

PETER A. DEFAZIO  
4TH DISTRICT, OREGON

TRANSPORTATION AND  
INFRASTRUCTURE  
CHAIRMAN



## Congress of the United States House of Representatives

May 29, 2019

Received & Inspected

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FCC Mailroom

### PLEASE RESPOND TO:

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Chairman Ajit Pai  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, DC 20554

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Dear Chairman Pai:

Thank you for your prompt response to the letter I sent you on April 15, 2019, regarding 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.

However, your response did not provide answers to the specific questions I posed in my letter. While I appreciate the information you provided regarding the FCC's reliance on recommendations from the U.S. Environmental Protection Agency (EPA), the U.S. Food and Drug Administration (FDA), the Institute of Electrical and Electronics Engineers, Inc., the National Council on Radiation Protection and Measurements, and others, your letter did not provide details of how these organizations reach their conclusions nor the research or studies they have relied upon. Moreover, the fact remains that, despite its ongoing rulemaking initiated in 2013 – six years ago – the FCC still has not completed a formal reassessment or update of its RF safety guidelines since 1996.

Unfortunately, I find this response to be yet another example of the FCC and other federal agencies assuring Congress and the public about the safety of 5G technology and RF radiation without providing clear evidence or research to back up these assertions. Your agency's continued equivocation gives the appearance that the FCC is dismissing Americans' concerns, which only serves to fuel public distrust in the federal government and increases public concern about possible health effects from 5G technology.

If the FCC and related agencies were willing to be more transparent and provide specific details about the research they rely upon, the public would feel more confident about the process for determining RF safety which you have outlined. Additionally, as you may know, a recent New York Times article<sup>1</sup> suggests that Russian-backed media entities are engaged in propaganda efforts to further stoke Americans' fears of potential health effects from 5G technology. If the FCC and the federal government wish to counter this narrative, it is imperative that you take prompt action to clearly demonstrate to the public that this technology has no adverse effects on public health.

Moreover, the FCC's responsibility to be transparent about this research is underscored by the fact that it adopted onerous clarifying rules<sup>2</sup> in 2018 which usurp local control over 5G small cell installations, essentially forcing states and municipalities to adopt this new technology no matter their

<sup>1</sup> New York Times, "Your 5G Phone Won't Hurt You. But Russia Wants You to Think Otherwise," 12 May 2019, <https://www.nytimes.com/2019/05/12/science/5g-phone-safety-health-russia.html>.

<sup>2</sup> 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>.

citizens' concerns. As a result, states and municipalities are forced to depend on the federal government for information about the safety of 5G technology.

I strongly urge the FCC and the administration to be open and transparent about its research on this issue, the processes it uses to determine and update its RF safety guidelines, and to take immediate efforts to inform the American public about these items. Anything less would be to neglect the federal government's responsibility to provide answers to the public regarding the safety of the technology that surrounds them.

Once again, I request that the FCC provide answers to the following:

1. What scientific literature or research has the FCC, EPA, FDA, and related agencies 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? Additionally, what efforts has the federal government taken, if any, to counteract Russian propaganda on this issue?

The FCC and the federal government cannot continue to ignore Americans' concerns. If the scientific evidence on this issue is clear-cut, there should be no hesitation to provide the details.

Thank you for your attention to this matter. I look forward to your reply.

Sincerely,



PETER A. DEFAZIO  
Member of Congress



FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF  
THE CHAIRMAN

August 21, 2019

The Honorable Peter A. DeFazio  
U.S. House of Representatives  
2134 Rayburn House Office Building  
Washington, DC 20515

Dear Congressman DeFazio:

Thank you for your most recent letter concerning the Commission's radiofrequency exposure rules. As you may be aware, I recently circulated a draft among my fellow FCC Commissioners that would maintain our existing exposure limits. This came after over six years of public input and review, including close consultation on radiofrequency limits with the expert agencies on these issues—namely, the Food and Drug Administration (FDA) and other health agencies. In particular, the FDA's Director of the Center for Devices and Radiological Health has specifically weighed in on this matter, stating that "[t]he available scientific evidence to date does not support adverse health effects in humans due to exposures at or under the current limits" and that "[n]o changes to the current standards are warranted at this time."

Based on counsel of these expert health agencies, as well as the work of the Commission's career staff, I am satisfied that the United States' radiofrequency exposure limits for handheld devices are safe for consumers. Indeed, our analysis suggests that they are already among the most stringent in the world.

The draft order also includes other measures designed to promote the effectiveness of these limits, as well as greater transparency into their application. For example, it seeks to establish a uniform set of guidelines for ensuring compliance with the exposure limits regardless of the service or technology, replacing the Commission's current inconsistent patchwork of service-specific rules. In addition, it proposes rules formalizing the existing methods of determining compliance with the RF exposure standard for high-frequency devices.

I appreciate your ongoing interest in this issue and look forward to sharing the draft with you when it becomes publicly available. Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in black ink that reads "Ajit V. Pai". The signature is fluid and cursive, with the first name "Ajit" being the most prominent part.  
Ajit V. Pai