Congress of the United States
Washington, DC 20515

August 15, 2017

The Honorable Ajit Pai
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Chairman Pai:

We write regarding a matter of critical importance to the health and safety of the estimated 250,000 workers a year that work in close proximity to cellular antennas: exposure to radiofrequency (RF) radiation in excess of the Federal Communications Commission's (FCC) human exposure limits.

On September 17, 2015, we wrote to the FCC urging it to work with the Occupational Safety and Health Administration (OSHA) to ensure wireless carriers are employing the necessary measures to comply with the FCC's RF human exposure regulations and protect the hundreds of thousands of individuals working in close proximity to cellular antennas. The letter further urged the FCC to move quickly to finalize the Further Notice of Proposed Rulemaking (Further NPRM) adopted on March 27, 2013, proposing new requirements for licensees to demonstrate compliance with the FCC's exposure limits. To date, the FCC has failed to make progress on either request.

As you know, FCC regulations explicitly require licensees to protect all individuals from the hazards associated with excessive exposure to RF radiation, yet we remain concerned that licensees are not adhering to these requirements, particularly with respect to third party workers who perform their jobs near cellular broadcast antennas. In fact, in their communications with the FCC, the carriers have said they cannot "control" access to rooftop sites and have asked the Commission for a safe harbor from their responsibility to protect third-party workers. Even more concerning, recent moves by major insurers, including Lloyds of London, to exempt RF radiation from coverage in their policies demonstrate they believe overexposure is a significant threat.

As consumer demand for wireless services increases, wireless carriers are increasingly relying on leasing rooftop space and building access from property managers to house cellular antennas, including apartment buildings, schools, hospitals, places of worship, fire stations, and other public and private buildings. Unlike cellular towers, which are generally free-standing structures with restricted external access, rooftop-mounted antennas pose a unique occupational hazard to the numerous kinds of personnel whose job requirements compel them to work on rooftops.

At risk from rooftop and building mounted antennas are not only the wireless industry's trained RF technicians but also roofers, water proofers, electricians, carpenters, building maintenance personnel, HVAC technicians, painters, firefighters, and more. While wireless carriers take

important precautions to outfit their own employees with protective equipment and RF exposure monitoring units, and may even power down an antenna to eliminate the RF radiation hazard, their subcontractors and unaffiliated third party workers are not regularly afforded these same protections.

We call on you to finalize the NPRM and update us on the actions the FCC is taking to ensure individuals and workers in close proximity to cellular towers and antennas are protected from excessive RF radiation. We strongly urge you to work with your colleagues at OSHA to bring together the carriers and compel them to adopt a solution to address this serious issue that is in the interest of building owners, employers and unions, workers and others who are at risk of RF exposure from transmitting antennas.

We look forward to hearing what steps the Commission plans to take to ensure the safety of all workers from the danger of RF radiation exposure. We respectfully request a response no later than August 29, 2017.

Sincerely,

Richard Blumenthal
United States Senate

Anna G. Eshoo
Member of Congress

cc: The Honorable Mignon Clyburn, Commissioner, Federal Communications Commission
The Honorable Michael O'Rielly, Commissioner, Federal Communications Commission
The Honorable Thomas Galassi, Acting Deputy Assistant Secretary of Labor for Occupational Safety and Health