Comment of Deborah Kopald

FCC Docket No. 19-71 June 17, 2019

Radiation drops with the square of distance. Studies show health effects within 1,500 feet of cell towers and extreme symptoms of microwave sickness within 1,000 feet. Symptoms of microwave sickness are occurring at 1/100,000 if FCC limits and below. If one takes a protective level of 10 below lowest observed effect for which there is consensus by scientists, one should conclude, as the scientists who co-authored the Bioinitiative Report did, that people should be exposed to no more than 1/3,333,333 of the so-called FCC limits.

The evidence of the public health nightmare in which we now find ourselves can be pieced together from various documents in the federal record concomitant with a review of the literature. In the 2005 National Institute of Building Sciences and Access Board Report on Indoor Environmental Quality advised against the use of Bluetooth connections absent confinement by foil-backed drywall, the Department of Labor and Access Board have recommendations for accommodating people with electromagnetic sensitivities (microwave sickness), and military reports going back decades document how people develop intolerance to microwave radiation after either cumulative exposure or some acute (but publicly allowable) dose then caused them to exhibit symptoms sooner and faster with subsequent exposures.

Acknowledgments of permanent disability from this radiation have been made by SSI, acknowledgments of the existence of the phenomenon have been made by the 10th Circuit and Federal District Court in Worcester, MA, the French have put in regulations about workplace accommodation to mitigate electromagnetic radiation, and Congressional hearings going back decades to the pre-wireless world when publicly allowable levels were a fraction of what they are today featured warnings of an unsustainable escalation. A member of the EPA (Norbert Hankin) warned that the FCC limits should apply to no more than a 30 minute exposure, not 24-7 continual saturation. The Radiofrequency Interagency Working Group (RFIAWG) under chair W. Gregory Lotz made substantially the same points.

After the FCC continued to sit on Docket No. 13-84 which prompted multiple warnings that the FCC limits were in no way protective, the DOI wrote to the NTIA in 2014 saying that limits were not protective and were based on inapplicable criterion 30 years out of date. However, in the interim, having been on notice since that Docket closed in 2013 that there was already a problem, (and with much more scientific literature produced since then corroborating same), the FCC has kept proposing more and more policies to push transmitters in closer (and on lower poles) which together increase radiation levels in public and especially in residential areas.

The September 2018 regulations violate the Telecom Act in curtailing rights left to localities to regulate the placement of this technology (while they can't regulate fixed real estate assets like towers on the basis of radiation emissions, localities have rights under the Telecom Act to make decisions regarding aesthetics, protection of property values, and promotion of public safety whether from noise, lights, falling equipment, soil sterilization chemicals that often are used at the base of cell towers, etc). These new regulations appear so blatantly legally egregious, you have been sued by many municipalities. (Congressman Pallone's January letter accusing you of colluding with industry to game the system to land in a more favorable forum is similar to the aforementioned agency overreach; presumably since the agency didn't like people telling it the emperor has no clothes in 13-84, it just declined to address the docket- just as it presumably didn't like the municipalities writing to say that they needed to maintain control over 5G small cell siting for a host of issues including public safety and control over right-of-ways).

Not content to strip methods to regulate 5G small cells that would have prevented many of them from popping up outside peoples' homes, the OTARD rules contemplate PUTTING THEM ON TOP OF HOMES like satellite dishes. Residential areas are now being turned into high radiation industrialized zones. Perhaps the FCC is counting on jurisprudence that indicates that people of non-ordinary sensitivities cannot use the nuisance doctrine. How many people need to be overtly sick from this radiation so that it is no longer a non-ordinary sensitivity? The levels in questions are implicated with cardiovascular and neurotransmitter disease, cancer and electromagnetic sensitivity. The first set may be harder to “prove in court” for any individual person. However, the literature is clear, and while the mainstream press does not cover it, alternative medicine doctors do, and these article have picked up a lot of traction such that more and more people are aware. As Dr. David O. Carpenter of the Presidential Cancer Panel pointed out in litigation, everyone is injured by this publicly allowable radiation, albeit to different degrees, and some to the point of extreme sickness and death.

If the FCC cannot use bare common sense and take a “pause” on pushing these transmitters in closer to peoples’ dwellings and pitting neighbor against neighbor, its Commissioners and Chair should consider resigning immediately. As Aldous Huxley said, facts do not cease to exist just because they are ignored. I’ll add that facts do not cease to exist just because a federal agency promulgates “alternative facts” as is popular in government circles these days, and because they are used to thinking they can fool most of the people, all of the time. Right now, you certainly aren’t fooling Senator Blumenthal or Congress(wo)men Suozzi, DeFazio or Eschoo.