



Links Now Available for the Court Decision Filed Against the FCC and Evidence of Wireless Radiation Injuries Ignored by the Agency

Description

USA: The Federal Communications Commission (FCC) is supposed to protect Americans from the telecom and cable industries. The agency has catered to them instead *for decades* (see [1](#), [2](#), [3](#)) – hence the lawsuits filed against it for NOT protecting the public from [unsafe levels of cell phone and WiFi radiation](#), 5G on Earth (see [1](#), [2](#), [3](#), [4](#), [5](#)) and [in space](#), and also for allowing telecom and cable companies to [overcharge Americans](#).

In August 2021, a [federal court](#) ruled *in favor* of organizations and petitioners that had sued the agency for *not* protecting Americans from harmful radiation exposure.

Thanks to plaintiff, Environmental Health Trust, for making the [court filings and evidence submitted](#) easy to access.

Evidence of Wireless Radiation Injuries Ignored by the FCC

After reviewing more than 14,000 pages of petitioners' evidence, the United States Court of Appeals for the District of Columbia Circuit [ruled](#) that the FCC's 2019 decision not to update [1996 safety limits](#) for wireless radiation was "arbitrary and capricious."

Where can I see court filings and FCC documents?

Support EHT by joining us on Patreon and sign up for [our newsletter](#).

What evidence of people injured by wireless radiation was ignored by the FCC?

The Court [found](#) that the FCC did not adequately review record evidence of people harmed by wireless radiation. More than 180 people submitted evidence to the FCC of illness from wireless radiation as detailed in our opening [brief](#). Examples include [Wood](#), [Hertz](#), [Sheehan](#), [Burke](#), [Seward](#), [Finley](#) and the numerous personal declarations in one of the [EMF Safety Network Submissions](#). Medical experts also

submitted testimony with case histories such as [Dr. Jetler's testimony with case histories of children](#), [Susan Foster's documentation of injuries to firefighters](#) and the [American Academy of Environmental Medicine Recommendations Regarding Electromagnetic and Radiofrequency Exposure](#). The FCC also ignored the scientific documentation on electromagnetic sensitivity submitted to the record such as [Belyaev 2015.pdf](#), [McCarty 2011](#), [Isaac Jamieson's Presentation](#) and the [Electromagnetic Hypersensitivity Summary by Dr Erica Mallery-Blythe](#).

The Court found the FCC ignored the scientific evidence indicating harmful biological impacts. The record contained hundreds of science-based submissions documenting genetic damage, brain damage, headaches, sleep impacts, reproductive effects and more. These are referenced in our [opening brief](#) and all of these documents are downloadable in [27 Appendices](#).

The FCC was sent extensive research compilations by the [BioInitiative](#), [Dr. Moskowitz](#), [Powerwatch](#), [EHT](#), [Environmental Working Group](#), [Dr. Henry Lai](#), [EMR Policy Institute](#) and numerous other scientific experts. The BioInitiative Charts documenting effects at intensities from cell tower, Wi-Fi, wireless laptop and 'smart' meters were [submitted](#) in numerous filings.

Several U.S. government/military reports documenting biological effects from decades ago—when the U.S. had robust funded research—were also included such as [EPA's 1984 Report on Biological Effects](#), a [Navy 1969 Report Reviewing Soviet and Eastern European Research](#) and a [Navy 1971 Report on Biological Effects](#). A [2012 review](#) on biological effects by a National Institute of Environmental Health Sciences scientist cautioned that studies showing harm at low levels should not be ignored until there was “sufficient proof that the effects of microwaves on the brain and central nervous system are not detrimental to the health and well-being of our people.”

A [1965 Report by Ford Motor Company on the record details numerous effects on the central nervous system as well as changes to blood sugar and sleep](#) “which by no means can be attributed to the effect of heat.”

In addition, the full text of numerous individual scientific papers were placed on the record. For example, [Belpomme 2018](#) documents the science on cognitive and neurobehavioral problems in children, microwave illness, impacts of combined exposures, oxidative stress and genetic and epigenetic mechanisms. [Nittby 2009](#) documents blood-brain barrier impacts. [Yakymenko 2015](#) finds more than 90% of studies show oxidative impacts. [Pall 2015](#) reviews neuropsychiatric effects. Dr. Lai [summarized research](#) on neurological effects published from 2007 to 2017 and [DNA breaks](#).

What scientific research on impacts to reproduction was ignored by the FCC?

