COMMENTS IN RESPONSE TO HHS PUBLIC NOTICE

HHS-OASH-2026-0397 RELEASED SEPTEMBER 21, 2026

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***See Attached Non-Thermal Wireless RF Radiation & EMF Effect Studies**

INNOCENT AMERICANS ARE BEING INJURED BY WIRELESS RF RADIATION

The entire wireless industry is built upon a lie that wireless is safe.

See the personal formal testimonials of innocent Americans being injured by wireless Radiofrequency radiation and other EMFs attached to this comment. People reporting Microwave Syndrome, Microwave Sickness, Electrohypersensitivity (EHS), Electrosensitivity (ES), Electromagnetic Sensitivity (EMS), Electromagnetic Radiation Syndrome (EMR-S) the terms vary depending on which group is recognizing the biological and health effects from Wireless Radiofrequency (RF) Radiation or other electromagnetic field (EMF) exposure. These testimonials were given to me by individuals for the purpose of advocating for them and others like them who are being unjustly injured by wireless RF radiation and other EMFs with federal, state, and local government agencies that currently allow this unnecessary injury to continue. Other testimonials submitted are gleaned from the public record of submissions to FCC Docket 13-84 and 19-226 which questioned the adequacy of the FCC's thermal only safety guidelines. 540 total testimonials from innocent children, parents, and professionals being unfairly injured by wireless RF radiation and other EMF exposures. The federal government encourages further injury through regular funding of wireless initiatives, often in the hundreds of millions of dollars, while including wording in federal

bills which clearly limit the consideration of known wireless RFR health and environmental effects described in the thousands of wireless RF radiation and other EMF effect studies attached to this comment and the comments of other commenters.

Health and Human Services Secretary Kennedy and HHS need to promptly insist that congress immediately end by statute FEDERAL PRE-EMPTION of state and local government rights and responsibilities to consider environmental effects when permitting a cell tower transceiver or transceiver collocation allowed by Section 704 of the 1996 Telecom Act. The 1996 Telecom Act was signed by Bill Clinton**.** Subsequent court cases expanded environmental effects to include human health effects. This is how the FCC/industry built out and continue to build out the cell tower network--- by legally banning consideration of tens of thousands of studies demonstrating that wireless RF radiation and other EMF exposures are Carcinogenic, Neurotoxic, and Genotoxic. Industry sues to stop local governments if they try to consider health/environment effects when placing a cell tower even next to highly vulnerable populations like on or near a school, park, nursing home, or hospital---- and they win due to federal pre-emption. Local and state governments are unable to protect their residents from wireless RF radiation and other EMF harmful exposures. This is how innocent Americans continue to be injured and killed... Secretary Kennedy and HHS must insist this harmful federal pre-emption which protects businesses but not citizens end immediately.

Why would congress and the FCC have to exempt cell towers from environmental reviews and legally ban local and state governments from considering environmental effects through federal pre-emption, if there were no environmental

effects? In Massachusetts Supreme Court case Giraldi et al vs Orsi et al SJC-13797, neurological, cardiac and cancer health effects in individuals living near a newly installed cell tower were thoroughly documented and verified by a local health board - see legal article summarizing the case (https://masslawyersweekly.com/2025/11/24/sjc-fcc-preemption-pittsfield-cell-tower-case/). By federally pre-empting consideration and protection from these very harmful effects, it is no exaggeration to say that congress and the FCC through are allowing the wireless industry to get away with murder.

State and local governments want their rights and responsibilities to regulate all aspects of wireless cell tower transceiver placement - see attached state and local government comments from across the country to the FCC Docket 25-276 in Republican and Democratic states demanding their rights back. For instance, see opposition comments from City of Arlington, Texas; City of Austin, Texas; Texas Coalition of Cities for Utility Issues; US Conference of Mayors, National League of Cities, National Association of Counties, National Association of Telecommunications Officers and Advisors. In their comments to the FCC, Texas Coalition of Cities for utility issues and other major cities state “Local Communities support new proceedings to thoroughly review the latest scientific data and update the Commission’s current guidelines for exposure to RF radiation. Thirty-year old standards and a court remand that remains unaddressed by the Commission do little to quell public concerns about the issue.....” According to City of Austin, Texas, “Preserve local authority to manage public rights-of-way (ROW)….” According to City of Arlington, Texas” … the Commission proposes to extend special treatment to the wireless industry

that is unfair and inconsistent with the treatment of other utilities and entities using space in our community."

Critical human feedback regarding cell tower safety necessary for effective risk management has been prevented from being collected due to the current federal preemption of state and local government's consideration of environmental effects-- that has been communicated to state and local governments to include human health and safety. This real world exposure feedback from those exposed in the community to cell tower transceiver radiation and other important scientific data which would normally be brought forward in local zoning hearings is missing from the FCC's risk management of wireless biological and health effects. Wireless deployment should not be continued without the current federal preemption of state and local government's consideration of environmental effects reversed for at least a decade because without this critical public exposure information, the FCC cannot know if current cell towers are actually biologically and environmentally safe.

Secretary Kennedy and HHS need to promptly insist that congress immediately move by statute RESPONSIBILITY for overseeing the biological and environmental safety of wireless and EMF emissions from the FCC, who has admitted in court to have no environmental/biological expertise, to a health and safety agency like HHS (ref 1). Previous to 1996, the EPA was RESPONSIBLE for cell tower emission safety and FDA was RESPONSIBLE for device emission safety. The 1996 Telecom Act moved responsibility from EPA and FDA to FCC which has no environmental or biological expertise. In the 30 years since FCC has had responsibility for wireless environmental safety, FCC has never even set a wireless RF radiation

safety guideline to protect the environment. Yet they are the only ones responsible for environmental effects from wireless emissions.

