Before the

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Washington, D.C. 20554

In the Matter of	)	
	)	
Request for Information on Electromagnetic Fields (EMFs), Radiofrequency (RF) Radiation, and Wireless Radiation Exposure	)	HHS-OASH-2026-0397

COMMENTS OF

THE MICHIGAN COALITION TO PROTECT PUBLIC RIGHTS-OF-WAY

October 20, 2026

The Michigan Coalition to Protect Public Rights-of-Way ("PROTEC") is a thirty-year-old governmental consortium of more than one hundred Michigan municipalities focusing on our public rights-of-way and the intersection with those many utilities occupying and those seeking access to occupy and utilize our public rights-of-way.[1]

PROTEC writes in support of the Department of Health and Human Services' ("HHS") inquiry into the health effects of radiofrequency ("RF") radiation.[2] This issue is of critical concern with the growing use and placement of cellular and other smart devices. Americans are increasingly placing these items throughout their homes and workplaces, and even on their bodies, using phones, smartwatches, and other similar devices every day. Trends in the wireless industry have also changed, with the spread of "small cells" hosting powerful antennas and transmitters located on short poles 40–50 feet in height directly in our rights-of-way, over school bus stops and outside bedroom windows. The potential effects of small cells may be different from those of traditional "macro towers," which are typically located remotely from human interaction and proximity, with antennas 100–200 feet in the air. The HHS's broad inquiry into the health effects of RF radiation is perfectly positioned to assemble and assess the latest evidence on this important topic.

In this regard, PROTEC would like to highlight a recent study from the National Toxicology Program of the HHS.[3] The study looked at RF radiation from cellular handsets, the

[1] https://www.protec-mi.org/.

[2] *Request for Information on Electromagnetic Fields (EMFs), Radiofrequency (RF) Radiation, and Wireless Radiation Exposure*, 91 Fed Reg 59792 (Sept. 21, 2026).

[3] Nat'l Toxicology Program, HHS, Technical Report 595, *NTP Technical Report on the Toxicology and Carcinogenesis Studies in Sprague Dawley (Hsd: Sprague Dawley® SD®) Rats Exposed to Whole-body Radio Frequency Radiation at a Frequency (900 Mhz) and Modulations (GSM and CDMA) Used by Cell Phones)* (Nov. 2018), available at https://www.ncbi.nlm.nih.gov/books/NBK561730/%20doi:%2010.22427/NTP-TR-595.

kind of radiation humans are subjected to most of the day.[4] It involved exposing rats to RF radiation from cell phone sources "at 900 MHz in utero, during lactation, and after weaning for 28 days or 2 years."[5] Under two forms of cellular RF radiation, "there was clear evidence of carcinogenic activity . . . based on the incidences of malignant schwannoma of the heart."[6] In addition, the study found that "incidences of adenoma of the pars distalis of the pituitary gland and adenoma or carcinoma (combined) of the liver may have been related to RF[radiation] exposure" through GSM-modulated radiation.[7] The evidence was "equivocal" regarding "carcinogenic activity of CDMA-modulated cell phone RF[radiation] at 900 MHz in female" rats "based on incidences of malignant schwannoma of the heart, malignant glioma of the brain, and benign, malignant, or complex pheochromocytoma (combined) of the adrenal medulla."[8] Under each type of RF radiation, there were "[i]ncreases in non-neoplastic lesions . . . ."[9] This study should be addressed in any assessment of the effects of RF radiation on human health.

In addition to this research, there are other studies involving non-cancer related health effects that require serious consideration. Those studies were detailed in *Environmental Health Trust v. Federal Communications Commission*, and formed the basis for the Court's remand there.[10] As the Court discussed, those studies purport "to show that RF radiation at levels below the Commission's current limits causes negative health effects unrelated to cancer, such as reproductive problems and neurological problems that span from effects on memory to motor

[4] *Id*. at xviv.

[5] *Id*.

[6] *Id*. at 124.

[7] *Id*.

[8] *Id*.

[9] *Id*.

