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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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NOV 25 1997

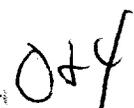
FCC MAIL ROOM

In the Matter of)
)
Complaint of Discrimination) Disabilities Issues Task Force
on the Basis of Handicap)
Filed by the Cellular Phone)
Taskforce on February 2, 1997)
)
Guidelines for Evaluating the) ET Docket No. 93-62
Environmental Effects of)
Radiofrequency Radiation)

NOTICE AND COMMENTS

On February 2, 1997 the Cellular Phone Taskforce ("Taskforce") filed a Complaint of Discrimination on the Basis of Handicap under the rules of the Commission in 47 CFR Section 1.1870, as authorized by 29 USC Section 794. This Complaint was received by the Disabilities Issues Task Force, which sent it to ET Docket No. 93-62 for inclusion therein. See the letter of Richard M. Smith, Chief, Office of Engineering and Technology, dated July 14, 1997, appended hereto, which referred the Complaint to the pending release of the Second Memorandum Opinion and Order in ET Docket No. 93-62. That letter, plus the Second Memorandum, released August 25, 1997, constituted a denial of our Complaint. The Taskforce appealed on October 6, 1997, following the procedures for such appeal in the Commission's Rules at 47 CFR Section 1.1870(i).

In further support of the Taskforce's Appeal, we are submitting today additional information as follows:



2025-11-25 10:10:00

- Appendix A: letter of Richard M. Smith, July 14, 1997
- Appendix B: Appeal of the Taskforce, October 6, 1997
- Appendix C: Other pleadings of the Taskforce in other Commission dockets that bear on the Taskforce's discrimination complaint
- Appendix D: Electrical Sensitivity News, Vol. 1, No. 5 through Vol. 2, No. 6
- Appendix E: Letters from Lucinda Grant, Electrical Sensitivity Network, September 17, 1996, September 19, 1997, June 10, 1997, and September 26, 1997
- Appendix F: Letters to Lucinda Grant from Robert F. Cleveland, February 24, 1997; from Charles E. Schumer, October 6, 1997
- Appendix G: The Electrical Sensitivity Handbook, by Lucinda Grant
- Appendix H: New York City petition with almost ²²⁰⁰~~2000~~ signatures
- Appendix I: Boston petition with signatures of over 100 Harvard and Boston University scientists and physicians
- Appendix J: No Place To Hide, Vol. 1, Nos. 1 and 2

The Taskforce notes that there have already been four international scientific conferences on electrical sensitivity, referenced, together with information on where to obtain the proceedings, in Electrical Sensitivity News, Vol. 2, No. 6, page 12, in Appendix D.

Respectfully submitted,

Date: November 24, 1997

Arthur Firstenberg
 Arthur Firstenberg, President
 Cellular Phone Taskforce
 Post Office Box 100404
 Vanderveer Station
 Brooklyn, New York 11210
 (718) 434-4499

Verification: I declare under penalty of perjury that the foregoing is true and correct. Executed on November 24, 1997.

Arthur Firstenberg
 Arthur Firstenberg



Federal Communications Commission
Washington, D.C. 20554

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Arthur Firstenberg
Cellular Phone Taskforce
P.O. Box 100404
Vanderveer Station
Brooklyn, NY 11210

Dear Mr. Firstenberg:

Your letter of February 2, 1997, addressed to the "Handicapped Coordinator" of the Federal Communications Commission (FCC) was forwarded to this office from the FCC's Disabilities Issues Task Force (DITF). Your letter included a complaint of discrimination on the basis of a disability. Specifically, your letter claims that the FCC's action in ET Docket 93-62, adopting new guidelines for human exposure to radiofrequency electromagnetic fields, discriminates against individuals who are "electrosensitive."

Your letter included several attachments, including a copy of the petition for reconsideration, dated August 30, 1996, that was filed by you and your organization in the above-referenced docket. The purpose of this letter is to advise you that your petition was accepted by the FCC, and it, along with several other petitions for reconsideration, is still under consideration by the Commission. The issue of electrosensitivity discussed in your letter was also one of the issues raised in your petition. The Commission will address all of the issues in the various petitions, including yours, in a forthcoming decision. Therefore, we cannot consider your complaint separately but, rather, refer you to the final FCC decision, expected within the next several weeks. This decision will be posted on the FCC's World Wide Web Site: www.fcc.gov, and will also be available at the DITF Web Site: www.fcc.dtf.

If you have further questions, please contact our radiofrequency safety program at (202) 418-2464.

Sincerely,

A handwritten signature in black ink that reads "Richard M. Smith".

Richard M. Smith
Chief
Office of Engineering and Technology

cc. M. Cove, DITF

Before the
FEDERAL COMMUNICATIONS COMMISSION

In the Matter of

Complaint of Discrimination
on the Basis of Handicap
Filed by the Cellular Phone
Taskforce on February 2, 1997

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APPEAL

The Cellular Phone Taskforce ("Taskforce") hereby appeals the denial of the above-referenced Complaint, as contained in the letter of July 14, 1997 from the Commission to the Taskforce. This appeal is based on the failure of the Commission to address the several issues raised in said Complaint, and also on the failure of the Commission to follow its own required procedures as set forth in 47 CFR 1.1870.