The court specifically noted the FCC did not explain why it ignored the issue of impacts to reproduction. Numerous FCC submissions documented effects to sperm, testes and the ovaries. Submissions include a comprehensive [research list on reproductive effects](#) by the Bioinitiative for the European Union as part of [Cindy Sage's submission](#), studies [compiled for Canadian Parliament](#), research compilations by [Pong](#), [Dr. Dart](#), individual studies such as found in a [compilation of research on Wi-Fi](#) and review papers on reproductive impacts such as [Yahyazadeh 2018](#), [Atasoy 2012](#), [Adams 2014](#) and [Asghari 2016](#). [Altun 2018](#) co-authored by EHT's Dr. Davis reviews mechanistic pathways of the effects on fertilization, oogenesis and spermatogenesis and evaluates metabolomic effects on the male and female reproductive systems in recent human and animal studies.

Science showing harm from long term exposures to low levels such as cell tower radiation.

The FCC noted that the FCC ignored science on long term exposures which would include the research on people living near cell towers. Submissions include [Shahbazi-Gahrouei 2013](#) (headache, dizziness, depression, sleep disturbance, memory loss), [Zothansiana 2017](#) (DNA changes in blood), [Thamilselvan, Meo 2015](#) (diabetes) and [numerous compilations](#) of dozens of studies on cell tower radiation. The FCC was sent a study on how cell towers near schools is a human rights issue ([Roda and Perry 2013](#)), and [Dr. Paul Dart's PPT presentation](#) and [scientific research compilation](#). Dr. Henry Lai and Blake Levitt submitted a written letter with [research compilations](#) of studies showing harmful effects from wireless levels far far lower than FCC limits as well as the full text of their [publication on chronic exposure to cell towers](#) and low intensity wireless radiation.

Numerous submissions document how FCC limits were not developed to protect from biological impacts nor effects from long term low level exposures. The paper "[Origins of US Safety Limits for Microwave Radiation](#)" details the post cold war research and development of limits to protect against over heating, but not biological effects. A [1993 EPA Letter from the EPA to the FCC](#) on the record states that "it is clear" that the limit is based on short term exposures and not on research considering chronic long term exposures.

The FCC record also has the unfortunate history of how the EPA was defunded from researching the issue. Submissions include a 1984 letter by the [U.S. Science Advisory Board](#) that recommends that the EPA develop radiation protection guidance to protect the public. [EHT's submission \(page 173\)](#) shares the presentations the EPA made about they would develop safety limits to protect against biological effects. However in 1996, the EPA was fully defunded from the issue of non ionizing electromagnetic radiation and the US adopted limits by groups dominated by industry military and scientists with longstanding industry ties. Lloyd Morgan's "[US Exposures Limits:A History of Their Creation](#)" documents how these standards setting groups were aware of biological effects decades ago.

EHT submitted hundreds of pages of science to the FCC record and continues to submit evidence to 13-84 and 19-226 in anticipation of a new record review ([See EHT submissions](#)).

What expert recommendations were ignored by the FCC?

Numerous groups of scientists and medical experts directly wrote the FCC. The American Academy of Pediatrics [called on the FCC](#) to strengthen limits to protect children. Public health organizations such as Black Women for Wellness, Breast Cancer Fund, Center for Environmental Health, Center for Health, Environment & Justice, Consumer Federation of California, Environmental Working Group, the Empire State Consumers Project, Healthy Child Healthy World, Product Policy Institute, Science and Environmental Health Network and Teens Turning Green signed [a letter](#) urging the FCC to strengthen limits- especially for children.

The FCC record contained the hundreds of scientists and doctors who have signed onto the [EMF Scientists Appeal](#) and the [European Union 5G Appeal](#). The FCC record contained the resolution of the [California Medical Association](#), the recommendations of the [Vienna Medical Association](#), the [Porto Alegre 2009 resolution](#) and the 1997 [Boston Physicians petition](#) calling to halt a new wireless network in Boston due to “voluminous medical studies”. A list of [governments and policy actions worldwide](#) had medical/scientific appeals going back decades.

What evidence of harmful effects to wildlife and the environment from wireless radiation was ignored by the FCC?

When the FCC adopted safety guidelines in 1996, they were only designed for humans, not wildlife or trees and plants. When the FCC opened its inquiry in 2013, it specifically asked for information on **the adequacy of the limits to protect human health and the environment**. In turn numerous studies finding harmful environmental effects were submitted to the FCC record, yet the FCC fully ignored all of them when they decided to affirm the 1996 limits in 2019. Examples of research sent to the FCC include [Balmori 2015](#) (RF threat to wildlife), [Haggerty 2010](#) (harms Aspen), [Halgamuge 2016](#) (review on plants), and [Waldmann-Selsam 2016](#) (field study on trees). [Cucurachi 2012](#) reviewed 113 studies and found 65% showed ecological effects with high as well as at low dosages.

