Do No Harm

October 13, 2026

Via electronic submission

Federal Communications Commission
Attention: WC Docket Nos. 26-133, 13-184, 21-93, and 21-455
45 L Street NE
Washington, D.C. 20554

Re: Notice of Proposed Rulemaking, "FCC to Review E-Rate Program to Ensure Congress's Vision"[1]

Do No Harm is a nonprofit organization with over 50,000 members, including physicians, nurses, medical students, patients, and policymakers. Do No Harm is committed to ensuring that the practice of medicine is driven by scientific evidence rather than ideology. Do No Harm's mission includes efforts to protect children from the harms of gender ideology.

Do No Harm welcomes the Federal Communications Commission's (Commission) commitment to "empower parents, guardians, and teachers."[2] Consistent with its mission, Do No Harm submits this comment for three reasons. First, to highlight that E-Rate-funded networks have become a channel through which radical gender ideology reaches children, often without their parents' knowledge. Second, to urge the Commission to affirm and strengthen the limitations Congress attached to E-Rate funds through the Children's Internet Protection Act (CIPA). And third, to explain how those limitations, properly enforced, empower parents.

1. E-Rate-funded networks have become a channel for radical gender ideology to reach children outside their parents' view.

From the beginning, Congress conditioned E-Rate support on protecting children. Under CIPA, a school may not receive E-Rate discounts for internet access unless it enforces an internet safety policy that blocks material harmful to minors, monitors minors' online activities, and addresses minors' safety when using "chat rooms, and other forms of direct electronic communications."[3] The Supreme Court

[1] *FCC to Review E-Rate Program to Ensure Congress's Vision*, 91 Fed. Reg. 52626 (proposed Aug. 14, 2026) (FCC 26-41; WC Docket Nos. 26-133, 13-184, 21-93, and 21-455) [hereinafter *NPRM*], https://www.federalregister.gov/documents/2026/08/14/2026-16590/fcc-to-review-e-rate-program-to-ensure-congresss-vision.

[2] *NPRM*, 91 Fed. Reg. at 52626.

[3] 47 U.S.C. § 254(h)(5)(B), (l)(1)(A)(ii); *see* Children's Internet Protection Act, Pub. L. No. 106-554, div. B, tit. XVII, 114 Stat. 2763A-335 (2000).

upheld these conditions, and Justice Kennedy observed that the interest in protecting children from "material inappropriate for minors is legitimate, and even compelling."[4]

But as the Commission recognizes, these safeguards have not kept pace. The Commission currently only applies CIPA to devices owned by schools and libraries, leaving students' personal devices on the same E-Rate-funded Wi-Fi beyond its reach. In 2011 it determined that social networking websites are not *per se* "harmful to minors."[5] Gender ideology has moved into these gaps.

Consider TrevorSpace, an online forum operated by The Trevor Project and marketed to users ages 13 to 24, who self-report their ages. An undercover parent's review of the forum reportedly found minors discussing sexual topics with adults, and adults coaching minors on how to obtain chest binders and hair-growth medication without their parents' knowledge.[6] Yet the National Education Association (NEA) has promoted Trevor Project materials that direct students to TrevorSpace,[7] and California now requires public middle and high school student IDs to carry the Trevor Project's hotline.[8]

This content is not harmless. The Department of Health and Human Services' (HHS) comprehensive evidence review found that "the evidence for benefit of pediatric medical transition is very uncertain," while its risks include, but are not limited to, infertility, sexual dysfunction, and impaired bone density.[9] Online exposure appears to play a role in many young people's adoption of a transgender identity: the Cass Review heard from families that online information "describes normal adolescent discomfort as a possible sign of being trans" and that "particular influencers have had a substantial impact" on children's beliefs about their gender.[10] Federal dollars should not underwrite that pipeline.

2. The Commission should affirm and strengthen CIPA's limitations on E-Rate-funded networks.

CIPA reserves to local school boards the judgment of what is "inappropriate for minors" and bars federal agencies from setting criteria for it.[11] Within that framework, the Commission should act in four ways.

---

[4] *United States v. Am. Library Ass'n*, 539 U.S. 194, 215 (2003) (Kennedy, J., concurring in the judgment).

[5] *NPRM*, 91 Fed. Reg. at 52631–32.

[6] Caroline Downey, *Undercover Mom Discovers 'Pandora's Box' of Depravity in Trans Youth Organization's Chat Room*, Nat'l Rev. (Aug. 30, 2022), https://www.nationalreview.com/news/undercover-mom-discovers-pandoras-box-of-depravity-in-trans-organizations-chatroom/.