FCC does no biologically base pre-market safety testing or post market surveillance for ANY wireless transmitter. FCC does no biologically based safety testing for vulnerable populations like children, pregnant women, elderly, and those with current medical conditions. Thus, HHS needs to do it. Along with being given responsibility for overseeing biological and environmental safety, HHS needs to be given the power to approve or disapprove all transmitter/transceiver licensing and permitting for wireless/EMF devices, cell tower transmitters and transceivers, wireless spectrum auctioned and licensed, and all satellite transmitters and transceivers licensed/permitted based on safety.

FCC should have never accepted responsibility for wireless biological and environmental safety given their lack of expertise; now HHS needs to ask to have it back given FCC clear failure to risk manage wireless RF radiation and other EMFs as the bioactive agents they are--- that is able to cause biological and health effects. Due to this regulatory misalignment orchestrated by the industry protecting 1996 Telecom Act, innocent Americans have been and continue to be injured, disabled and killed as in the case of brain tumors.

Secretary Kennedy and HHS need to advocate for the health of every American exposed to wireless RF radiation and other EMFs, which at this time is every American, to make illegal by statue any federal, state, or local government law, regulation, guidance, or law that excludes wireless RF radiation or other EMF biological

or environmental effects from consideration when making any type of decision such as when permitting and locating a cell tower transmitter/transceiver or when deciding the use, development or licensing of any wireless transmitter so that the US government can begin to rationally risk manage wireless RF radiation and other EMF exposures for health effects especially when placing cell tower transmitters and when developing, permitting and licensing new wireless and EMF devices and other EMF technologies.

FCC has assumed a stance of “watchful waiting” as noted in the judges’ decision in EHT et al vs FCC which is irresponsible and dangerous for risk management of an agent that is clearly able to cause biological effects at a minimum and which thousands of studies submitted in EHT et al vs FCC and other sources show to be Carcinogenic, Neurotoxic and Genotoxic (ref 2).

Instead of actively risk managing wireless RF radiation emissions, FCC has colluded with the wireless industry as evident by the FCC writing amicus briefs in court such as defending device makers accused of RF radiation overexposure in Cohen vs Apple and helping to defend the wireless industry in CTIA vs Berkeley where the city was trying to warn consumers about wireless RF radiation effects and simple ways to lower exposure. In other cases, companies have pointed to the FCC’s inadequate safety guidelines for legal protection from liability regarding wireless RFR health and environmental effects - see investigative expose describing how the FCC has been used as a liability shield for the wireless industry - see *How The FCC Shields Cellphone Companies From Safety Concerns* https://www.propublica.org/article/fcc-5g-wireless-safety-cellphones-risk.

FCC's irresponsible and dangerous risk management stance of "watchful waiting" may be explained by FCC glaring conflicts of interest. When pointing out FCC's conflicts of interest, Secretary Kennedy can point to the history of a revolving door between wireless industry representatives and the FCC commission as documented by Harvard Safra Center for Ethics - Captured Agency: How The FCC Is Dominated By The Industries It Presumably Regulates (ref 3). Secretary Kennedy could also point to the FCC Chairmanship of Tom Wheeler, the architect of current 5G, who previously served 12 years as President and CEO of CTIA, the wireless trade lobby group. Current FCC nomination of Danielle Thumann Severs, a former lobbyist of Crown Castle, continues this pattern of severe conflicts of interest in the FCC Commission. Crown Castle has been used as a liability shield for major wireless companies using Crown Castle to deploy cell tower transmitters in vulnerable communities injuring innocent Americans. See a recent review of cell tower effects studies, *Evidence for a Health Risk by RF on Human Living around Mobile Phone Base Stations,* which found increasing cancer and neurological effects as you live closer to a cell tower. Generally, in the US we do not fund studies examining wireless RF radiation effects especially around cell towers but other countries are.

Included in other comments to this record are copies from Microwave News, a wireless industry watchdog publication dating back 45 years, which carefully chronicled how Congress and the FCC have worked in cooperation with the wireless industry to systematically hide wireless RF radiation and other EMF health effects.

FCC has failed to brief congress, particularly the Commerce Committees who oversee them, on the EHT et al vs FCC remand where they were found to be "arbitrary

and capricious" by the US Court of Appeals for the DC Circuit for failing to completely review the science on wireless health effects particularly as it relates to children, the environment, cumulative and long term emissions, and emissions from new technology **since 1966 which the FCC has failed to comply with for 5 years.** As a result, Congress has passed legislation that has ordered another spectrum auction and ordered that the power limits for 5G phones be significantly increased despite the FCC being unable to provide the courts with documentation that proves any cell phone is completely safe. The Chairman of Senate Commerce Committee Senator Ted Cruz has authored and tried to get passed a satellite streamlining (S.3639 Satellite Streamlining Act) bill that would streamline the satellite approval process including environmental and safety approvals with knowing if Satellite EMF emissions are completely safe. **All these satellites are exempt from environmental assessment & review while they change the electromagnetic environment of the planet**. We are electromagnetic beings. We know wireless RF radiation can cause cancerous, neurological, reproductive, immunological, and genetic effects – see findings of Clear Evidence of Carcinogenicity and DNA damage non-thermally while FCC safety guidelines only protect against thermal effects in the $30 million NIH NIEHS National Toxicology Program Cell Phone Study attached. These wireless satellite microwaves are completely unnatural-billions of times more intense than the microwaves we evolved in & laced with information which is completely foreign to our bodies. With no biologically based safety testing of these microwaves exempt from environmental assessment **based on the false assumptions of safety that there are only thermal effects by the FCC**, With S.3639, the non-stationary low orbit satellites used for wireless broadband do not even have to

apply for a license; they just have to notify the FCC. On the house congressional side, the house commerce committee passed HR 2289 Broadband Deployment Act which would significantly accelerate the approval process for broadband projects without the FCC having even reviewed all the science on wireless RF radiation health effects the most basic first step of wireless emissions safety risk management. Secretary Kennedy and HHS need to brief the Commerce Committees overseeing the FCC in the House and Senate regarding the health implications of the EHT et al vs FCC remand.