The Court ruling highlighted the 2014 letter by the [Department of Interior](#) which stated that,

“There is a growing level of anecdotal evidence linking effects of non-thermal, non-ionizing electromagnetic radiation from communication towers on nesting and roosting wild birds and other wildlife.... “However, the electromagnetic radiation standards used by the Federal Communications Commission (FCC) continue to be based **on thermal heating, a criterion now nearly 30 years out of date and inapplicable today.** “ and “third-party peer-reviewed studies need to be conducted in the U.S. to begin examining the effects from radiation on migratory birds and other trust species.”

EHT submitted a [compilation of research](#) on impacts to insects and wildlife which found the induction of piping signal (a stress response), decline in colony strength and impacts to navigation. [Thielens 2018](#) documents how bees and insects can intensely absorb the higher frequencies of 5G leading to behavior changes.

The record contained images of trees harmed by cell antennas such as “[Trees in radiation field of 65 mobile phone base stations](#)” and the review article “[Impacts of radio-frequency electromagnetic field \(RF-EMF\) from cell phone towers and wireless devices on biosystem and ecosystem](#).”

Reports on environmental effects were on the FCC record such as [India’s interministerial report on wildlife impacts](#), a [compilation of impacts to birds](#), and [Bees Birds and Mankind: Destroying Nature by ‘Electrosmog by Ulrich Warnke](#).

The [scientific documentation](#) and [testimony](#) on impacts to birds and wildlife by former US Fish and Wildlife Service biologist Albert Manville was on the FCC record as well as Dr. Cindy Russell’s [Wireless Silent Spring](#) published in the Santa Clara County Medical Association Bulletin.

A [submission](#) by [Ed Friedman](#) of a letter from the Global Union Against Radiation Deployment from Space stated the potential environmental and human health hazards from 5G necessitates a

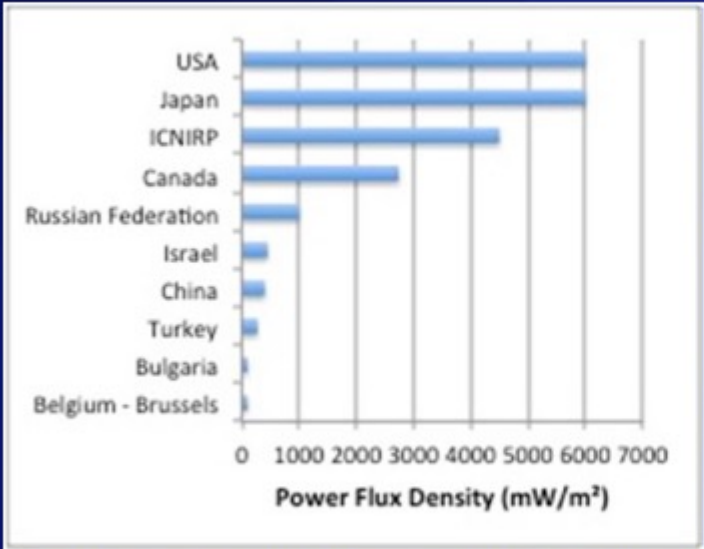
comprehensive NEPA review...specifically, a formal Environmental Impact Statement which should include a full review of environmental effects, as well as human health and safety.

EHT continues to strongly advocate for a full environmental review of 5G before continued deployment.

EHT scientists and international experts have written several letters to the FDA in regards to their dismissal of the NTP study as well as their inaccurate webpage information. [Read these letters here.](#)

Important Video Resources

US Has Among Highest Allowable Exposure Limits World Wide



Country/Region	Power Flux Density (mW/m²)
USA	6000
Japan	6000
ICNIRP	4500
Canada	3000
Russian Federation	1000
Israel	500
China	500
Turkey	500
Bulgaria	500
Belgium - Brussels	500

- Several countries India, Switzerland, Italy, China, Russia, Israel, and several European countries- have limits far lower than the US, Australia and ICNIRP.
- Industry White papers state these more protective limits will prohibit full 5G 4G deployment.

Fig. 3. International RFR power flux density exposure limits at 900 MHz Clegg et al., 2019

ENVIRONMENTAL HEALTH TRUST

Despite the court ruling, unsafe wireless applications and infrastructure continue to be deployed – sometimes forcibly – throughout the U.S. (see [1](#), [2](#), [3](#), [4](#), [5](#), [6](#), [7](#), [8](#)).

In May of this year, [scientists submitted a letter to President Biden](#) asking him to protect the public from 5G and other unsafe technology. Instead, he committed to [adding more](#).

Americans opposed to any or all of this may

- click [here](#) to sign a letter asking the Biden administration to stop 5G deployment
- click [here](#) to contact their legislators and ask for protection from unsafe levels of wireless radiation (Bluetooth, cell phone, Wi-Fi, 5G, 6G, etc.)

By B.N. Frank

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