic, or harmful to minors.<sup>6</sup>

Access to the internet and the resources it provides is crucial now more than ever. Our LGBTQ+ students and communities, especially those in rural areas or those in low-income families, are at an even greater risk of being left behind in this current digital age. Expanding the E-Rate program to provide services to students learning from home, while ensuring helpful LGBTQ+ content is not filtered or blocked, will benefit hundreds of thousands of students and their families, encouraging continued participation in education and their communities. It will bring people together and strengthen the support system upon which so many LGBTQ+ youth rely.

Respectfully submitted,

*Christopher Wood*

Christopher Wood  
Executive Director  
LGBT Technology Partnership & Institute

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<sup>6</sup> Don't Block LGBT Act of 2020, LGBT Tech, <https://www.lgbttech.org/dont-block-lgbtq-act-2020>