Secretary Kennedy and HHS need to **WARN** the public of possible wireless RF radiation and EMF health effects based on the 11,000 EMF effects studies submitted to the US Court of Appeals for the DC Circuit in EHT vs FCC (https://ehtrust.org/environmental-health-trust-et-al-v-fcc-key-documents/), the additional thousands of studies recently submitted in FCC Docket 25-276, the additional thousands of EMF effects studies submitted in the recently reopened Docket 13-84 DA 26-997, and the additional thousands of studies submitted in this HHS Request for Information. What EHT et al vs FCC lawsuit proves is that the FCC is not even doing the first basic step of wireless safety risk management which is to review the science on wireless effects much less appropriately doing pre-market safety testing and post market surveillance for wireless and EMF biological and health effects.

Secretary Kennedy and HHS should warn the public that wireless RF Radiation & EMFs should be minimized until biologically based pre-market safety testing & thorough risk management is completed by an agency with expertise in health & environmental safety like HHS based on the more than ten thousands studies submitted in EHT et al vs FCC, FCC Docket 13-84, 19-226, & 25-276 and this HHS Request for Information

along with testimonials from Americans already injured by wireless RF radiation and other EMFs. Secretary Kennedy and HHS need to encourage every American to minimize wireless RF radiation and other EMF exposure by using wired/corded/fiber-to-the-premise technologies instead until thorough biologically based wireless risk management has been completed by an agency with biological and environmental expertise. WIRED/CORDED/FIBER hardened technologies offer far superior data transmission speeds, data capacity, cyber security, privacy, and energy savings than wireless technologies which naturally waste energy continually spraying RF radiation energy in all directions and only using a miniscule amount for actual connections. Fiber-to-the-premise networks are much easier and cheaper to upgrade long term as well as offering far superior transmission performance and capacity.

The NIH NIEHS National Toxicology Program Cell Phone Study found wireless can cause cancer and DNA damage at or below current FCC thermal only safety guidelines (ref 4). A subsequent Italian Ramazzini Study showed similar results using a study designed focused on far fields meant to examine the impact of cell tower exposures (ref 5). Studies have shown increasing cancer and neurological effects the closer one lives to a cell tower (ref 6) FCC safety guidelines and safety testing have been shown to be inadequate and not fully protective of health as articulated and substantiated in the case of EHT et al vs FCC and its subsequent federal appellate court judge's ruling, along with recent additional petitions to the court (Ref 7). As ordered by the judge's ruling in this case, FCC still has not addressed the 11,000 pages of science submitted in EHT et al vs FCC demonstrating biological and health effects which are not protected by current FCC safety guidelines particularly as it pertains to

children, the environment, cumulative exposures, exposures from multiple sources, and biological and health effects due to changes in technology since 1996 (ref 8).

These animal studies are important because we have had the human epidemiological studies for years showing cancerous effects in humans from wireless RF radiation exposure. These human epidemiological studies formed the basis for the World Health Organization, International Agency for Cancer Research to Classify wireless and all EMFs as a Class 2B Carcinogen in 2011. Carcinogenic findings from animal studies were needed to classify wireless and other EMFs as a Class 1 Human Carcinogen like asbestos, lead, etc... Now we have the animal studies go along with Human Epidemiological Studies, many from Lennart Hardell MD PhD's Group who we counted published 96 Studies EMF studies, together providing the scientific justification to classify wireless and other EMFs as a Class 1 Human Carcinogen like cigarette smoke, lead, asbestos whose exposure we currently minimize - see attached.

Interestingly, the WHO itself which takes significant funding from outside groups, ignored its own WHO, IARC findings of Class 2B Carcinogen and favored the findings of ICNIRP, a small self-appointed non-profit who members have clear ties to the industries that depend on wireless transmission who hold onto the notion disproven decades ago that there are only thermal effects from wireless RF radiation and other EMF exposures. Unjustly, the FCC ultimately relies on the industry biased ICNIRP recommendations for its safety guidelines and safety testing protocols rather than doing more of its own basic research into wireless RF radiation and other EMF effects.

Recently, a World Health Organization commissioned scientific review concluded: "...RF EMF exposure increases the incidence of cancer in experimental animals" in agreement with the US NIH NIEHS National Toxicology Program Cell Phone Study that found Clear Evidence of Carcinogenicity and DNA Damage non-thermally. Our FCC safety guidelines only protect against thermal effects**.** Specifically, "The findings of this systematic review indicate that there is evidence that RF EMF exposure increases the incidence of cancer in experimental animals with the CoE being strongest for malignant heart schwannomas and gliomas." Historically, animal studies have formed the basis for risk management government policy in the US because to experiment and expose humans expecting a cancerous result would be unethical. Current, FCC emission safety guidelines are based on a handful of animal studies.

WHO commissioned a scientific review of human EMF studies and unjustly reviewers dismissed the greatest majority of studies in order to conclude that there was no problem in humans, ignoring its own WHO, IARC s study conclusions regarding human studies in 2011. One really only needs to follow the money in considering the employment of scientists doing the reviewing and the funding sources of studies considered. Henry Lai PhD found when studying the funding sources of EMF studies that 72% of EMF studies funding by industry sources found no effects while 67% of studies funded by non-industry sources found effects. Thus, funding source definitely matters and the industry has used its vast resources to cloud the research and create enough uncertainty to allow them to continue exposing people.