[7] Ray Carter, *Teachers Union Touts Website Criticized as 'a Pedophile's Paradise,'* Okla. Council of Pub. Affs. (Oct. 16, 2023), https://ocpathink.org/post/independent-journalism/teachers-union-touts-website-criticized-as-a-pedophiles-paradise.

[8] Melissa O'Rourke, *Newsom Forces Schools to Promote Radical Trans Group's LGBTQ 'Hotline' on Student IDs*, Daily Signal (Oct. 14, 2025), https://www.dailysignal.com/2025/10/14/newsom-forces-schools-to-promote-radical-trans-groups-lgbtq-hotline-on-student-ids/ (discussing Assemb. B. 727, 2025–2026 Reg. Sess. (Cal. 2025)).

[9] HHS, *Treatment for Pediatric Gender Dysphoria: Review of Evidence and Best Practices*, Foreword & Executive Summary 7–8 (rev. Nov. 19, 2025), https://opa.hhs.gov/gender-dysphoria-report.

[10] Hilary Cass, *Independent Review of Gender Identity Services for Children and Young People: Final Report* ¶ 8.48 (Apr. 2024), https://webarchive.nationalarchives.gov.uk/ukgwa/20250310143933/https://cass.independent-review.uk/home/publications/final-report/.

[11] 47 U.S.C. § 254(l)(2).

First, the Commission should close the device loophole. A child's protection should not turn on who owns the device; the Commission should require, or at minimum encourage, network-level filtering covering every device on an E-Rate-funded network.[12]

Second, the Commission should enforce CIPA's chat-room mandate. The Commission should make clear that an internet safety policy satisfies this requirement only if it addresses platforms that permit anonymous communication between adults and minors, and it should revisit its 2011 social-networking determination as applied to such platforms.[13]

Third, the Commission should affirm that schools may protect children from gender ideology. Because Congress left the "inappropriate for minors" determination to local authorities, a school board that deems gender-ideology content inappropriate is exercising the exact judgment Congress reserved to it; and sexually explicit depictions can be "harmful to minors" under CIPA regardless of their ideological packaging.[14]

Fourth, the Commission should insist on accountability by collecting and publishing each participant's internet safety policy and by reducing or removing funding where schools fail to comply.[15]

3. Strong CIPA protections empower parents.

Parents – not schools or technology vendors – bear primary responsibility for their children. The Supreme Court has called parents' interest in "the care, custody, and control of their children" "perhaps the oldest of the fundamental liberty interests recognized by this Court."[16] In 2025, the Court held that parents with religious objections are entitled to a preliminary injunction guaranteeing notice and an opportunity to opt their children out of instruction using LGBTQ-themed storybooks.[17] And the President has condemned schools for "deliberately blocking parental oversight" while "steering students toward surgical and chemical mutilation without parental consent or involvement."[18]

Yet a child on an E-Rate-funded network can access content and adult individuals that parents would never permit. CIPA already gives parents a voice: schools must provide public notice and hold a public hearing on their internet safety policies, steps the Commission rightly calls "critical for ensuring that local communities, including parents and guardians," can participate.[19] Do No Harm urges the Commission to give that voice teeth by (1) requiring notice and a hearing whenever a policy is materially amended; (2) encouraging schools to seek parental input on what content is inappropriate for minors; (3) requiring schools to disclose to parents the categories of content their filters block and allow; and (4) ensuring parents have a meaningful opportunity to opt their children out of screen-based instruction. To the Commission's question of "[w]ho is better situated to protect the online safety of

---

[12] *See NPRM*, 91 Fed. Reg. at 52631–32.

[13] 47 U.S.C. § 254(h)(5)(B)(iii), (l)(1)(A)(ii); *NPRM*, 91 Fed. Reg. at 52632.

[14] 47 U.S.C. § 254(h)(7)(G), (l)(2).

[15] *See NPRM*, 91 Fed. Reg. at 52633–34.

[16] *Troxel v. Granville*, 530 U.S. 57, 65 (2000) (plurality opinion).

[17] *Mahmoud v. Taylor*, 145 S. Ct. 2332 (2025).

[18] Exec. Order No. 14190, § 1, 90 Fed. Reg. 8853, 8853 (Feb. 3, 2025).

[19] *NPRM*, 91 Fed. Reg. at 52633; 47 U.S.C. § 254(l)(1)(B).

children," the answer is parents, especially when they are supported, not supplanted, by schools. The Commission must ensure federal dollars reinforce parents.

In sum, Congress never intended E-Rate dollars to open a back door for radical gender ideology to reach children. Do No Harm trusts the Commission will restore Congress's vision and put parents back in the driver's seat of what their children encounter online.

* * *

If you have any questions, please contact me at stanley@donoharmmedicine.org. Thank you for your attention to this important matter.

Sincerely,



Stanley Goldfarb

BOARD CHAIRMAN

Do No Harm