



Congress of the United States
House of Representatives

April 15, 2019

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PLEASE RESPOND TO:

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

Dear Chairman Pai and Acting Commissioner Sharpless:

I write to inquire about the status of the federal government's research into the potential health effects of radiofrequency (RF) radiation and its relation to the Federal Communications Commission's (FCC) current guidelines for what it considers to be safe RF exposure levels for humans.

As you know, the impending rollout of 5G technology will require the installation of hundreds of thousands of "small cell" sites in neighborhoods and communities throughout the country, and these installations will emit higher-frequency radio waves than previous generations of cellular technology. This means that Americans will be exposed to more non-ionizing RF radiation than ever before.

The FCC's current guidelines for RF safety were adopted in 1996, a time when our society's relationship with and understanding of wireless technology was much different than it is today. In fact, in August 2012 – almost seven years ago – the Government Accountability Office (GAO) released a report recommending that the FCC "should formally reassess and, if appropriate, change its current RF energy exposure limit and mobile phone tested requirements..."¹ The report continued:

The [FCC's] RF energy exposure limit may not reflect the latest research, and testing requirements may not identify maximum exposure in all possible usage conditions...By not formally reassessing its current limit, FCC cannot ensure it is using a limit that reflects the latest research on RF energy exposure. FCC has also not reassessed its testing requirements to ensure that they identify the maximum RF energy exposure a user could experience.

While I was pleased to see the FCC seek comments in 2013 on whether its RF safety guidelines should be reassessed,² it is unacceptable that six years later the FCC still has not conducted a reassessment of its 1996 guidelines.

Meanwhile, concern about exposure to RF radiation has been increasing. My constituents in southwest Oregon have expressed their concerns regarding possible health effects from increased RF exposure, particularly in light of upcoming 5G technology. They are not alone – Americans across the country are expressing similar worries about possible adverse health effects from this technology, and they are understandably demanding answers from the federal government.

Moreover, states and municipalities across the country, including in my congressional district, are hearing from citizens who are concerned about this technology being installed in their communities. Yet

¹ Government Accountability Office, "Exposure and Testing Requirements for Mobile Phones Should Be Reassessed," GAO-12-771, July 2012, <https://www.gao.gov/assets/600/592901.pdf>.

² Federal Communications Commission, "Reassessment of Federal Communications Commission Radiofrequency Exposure Limits and Policies: Proposed Changes in the Commission's Rules Regarding Human Exposure to Radiofrequency Electromagnetic Fields," FCC 13-39, 29 March 2013, <https://docs.fcc.gov/public/attachments/FCC-13-39A1.pdf>.

because Section 704(a) of the Telecommunications Act of 1996 – legislation which I opposed – expressly prohibits state and local governments from regulating wireless infrastructure based on RF emissions, and because the FCC’s onerous new clarifying rules³ usurp local control over 5G small cell installations, states and municipalities are forced to depend on the federal government for information about the safety of 5G technology.

It is clear that the federal government has not been transparent enough about the current status of 5G RF radiation research and its guidelines on RF exposure limits. As Senator Richard Blumenthal noted in a February 2019 Senate hearing,⁴ the FCC’s and FDA’s responses to congressional inquiries on this issue have been less than satisfactory, merely reiterating general statements that 5G technology is safe without citing specific research or studies.

Even though the FDA states that it “believes the weight of scientific evidence does not show an association between exposure to radiofrequency from cell phones and adverse health outcomes,” it also states that “there is consensus that additional research is warranted to address gaps in knowledge...”⁵

I request the FCC and FDA provide answers to the following questions:

1. What scientific literature or research has the FCC and FDA used to determine that 5G technology will not cause any adverse health effects in humans? Please cite specific studies and research conducted.
2. What gaps exist in our current understanding of possible health effects from 5G technology, as well as the possible health effects of RF radiation writ large?
3. What efforts has the federal government taken to educate the public, as well as state and local governments, about its research on RF radiation and safety guidelines as it relates to 5G technology?

I strongly urge the FCC, FDA, and relevant agencies to be open and transparent about the research and methods used for determining RF safety guidelines, as well as any outstanding questions your agencies may have about this new technology. Full transparency is needed, and the American people expect and deserve no less from their government.

I look forward to your reply.

Sincerely,



PETER A. DEFAZIO
Member of Congress

³ Federal Communications Commission, “Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment,” FCC 18-111, 2 August 2018; <https://docs.fcc.gov/public/attachments/FCC-18-111A1.pdf>; and FCC 18-133, 26 September 2018, <https://docs.fcc.gov/public/attachments/FCC-18-133A1.pdf>.

⁴ Senate Committee on Commerce, Science, and Transportation; Hearing: “Winning the Race to 5G and the Next Era of Technology Innovation in the United States,” 02:03:59 – 2:08:50, 6 February 2019, <https://www.commerce.senate.gov/public/index.cfm/hearings?ID=06336057-CC60-45DF-A361-32D7401EE6CB>.

⁵ U.S. Food and Drug Administration, “Radiation-Emitting Products: Current Research Results,” <https://www.fda.gov/Radiation-EmittingProducts/RadiationEmittingProductsandProcedures/HomeBusinessandEntertainment/CellPhones/ucm116335.htm>