Secretary Kennedy and HHS need to advocate for every American's health by encouraging other federal agencies to fund and permit fiber to every premise

in America without allowing funds to be diverted to wireless projects as has happened in the past to provide the backbone for an all-wired communication system which will eliminate harmful wireless RF radiation exposures and provide the real economic engine for growth that wireless 5G has always promised but NOT delivered. Once fiber reaches the premise then Cat5/6 wiring can be used to every device with wired keyboards and mouse for an all wired, cybersecure, private, super high speed, high capacity, massively energy saving information system with no possibility for wireless RF radiation health effects. Here is a blue print for the all wired and fiber plan: Reinventing Wires: https://electromagnetichealth.org/wp-content/uploads/2018/02/ReInventing-Wires-1-25-18.pdf

We know that the US federal government is in the wireless business having sold $230 billion worth of wireless frequency spectrum; and for the past 30 years, congress and the FCC have acted like a member of the industry actively hiding known wireless RF radiation and other EMF effects (ref 9). It is time for Congress to protect the health of innocent Americans rather than protect the wireless industry and their own profits as a critical member of the wireless industry. Time for the federal government to do what is right and protect the health and well-being of its citizens. Secretary Kennedy and HHS should lead the way. God and history will judge those who actively hid or ignored wireless health effects as we slowly poison and permanently damage the health of our population through cancerous, neurological, reproductive and immunological EMF effects. Child behavioral disorders like Autism/Aspergers epidemic - see mechanism submitted along with this comment; the low fertility epidemic - see EMF studies of sperm and reproductive damage attached;

and surging cancer can be linked to skyrocketing wireless RF radiation and other EMF exposures. See Kaiser Permanente pilot study showing a 4-fold increase in the risk of colorectal tumors for young people carrying phones in their back pocket while rates for colorectal cancer are declining in the elderly. It should be the other way around.

I thought this study abstract was important enough to include in my comment since these tumors are often deadly in young people:

Is Cellphone Carrying Below the Waist (Exposure to Non-Ionizing Radiation) Contributing to the Rapid Rise in Early-Onset Colorectal Cancer?

Li DK, Ferber J, Hirst A, Odouli R, Quesenberry C, Levin T. *Is Cellphone Carrying Below the Waist (Exposure to Non-Ionizing Radiation) Contributing to the Rapid Rise in Early-Onset Colorectal Cancer?*

ISEE 2024: 36th Annual Conference of the International Society of Environmental Epidemiology. Vol. 2024, Issue 1. doi: 10.1289/isee.2024.1903.

Abstract

BACKGROUND AND AIM: The incidence of early-onset (EO) (< 50 years of age) colorectal cancer (CRC) has been rising rapidly in recent decades, suggesting the presence of a new environmental risk factor. One emerging, yet under-investigated factor is increased exposure to radiofrequency (RF) non-ionizing radiation from widespread cellphone use. The young population has been documented to carry their cellphones in pants' pockets many hours a day, leading to extensive exposure to RF radiation in the colorectal region. Intestinal epithelial cells are among the tissue cells

most sensitive to radiation exposure. The study was designed to investigate whether cellphone carrying below the waist is associated with increased risk of EOCRC.

METHOD: We conducted a case-control study among 50 recently diagnosed EOCRC cases and 50 randomly selected age- and sex-matched controls. Information on carrying habits included specific locations below the waist before EOCRC diagnosis, the average amount of time carried per day and the ages at which they started and stopped carrying at a given location.[¤]RESULTS[|]After controlling for confounders, a longer duration (the highest tertile) in total hours of carrying a cellphone below the waist had more than **4-fold risk of EOCRC** than shorter carrying duration (lower tertiles), adjusted odds ratio (aOR)=4.1, 95% confidence interval (CI):1.0-16.4. The association was stronger for rectal cancer (OR=6.4) vs. colon cancer (OR=1.9), given the closer proximity of pants' pockets to the rectum. Most strikingly, the association was much stronger for ipsilateral carrying (cellphone carrying on the same side of EOCRC tumor location) with a OR=12.1 (1.5-97) vs. contralateral carrying (cellphone carrying on the opposite side of tumor location) with OR=1.6.

CONCLUSIONS: A longer duration of cellphone carrying below the waist is associated with an increased risk of EOCRC. Though preliminary, the finding revealed an emerging environmental contributor to the rapid rise in EOCRC, whose reasons remain unknown.

https://ehp.niehs.nih.gov/doi/10.1289/isee.2024.1903

Important to the next generation are these developmental and behavioral wireless RF radiation and other EMF effects. See EMF studies submitted with this comment focused on wireless RF radiation effects on fertility, pregnancy and sperm.

See the paper submitted along with this comment by Harvard Pediatric Neurologist Martha Herbert MD PhD with more than 300 references who wrote the foreword to Secretary Kennedy's book defining a mechanism by which wireless RF radiation exposure contributes to the development of Autism/Asperger's Disorder. With Autism/Asperger's rates surging - now 1 in every 62 children, an environmental hazard must be to blame because a genetic disorder cannot increase so fast. See articles submitted along with this comment on surging rates of Autism in the children of high tech workers. Physician Toril Jelter MD has used environmental EMF reduction to reduce symptoms of Autism with great success.

Secretary Kennedy and HHS can no longer wait; you must protect our population. HHS can no longer rubber stamp the blind promotion and facilitation of wireless technology by the industry captured FCC & Senate and House commerce committees. HHS must advocate for Americans health and fill in the wide wireless RF radiation safety risk management gaps left by the industry captured FCC. FCC seems to have designed safety guidelines and safety testing protocols to hide rather than identify wireless RF radiation biological and health effect risks to be risk managed -- as extensively documented and substantiated in the petitions of EHT et al. vs FCC. Specifically, current FCC safety testing does not test for the interaction between wireless RF radiation and our own human electromagnetic cells, organs, and body systems as measured by EEGs, EKGs, and EMGs. A gross obvious omission that can only be interpreted as a conscious effort to hide effects by the FCC. FCC testing is done on a plastic dummy rather than an electromagnetic human being but the FCC must think we are the dummies to believe this proves human safety.