[10] *Env't Health Trust v. Fed. Commc'ns Comm'n*, 9 F.4th 893 (DC Cir. 2021).

abilities."[11] The Court determined that the Federal Communications Commission (FCC) had not adequately addressed these studies and remanded with an order for the FCC to

> (i) provide a reasoned explanation for its decision to retain its testing procedures for determining whether cell phones and other portable electronic devices comply with its guidelines, (ii) address the impacts of RF radiation on children, the health implications of long-term exposure to RF radiation, the ubiquity of wireless devices, and other technological developments that have occurred since the Commission last updated its guidelines, and (iii) address the impacts of RF radiation on the environment.[12]

Like the Court, PROTEC takes no position on whether these—or more recent—studies merit further restrictions on RF radiation. But they do give cause for additional consideration of this important subject, especially as the use of cellular technology continues to expand. The studies above demonstrate that there is a measure of uncertainty in the evidence. And more recent studies add further reason for additional review.[13] As the Court noted, the fundamental failure of the FCC's oversight on this issue was its sole reliance upon engineering input and ignoring record evidence from the medical field.[14]

The public benefits from knowing why the relevant evidence does—or does not—justify changes to existing protections. The current limits were last updated in 1996, long before ubiquitous cell phone use.[15] And the new evidence might offer the public, in particular families and local governments, guidelines to reduce unnecessary exposure. This is especially important for local governments, which are limited in how they can regulate the placement of wireless service

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[11] *Id*. at 903.

[12] *Id*. at 914.

[13] See, e.g., Ryan PW Kenny *et al*., *The Effects of Radiofrequency Exposure on Male Fertility: A Systematic Review of Human Observational Studies with Dose-Response Meta-Analysis*, 190 ENV'T INT'L 1, 14 (2024) (concluding that the evidence of RF radiation's effect on male fertility is uncertain); Rita Rahban *et al*., *Association Between Self-Reported Mobile Phone Use and the Semen Quality of Young Men*, 120 FERTILITY AND STERILITY 1181, 1181 (Dec. 2023) (finding increased sperm concentration and decreased sperm count with increased phone usage).

[14] *Env't Health Trust*, 9 F.4th at 910.

[15] *Id*. at 901.

facilities in response to environmental concerns.[16] Updated information from the federal government on the topic of RF exposure, combined with updated changes to federal regulations in reaction to any relevant recent scientific developments, would go a long way toward calming fears of nearby residents when new wireless infrastructure is proposed.[17]

HHS's assessment should account for how people actually encounter wireless technology, including long-term exposure and children's use. The importance of reviewing safety standards increases as technology and patterns of use change. As has long been noted, testing practices must be updated to reflect actual usage; older studies might not accurately reflect how this technology is currently employed.[18] And the effects upon children merits special emphasis, as their reception of RF radiation might differ from adults and their exposure times are longer (i.e., an entire lifetime). Further, a more thorough review can distinguish established findings from tentative associations, assess methodological weaknesses, and identify what additional research would resolve consequential uncertainties. It can require independent replication of results. That is worthwhile even if the existing limits are retained. A more thorough review can only strengthen public confidence in the agency's ultimate conclusions.

For all these reasons, PROTEC supports further research on this issue.

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[16] 47 U.S.C. § 332(c)(7)(B)(iv).

[17] See Ex parte Filing of the Local Community Wireless Coalition, FCC WT Docket No. 25-276, at 12 (rec. Feb. 4, 2026), available at https://www.fcc.gov/ecfs/document/102042089917318/1.

[18] See Felix Mayer *et al*., *The Effects of Radiofrequency Electromagnetic Field Exposure on Biomarkers of Oxidative Stress in In Vivo and In Vitro: A Systematic Review of Experimental Studies*, 194 ENV'T INT'L 1, 1-4 (2024) (finding inaccurate measurements of exposure and biological markers in previous studies); GAO, No. 12-771, Telecommunications: Exposure and Testing Requirements For Mobile Phones Should be Reassessed (July 2012), p 27, available at https://www.gao.gov/assets/gao-12-771.pdf (last accessed Oct. 6, 2026) (noting the need for reassessment of studies in light of usage and exposure).

Respectfully submitted,

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By */s/ Michael J. Watza*

Michael J. Watza (P38726)
Nathan D. Inks (P80213)
Alexander P. Gallucci (P77195)
BLOOM SLUGGETT, PC
Attorneys for PROTEC
1001 Woodward Ave, Suite 500
Detroit, MI 48226
O: (313) 314-8100
C: (248) 921-3888
mike@bloomsluggett.com
nathan@bloomsluggett.com
alex@bloomsluggett.com