



November 16, 2023

The Honorable Alan Davidson  
Assistant Secretary of Commerce for Communications and Information  
National Telecommunications and Information Administration, Department of Commerce

**Re: Kids Online Health and Safety Request for Comment, Docket No. 2023-0008**

Dear Assistant Secretary Davidson:

LGBT Tech is one of the nation's premier organizations working to bridge the technology gap for LGBTQ+ individuals through partnerships with tech companies, non-profit groups, policy makers, scholars, and innovators; and we appreciate the opportunity to offer comments on NTIA's work to protect youth online. We write to support measures aimed at protecting the privacy, safety, and mental health of youth online, while urging that the efforts to do so preserve access to the online tools relied upon by LGBTQ+ youth to explore their identities, seek resources, and find community.

LGBTQ+ youth have a unique reliance on online platforms, given the discrimination they too often face within their own homes. While only 40% of LGBTQ+ young people [report](#) that their homes are affirming, 68% say that online spaces are. For transgender youth, this gap widens to 35% and 70%. We estimate the amount of LGBTQ+ teenagers in the United States at more than 5.7 million- for perspective, that number outranks the population of 29 of our 50 states. For these millions with attractions or identities that defy expectations and norms, social platforms provide lifelines to supportive communities and vital resources. Online spaces are frequently the first places LGBTQ+ youth find others like them, and in fact, three-fourths of LGBTQ+ youth [report](#)



being “more honest” about themselves on the internet than in real life. LGBTQ+ youth are [more likely](#) to be on social networking sites than their heterosexual peers, and are nearly twice as likely to search for health information online. When lacking access to security and resources in the physical world, online spaces become a haven.

Conversely, this unique set of online needs is met by a distinct set of online risks. LGBTQ+ Americans [report](#) the highest rates on online harassment among any marginalized populations, and transgender Americans experience the most harassment of any demographic category. The biases of the real world are often replicated in digital spaces- for one, the 2022 surge in anti-LGBTQ+ legislative rhetoric was [mirrored](#) by a 400% surge in anti-LGBTQ+ narratives on social media platforms. When looking towards our LGBTQ+ youth- who [report](#) astronomical rates of mental health issues, discrimination, and suicidal attempts driven by discrimination- the obligation of platforms and policymakers to protect their well-being is immediately apparent. The opportunities for LGBTQ+ communities provided by online spaces is immense, and the need to accommodate and protect those opportunities could not be more crucial.

Balancing youth safety while preserving youth autonomy online is an incredibly complicated task. The following are our general recommendations for social media platforms seeking to do so, while recognizing that many may have already been put in place by existing platforms:



**Guidelines and Reporting.** Platforms must have clear policies and explicit community guidelines with an emphasis on protecting marginalized communities, coupled with easily accessible and transparent reporting mechanisms that ensure users are able to report abusive content and behavior and are informed on the outcome of their reports.

**Harm Detection.** Machine learning and AI mechanisms used for the automated detection of harm must be trained as best possible to prevent injurious content while avoiding false positives and overdue content filtering, and human moderators must be involved in the process to provide nuance and better prevent those outcomes.

**User-Centric Features.** User empowerment on platforms can be prioritized through enhanced and customizable tools for muting, blocking, and filtering words, phrases, or specific types of content. Platforms should offer features or areas like private groups and moderated forums where marginalized communities can interact in age-appropriate contexts, as well as youth-specific features that preserve the relative freedom of children while giving parents or guardians options for supervision.

**External Partnerships.** Platforms must maintain external partnerships with NGOs, academic institutions, and organizations to better understand how harassment evolves and can be used to specifically target marginalized users. The online experience of youth is far from monolithic, and ensuring a variety of voices are being heard in the development of youth policies is one of the best steps platforms can take to keep them safe.



We recognize that the government has an important role to play alongside industry in achieving that balance. One area we believe federal policy could be expanded to benefit LGBTQ+ youth is in data privacy. The collection of user activity data creates immense potential for privacy harms, given the intensely personal nature of a young person's experience exploring and expressing themselves. Strong consumer privacy and data security measures across the entire internet ecosystem prove vital to ensure LGBTQ+ user data is not improperly revealed or compromised. From cyberbullying and discrimination- which an alarming 60% of LGBTQ+ youth [report](#) experiencing- to deeper invasions like digital outing and the breach of personal medical information, LGBTQ+ Americans face a multitude of potential privacy threats online.

Simultaneously, we urge caution with certain governmental efforts that, often unintentionally, can put LGBTQ+ youth privacy at risk. This includes overbearing content moderation policies that have been shown to disproportionately flag LGBTQ+ content as sexual or inappropriate in nature, parental control requirements that strip youth of any autonomy in their online experiences and therefore isolate or out LGBTQ+ youth, and legislation that applies equally to minors of any age and fails to account for the varied needs of different age groups. Otherwise, regulation can place platforms in a position where they must either hamstring the central functions of their platform or simply leave a jurisdiction entirely. The loss of online community like this would be devastating to LGBTQ+ youth, and we appreciate NTIA taking an approach that seeks to preserve and ultimately improve access for all youth.



Thank you for allowing us the ability to comment on this pressing issue. We're hopeful that NTIA continues to consider the LGBTQ+ community's unique perspective on this pressing matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Carlos Gutierrez". The signature is fluid and cursive.

**Carlos Gutierrez**  
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A handwritten signature in black ink, appearing to read "Shae Gardner". The signature is fluid and cursive.

**Shae Gardner**  
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