Current testing only tests for heating of flesh like with a microwave oven but wireless devices do not operate like microwave ovens. FCC safety testing only focuses on thermal effects but we have had studies demonstrating RF radiation non-thermal effects for more than 40 years. **EPA Index of Publications on Biological Effects of Electromagnetic Radiation (0-100Ghz) - based on 3,627 studies.** Give it a minute to open-large document. This EPA document proves that there are biological effects all along the EMF spectrum unlike what FCC claim:

https://www.dropbox.com/scl/fi/taqwa8thhb2kdx77yhzza/EPA-Index-of-Publications-on-Biological-Effects-of-Electromagnetic-Radiation-0-100-GHz.pdf?rlkey=h2b83k18ocj8at4r7wcmd7tx5&e=2&st=7rhcq4ia&dl=0

The FCC does not even measure human exposures instead they focus on emissions from the wireless devices – they focus on how much is emitted by the wireless transceiver not how much is absorbed by the person living, working, or studying nearby. FCC is not qualified to measure human exposures or even review the science on EMF effects-- this is why the FCC should not be responsible for overseeing the biological or environmental safety of wireless transmissions. These responsibilities should be moved completely to HHS and/or EPA along with the power to approve or disprove any wireless transmitter or transceiver based on health and biological safety.

FCC does not test phones against the head. FCC safety testing completely omits impacts to flora, fauna, and animals which make up the ecosystem and food chain that supports human life. FCC testing does not test for differences in sensitivities in EMF effects among vulnerable populations such as: children, elderly, pregnant women and those with current medical conditions. Testing is done on plastic dummies which are

adult size, not accounting for differences in size due to gender, ethnicity, or those being exposed being a child or infant. FCC safety testing does not test for differences in ethnicities which are seen with other diseases (see EHT et al vs FCC for further discussion and substantiation of FCC safety testing limitations and failures). HHS needs to fill in these significant gaps in wireless safety risk management to ensure the health and safety of 100% of our population.

FCC should not be asking the public for comment on the scientific literature regarding wireless RF radiation effects because they should have a detailed and comprehensive inventory of every study every published on this matter carefully cataloged in every possible way regarding every possible effect to every possible segment of our population because they are ultimately responsible for wireless safety according to the 1996 Telecom Act but they do not. Therefore, HHS should develop such a comprehensive catalog of EMF effect studies and share it with the public who is greatly exposed. The EMF portal contains 51,004 EMF studies and the Russians have more science on EMF effects than anyone else combined because they have recognized EMF thermal and non-thermal effects for decades and used them to treat a wide variety of illnesses and medical conditions in stark contrast to the FCC that fraudulently states that there are no non-thermal effects to risk manage. The Russian scientific literature is mostly in Russian so it would need to be translated and then catalogued as well. It is preposterous that the FCC wants to only focus on a handful of studies pointed out by the judges in their remand by the courts in considering wireless and EMF health effects. It proves that they really have not reviewed the science and are unfamiliar with it. It also shows that they are not risk managing wireless RF

radiation effects and should be held accountable for putting the entire country's health at risk.

HHS keep in mind, the wireless industry spends hundreds of millions of dollars hiding effects by defending court cases regarding consumer injuries, suing cities who consider wireless effects, buying advertising to control the media so no one looks carefully and/or talks about wireless health effects and if that is not enough, they buy out the media outlet to quiet their voice of opposition. The industry also has paid experts without an expertise in cellular biology to say there are no wireless RF radiation non-thermal cellular effects. They fund their own low quality research to counter research showing effects. They place people who have worked for them or will work for them in high level positions of power in federal agencies to say there is no health problem.

Secretary Kennedy and HHS can no longer allow industry and its many well paid representatives to frame the argument and cleverly distract us from the real issue here – there is no basic risk management of biological impact of wireless RF radiation and other EMFs. We do not need more science. Secretary Kennedy and HHS do not need to debate. Secretary Kennedy and HHS needs to begin risk managing wireless as the bioactive agent we know it is and warn the population to minimize EMF exposure until thorough risk management is complete by a federal agency with expertise in human health and safety like HHS. Because of the above glaring testing failures and risk management gaps, Secretary Kennedy can say with certainty that FCC current wireless device and emissions safety testing cannot fully ensure the biological safety of its users and others being exposed to the RF radiation emitted by devices and cell tower transceivers or other wireless transmitters.

Secretary Kennedy and HHS need to pre-market safety test all wireless device transmitters for biological safety and common combinations of device transmitter exposures for short and long term safety, including cell tower transceivers and transmitters, and low orbit and all other satellites transmitters for effects on all populations, particularly vulnerable populations like children, elderly, pregnant women, those with current medical conditions, and for all ethnicities.

HHS needs to employ post-market surveillance to make sure wireless device transceiver exposures, cell tower transmitter exposures, and all satellites transmitter exposures are biologically safe once on the market like we do for other agents that can cause biological effects like prescription drugs. HHS needs to establish a registry of wireless and EMF effects similar to the VAERS system. Such a registry will require that HHS Secretary warn the public about possible wireless EMF effects so they can be aware of the possible connection between wireless EMF exposures & health effects and report their symptoms and sources accurately.

Post market surveillance should include real world field exposure testing for biological and health effects along with corresponding EMF exposure levels, especially for heavy cell phone users, for continuous RFR exposures like WiFi and cell tower exposures, for multiple device users exposed to multiple sources of RFR simultaneously, and for those living within 500 meters of a cell tower transmitter, and any combination of the above along with measurements of wireless RFR levels. Common established measures of biological electrical function, dysfunction, and disease could be used such as EEGs, EKGs, EMGs, and other basic tests for human system health like blood pressure cuffs, sensitive blood and DNA testing.

Generally, the FCC has failed to biologically safety test settings where the public is increasing exposed to wireless RF radiation and other Electromagnetic Fields (EMFs); therefore, HHS should biological safety test in the following for instance but not limited to: inside and directly outside of Electric Vehicles which generally have higher levels of wireless RFR and other EMFs than traditional mechanical vehicles, especially while charging (see carsradiation.org); inside of airplane fuselages where multiple devices are used in close proximity and reflection of EMFs is of greater concern than in most public spaces; inside of millimeter wave airport scanners which have not been thoroughly safety tested for short and long term health effects from thermal and non-thermal RF radiation; outdoors where RF radiation exposure from an increasing number of low orbit satellite transmissions are designed to blanket our planet surface. HHS has to compensate for the FCC which has demonstrated a general disregard for biological safety testing exponentially increasing Electromagnetic Field (EMF) public exposures to protecting the public against all possible harm from wireless RF radiation and other EMF exposures.

Specifically, wireless and EMF exposures need to be measured in the homes of Autistic children (children's rooms, their parents room) and the EMF exposure levels in the workplaces of the parent's to examine a possible connection between EMF exposure levels, especially of pregnant women and the occurrence of Autism based on the research of Harvard Pediatric Neurologist Martha Herbert MD PhD defining a mechanism by which wireless contributes to Autism and the general EMF research demonstrating that wireless RF radiation is neurotoxic – see the thousands of studies

submitted to this RFI, FCC Docket 13-84, FCC Docket 19-226, FCC Docket 25-276, and the 11,000 EMF studies submitted in EHT vs FCC.

Now, HHS needs to begin risk managing the problem after 30 years of FCC maximizing exposure without effective risk management of biological or health effects in place. Wireless is clearly a bioactive agent, that is capable of producing biological and health effects but it has been risk managed by FCC as if it were inert except for thermal effects. Non-thermal and other effects need to be risk managed.

HHS needs to develop an actual safety standard which sets a limit of how much wireless radiation people can be exposed to without biological effects so schools, businesses, government agencies, nonprofits, centers for living and other institutions can measure and limit exposure for occupants based on thorough biologically based real world use exposure safety testing using common established measures of biological electrical function and health short and long term.

HHS needs to manage risks for wireless radiation and other EMF exposures and begin protecting people's health. Originally, cell phones were allowed onto the market with a low emissions exemption; without this exemption and with appropriate thorough biologically based safety testing and risk management in place, wireless cell phones would have never been allowed on to the market in the first place.

I am certainly not alone in my calls for HHS to address wide gaps in FCC risk management of wireless RF radiation and EMF safety. See attached peer reviewed publication U.S. policy on wireless technologies and public health protection: regulatory gaps and proposed reforms published in *Frontiers in Public Health (Scarato 2025)*

which further details critical gaps in the US regulation of wireless RF radiation. In short, the author notes the following gaps and recommendations for addressing them:

- Outdated exposure limits focused on short-term heating, without adequately addressing long-term, low-intensity exposure, non-thermal effects, or cumulative exposures.
- Insufficient protections for children, pregnancy, and medically vulnerable populations, including exposure limits and testing procedures that do not adequately account for their vulnerability.
- A lack of required premarket health-safety testing before new technologies are introduced.
- RF emitting device compliance tests that do not reflect real-world use, such as phones pressed against the body and exposure from multiple devices operating simultaneously.
- Non transparent post-market compliance testing and enforcement to identify excessive emissions and ensure corrective action.
- No comprehensive medical reporting or environmental surveillance system to collect and investigate adverse effects from wireless devices and infrastructure.
- No comprehensive national RF exposure measuring or monitoring program, including routine measurements in schools, homes and workplaces.
- Diminished federal research capacity and fragmented agency responsibility, without a coordinated, ongoing assessment of the full scientific evidence.

- Inadequate occupational protections, including gaps in exposure tracking, worker training, medical surveillance, and protections during pregnancy.
- Insufficient public transparency and consumer information about antenna locations, emissions, compliance results, complaints, and practical exposure reduction.
- No exposure standards specifically designed to protect wildlife and ecosystems, despite research raising concerns about effects on plants, pollinators, birds, and other species.
- Limited support for technologies that reduce exposure, including readily available wired alternatives and requirements to incorporate exposure reduction into product design.
- Industry influence and conflicts of interest, including revolving-door relationships between FCC leadership and the industries it regulates.

The paper concludes with a robust list of recommendations to adequately control this environmental pollutant and mitigate health and environmental impacts.

- **Update RF exposure limits** to address long-term, cumulative exposures and non-thermal effects, with risk mitigation protections for children, pregnancy, and medically vulnerable populations.
- **Require premarket safety testing** for health effects of new wireless technologies and frequencies, just as is required for drugs.

- **Modernize device compliance tests** to reflect real-world use, including direct body contact and simultaneous exposure from multiple devices.
- **Establish routine post-market compliance testing**, with public results, corrective action, and meaningful enforcement.
- **Create a national health and environmental surveillance system** to document and investigate suspected adverse effects.
- **Implement nationwide RF exposure monitoring**, prioritizing schools, workplaces, residential areas, and sensitive wildlife habitats.
- **Require clear radiation exposure labeling** on wireless devices, packaging, and at the point of sale, including applicable separation distances and practical instructions to reduce exposure.
- **Provide accessible public health guidance** on reducing exposure and using wired alternatives.
- **Restore independent federal research programs** and coordinated interagency review of the scientific evidence.
- **Strengthen workplace protections**, including exposure assessments, worker training, medical surveillance, and pregnancy-specific accommodations.
- **Create a public registry of wireless infrastructure**, with antenna locations, RF measurements, compliance records, and complaints and agency responses.
- **Reduce exposures in schools and childcare settings**, prioritize wired connections, and establish protective siting policies.

- **Develop wildlife-specific protections** and assess cumulative RF effects on ecosystems.
- **Support technologies designed to reduce exposure**, including readily available Ethernet connections and other wired options.
- **Ensure independent, transparent regulatory decisions**, with safeguards against industry conflicts of interest.

In a recent Massachusetts Supreme Court case Giraldi vs Orsi injuries suffered around a newly installed cell tower were carefully documented by a local health board including severe neurological effects, heart attacks and other cardiac effects, cancer and sudden deaths proving the need for intensive and comprehensive premarket safety testing and post market surveillance for all wireless RF radiation transceivers to ensure the public's health and safety.

Here in the US, we allow industry to fund counter "no effect" research to water down the evidence and then the FCC can use a "weighted evidence" approach to say that there is no problem despite the evidence. But that is not how science works - one quality study like the NIH NIEHS NTP Cell Phone Study which found Clear Evidence of Cancer and DNA Damage non-thermally should be enough to trigger a landslide of risk management. It is not who has more studies but in the US it is. This needs to change Secretary Kennedy. You and HHS can and need to change it to protect the health of 100% of the population.

On page 8 of the FCC response to courts, the FCC commission is cited to have "relied on the conclusions of the FDA" in saying wireless RF radiation emissions are

safe given current thermal only safety guidelines. FCC sites a letter from Jeffrey Shuren MD, then Director of Devices and Radiological Health at the FDA. But it should be noted that Jeffrey Shuren MD retired amidst allegations of conflicts of interests regarding his wife's work as an attorney helping companies to get their medical devices approved by the FDA and her husband's office which approves them. He was cited by the NY Times as not recusing himself regarding decisions he should have as well as other infractions. I know Jeffrey Shuren MD was also conflicted when it came to saying wireless RF radiation emissions are safe because I carefully researched the issue in my Request for Investigation submitted to HHS regarding Jeffrey Shuren MD and his wife who was a partner at Arnold and Porter law firm which was founded by a former FCC commissioner and which managed $200 billion worth of business transactions for ATT. See my detailed request for investigation submitted along with this comment.

As cited by a judge in the FCC response to the court, there was a "10,500 page record" containing science regarding wireless RF radiation effects below current thermal only FCC safety guidelines. But scientifically, it only takes ONE study establish the fact that wireless RF radiation is harmful. The $28 million NIH NIEHS National Toxicology Program Cell Phone Study completed in 2019 found Clear Evidence of Carcinogenicity and DNA damage from non-thermal cell phone emissions-see attached website summary of findings. Our FCC safety guidelines only protect against thermal effects. This landmark gold standard study should have triggered a landslide of risk management on the part of the FCC but it did not and was summarily ignored by the FCC. Instead, Jeffrey Shuren MD at the FDA who we cited above as conflicted made clear public statements downplaying the significance of the NTP Cell Phone Study

findings to human health and unfairly and inaccurately criticizing the study. These criticisms were summarily addressed in a paper by one of the studies designers at NTP, Ron Melnick PhD: *Commentary on the utility of the National Toxicology Program Study on cell phone radiofrequency radiation data for assessing human health risks despite unfounded criticisms aimed at minimizing the findings of adverse health effects* which was submitted along with this comment.

In the US for the past 30 years, there has been a relative dearth of government funded scientific research on wireless RF radiation and EMF effects given the enormous exponential increase in wireless RF radiation and EMF human exposure allowed and encouraged by the industry captured FCC. Most of the science on EMF effects comes from outside of the US. HHS needs to catch up and dedicate at least 10% of its budget to fund EMF effects safety research for wireless microwave RFR electromagnetic field exposures that now affect 100% of our population. HHS current budget is $97 billion so roughly $9.7 billion should be dedicated this coming year to close a 30 year wireless safety research gap.

NIH funded a $300 Million ABCD study on the effects of screen time on children which found damage to brain development. This study is still ongoing and needs to have an EMF exposure overlay looking at how wireless device RF radiation and EMF exposure levels in homes and schools of children correlated with children who showed brain damage: https://abcdstudy.org/.

Recently, NIH released a Highlighted Topic for research: *Characterizing Interactions between Biology and Electromagnetic Radiation* focused on various EMF exposure

sources but this Highlighted Topic needs to have funding attached to it in the form of a NOFO (Notice of Funding Opportunity) so that HHS can jump start research efforts in the field of unintended biological and health effects from electromagnetic field exposures. Also, the exclusion of "excluding direct exposures resulting from medical care" should be eliminated. HHS should be most interested in unintended biological and health EMF effects from current medical equipment and scanners so that HHS can be sure that these EMF devices are not causing the diseases they are intended to help diagnose and treat or worse.

Secretary Kennedy and HHS needs to advocate for the health of every American and demand the FCC respond to the court orders in EHT vs FCC and demand FCC relinquish any responsibility for wireless RF radiation emission safety and the power to approve or disapprove any wireless or EMF license, permit, or spectrum based on safety because they do not have the expertise for such responsibility.

FCC was ordered by Federal Appellate Court judges five years ago to review the EMF science and make appropriate changes to FCC EMF emission safety guidelines and testing protocols. Why has the FCC still not reviewed the 11,000 EMF effect studies submitted in the case and analyzed it along with the more recent science demonstrating wireless RFR harmful effects and made changes to current FCC safety guidelines that were set in 1996, particularly as it pertains to children, cumulative and long-term effects especially from multiple wireless sources, impacts on the environment, and health effects due to new technology since 1996 as required by the court ruling?

Secretary Kennedy and HHS needs to advocate for American's health as the FCC continues to ignore the science on wireless RF radiation health effects and ignore the courts order….delay, delay, delay while in a recent FCC September monthly meeting, the FCC ordered further streamlining of consideration of environmental impacts as required by NEPA, significantly increased the amount of wireless frequency spectrum available for satellite spectrum, and unleashed the use of Ultra-Wide band high frequencies on the public for "wall-penetrating radars" ----all of this with NO biologically based safety testing for any of these new frequencies and while not addressing the courts remand regarding the inadequacy of their safety guidelines and testing protocols (ref 10)

Earlier this year instead of complying with the courts remand orders, FCC tried to significantly accelerate wireless cell tower transmitter deployment with FCC Docket 25-276 "Build America: Eliminating Barriers To Wireless Deployments" that radically seizes power from state & local governments and the citizens they represent and changes the rules regarding placement, permitting and management of cell towers, making it practically impossible for innocent residents, workers, businesses, institutions, and communities to protect themselves from harmful cell tower RF radiation exposure and injury--- making it clear the FCC is not interested in protecting the health and safety of Americans but rather furthering the profit making agenda of the wireless industry (see cell tower injuries documented in Massachusetts Supreme Court case Giraldi. Et al. vs Orsi, et. al. SJC-13797). FCC Docket 25-276 will further pre-empt state rights to consider remaining factors involved in cell tower placement: aesthetics, historical buildings, public safety (due to fire, weight of transmitters, environmental dangers etc.).

If applications are not processed fast enough by the local government, the application will be automatically **DEEMED APPROVED**, a significant departure from the past. This is DEFINITELY FEDERAL OVERREACH BY THE FCC and a very aggressive "game over" move in terms of being able to prevent wireless RF radiation health effects.

Debate about the existence wireless RF radiation non-thermal and thermal wireless health effects is ludicrous given that the wireless industry itself defines wireless as a pollutant in their own insurance materials:

"16. Pollution. The discharge, dispersal, seepage, migration or escape of pollutants. Pollutants means any solid, liquid, gaseous, or thermal irritant or contaminant including smoke, vapor, soot, fumes, acid, alkalis, chemicals, **artificially produced electric fields, magnetic fields, electromagnetic field, sound waves, microwaves, and all artificially produced ionizing or non-ionizing radiation and/or waste**. Waste includes materials to be recycled, reconditioned or reclaimed." (ref 11)

Verizon Mobile Protect & Verizon Mobile Protect Multi-Device–effective July 22, 2021 (pg 22, item 16)

https://scache.vzw.com/content/dam/support/pdf/device-protection-brochure-consumer.pdf. It is 30 years overdue that Secretary Kennedy and HHS protect the US population from this known pollutant.

The wireless industry acknowledges people are seeking protection and compensation for injury from wireless exposures:

“We, along with equipment manufacturers and other carriers, are subject to current and potential future lawsuits alleging adverse health effects arising from the use of wireless handsets or from wireless transmission equipment such as cell towers. In addition, the FCC has from time to time gathered data regarding wireless device emissions, and its assessment of the risks associated with using wireless devices may evolve based on its findings. Any of these allegations or changes in risk assessments could result in customers purchasing fewer devices and wireless services, could result in significant legal and regulatory liability, and could have a material adverse effect on our business, reputation, financial condition, cash flows and operating results”

TMOBILE June 20, 2022, US Securities and Exchange Commission Form 10Q, Quarterly report pursuant to section 13 or 15(d) of the securities exchange act of 1934. Commission File Number 1-33409 (page 50, last paragraph) **https://s29.q4cdn.com/310188824/files/doc_financials/2022/q2/TMUS-06_30_2022-FORM-10-Q_FINAL.pdf (ref 12)**

The Italian Supreme Court has already made a causal connection between wireless RF radiation and brain cancer. On July 29, 2026 of this year, the Italian Supreme Court ruled that Apple had to warn consumers regarding possible health effects. Meanwhile here in the US, the FCC continues to lie to consumers and Congress saying there is absolutely no health risk. It is time Secretary and HHS tells the truth about wireless RF radiation and other EMF health risks and ways to reduce exposure and to protect every American’s health.

Respectfully submitted,

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References:

1 - In the judge's decision for EHT vs FCC one of the judge's cite that (pg 45, Section C) FCC admits that it does not have the expertise "to interpret [] the biological research necessary to determine what [RF radiation] levels are safe" 2013 Notice of Inquiry, 28 FCC Red. At 3501.

https://ehtrust.org/environmental-health-trust-et-al-v-fcc-key-documents/

2 - Using the Hill Viewpoint from 1965 for evaluating strengths of evidence of the risk for brain tumors associated with use of mobile and cordless phones

https://pubmed.ncbi.nlm.nih.gov/24192496/

3 - Captured Agency: How The Federal Communications Commission Is Dominated By The Industries It Presumably Regulates

https://www.ethics.harvard.edu/publications/captured-agency-how-federal-communications-commission-dominated

4 - NIH National Institute of Environmental Health Sciences, National Toxicology Program, Cell Phone Study https://ntp.niehs.nih.gov/research/topics/cellphones

5 - Report of final results regarding brain and heart tumors in Sprague-Dawley rats exposed from prenatal life until natural death to mobile phone radiofrequency field representative of a 1.8 Ghz GSM base station environmental emission.

https://pubmed.ncbi.nlm.nih.gov/29530389/

6 - Evidence for a health risk by RF on humans living around mobile phone base stations: from radio frequency sickness to cancer

https://www.sciencedirect.com/science/article/abs/pii/S0013935122011781

7 - EHT et al vs FCC Fact Sheet (2 pages summarizing appellate court ruling)

https://ehtrust.org/wp-content/uploads/EHT-et-al.-v.-FCC-Factsheet-EHTRUST.org-3.pdf

8 - EHT et al vs FCC (contains 11,000 pages and 27 volumes of scientific evidence of wireless effects)

https://ehtrust.org/environmental-health-trust-et-al-v-fcc-key-documents/

9 - Spectrum Auctions Have Raised 230 Billion; The FCC's Authority To Conduct Them Will Lapse Soon If Congress Doesn't Act

https://roslynlayton.com/blog/spectrum-auctions-have-raised-230-billion-the-fccs-authority-to-conduct-them-will-lapse-soon-if-congress-doesnt-act

10 - FCC held an Open Commission Meeting (September 30, 2026).

https://www.fcc.gov/September2026

11 - “16. Pollution. The discharge, dispersal, seepage, migration or escape of pollutants. Pollutants means any solid, liquid, gaseous, or thermal irritant or contaminant including smoke, vapor, soot, fumes, acid, alkalis, chemicals, artificially produced electric fields, magnetic fields, electromagnetic field, sound waves, microwaves, and all artificially produced ionizing or non-ionizing radiation and/or waste. Waste includes materials to be recycled, reconditioned or reclaimed.”

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13 - He Regulated Medical Devices. His Wife Represented Their Makers.

https://www.nytimes.com/2024/08/20/health/fda-medical-devices-ethics.html