1. The Complaint was accepted by the Commission

The Taskforce received correspondence from the Disabilities Issues Task Force ("DITF") in March 1997 requesting to defer consideration of the Complaint pending the expected release of the Second Memorandum Opinion and Order in ET Docket 93-62, which, according to the DITF, would address the issues raised by the Taskforce in its Complaint. The Taskforce further received a letter on July 14, 1997 from the Office of Engineering and Technology, again deferring consideration of the Complaint pending the expected release of the Second Memorandum.

The Commission's rules state, in 47 CFR 1.1870(d)(1), that "The Commission shall accept and investigate all complete complaints for which it has jurisdiction." The rules state further in Section 1.1870(d)(2) that "the complainant will be

notified within thirty (30) days" if the complaint is not complete, and in Section 1.1870(e) that the Commission "shall promptly notify the complainant" if the Commission does not have jurisdiction over the complaint.

The two letters received by the Taskforce from separate offices of the Commission, and the absence of timely notification of either incompleteness or lack of jurisdiction, constitute acceptance of the Taskforce's Complaint of February 2, 1997 under the Commission's rules.

2. The Commission failed to follow its own procedures

The Commission's rules state, in 47 CFR 1.1870(g):

"Within one-hundred eighty (180) days of the receipt of a complete complaint for which it has jurisdiction, the Commission shall notify the complainant of the results of the investigation in a letter containing--

"(1) Findings of fact and conclusions of law;

"(2) A description of a remedy for each violation found;

and

"(3) A notice of the right to appeal."

The one-hundred eighty days from the date of the Taskforce's Complaint expired on August 1, 1997. The only response to the Complaint by the Commission before this date is the letter of July 14, 1997 from the Office of Engineering and Technology, signed by Richard M. Smith. This letter not only failed to state findings of fact and conclusions of law, as required, but specifically deferred doing so, in violation of Commission rules.

Furthermore, the letter of July 14, 1997 did not contain a notice of the right of the Taskforce to appeal, also as required by the Commission's rules.

3. The issue of discrimination was incorrectly deferred to a decision in ET Docket 93-62.

The Complaint of February 2 specifically alleges that the Final Rule in ET Docket 93-62 is an act of discrimination by the Commission against a group of qualified disabled individuals, under 47 CFR 1.1830(a) and (b). The issue of discrimination by the Commission is not an issue that was raised in ET Docket 93-62. Therefore the Second Memorandum Opinion and Order in that Docket could not have been expected to, and in fact did not, address this issue, and the matter therefore remains unresolved.

4. The issue of electrosensitivity also remains unaddressed.

The Commission disposed of the issue of electrosensitivity in the Second Memorandum Opinion and Order by merely noting in paragraph 31 that it is not qualified to evaluate the issue, and implying that such evaluation should be done by "expert organizations and federal agencies with responsibilities for health and safety."

If it is the case, as implied in paragraph 31 of the Second Memorandum, that the Commission does not have jurisdiction over complaints involving electrosensitivity, then the Commission is required under its rules, in 47 CFR 1.1870(e), to refer the

complaint to the appropriate government agency, and the Commission should not have accepted this Complaint.

If, however, the Commission does have jurisdiction, then it is incumbent on the Commission to investigate complaints based on electrosensitivity and to produce findings of fact and conclusions of law as required in Section 1.1870(g).

5. Conclusion

The letter of July 14, 1997 constitutes the extent of the Commission's response to the Taskforce's complaint of February 2, 1997, and as such is a denial of said complaint. The specifics of the complaint, namely discrimination on the basis of electrosensitivity, were not investigated, and findings of fact and conclusions of law were not made. The Taskforce therefore appeals this denial under the procedures set forth in 47 CFR 1.1870(h). The electrosensitive of the United States, being a class of qualified individuals with handicaps, continue to be deprived of our health, our welfare, our livelihood, our homes, our enjoyment of life, the use of the national communication and transportation networks, and our future, by virtue of the Radiofrequency Safety Guidelines adopted by the Commission on August 6, 1997. Those Safety Guidelines must be set aside.

Respectfully submitted,

October 6, 1997

by Arthur Firstenberg
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Before the
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Washington, DC 20554

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In the Matter of)	IB Docket No. 95-91
)	GEN Docket No. 90-357
Establishment of Rules and)	RM No. 8610
Policies for the Digital Audio)	PP-24
Radio Satellite Service in the)	PP-86
2310-2360 MHz Frequency Band)	PP-87

REPLY TO OPPOSITIONS

The Cellular Phone Taskforce hereby replies to the oppositions filed in the above-captioned proceeding by the American Mobile Radio Corporation (filed May 12, 1997) and by CD Radio Inc. (filed May 9, 1997). These two parties, in their oppositions, both state that health effects are not appropriately raised in this proceeding.

Inasmuch as the matter of health effects of radio frequency radiation has not been resolved, it is entirely appropriate for those suffering such health effects to continue to address new sources of such radiation individually and collectively. ET Docket 93-62, Guidelines for Evaluating the Environmental Effects of Radiofrequency Radiation, is the appropriate forum to address these sources collectively. The present docket is the appropriate forum to address the present source of such radiation, i.e. Digital Audio Radio Satellite Service in the 2310-2360 MHz Frequency Band.

This is not a theoretical discussion. So long as Taskforce members continue to suffer real injury from radio frequency radiation, this matter cannot be considered to be resolved, and the

Commission's regulations cannot be considered to be effective, if by "effective" we mean that they prevent injury to the population. While we are waiting for this matter to be satisfactorily resolved, it is entirely inappropriate for injured parties not to receive a hearing in any forum in which a new source of radiation is to be approved or denied, especially one in which it is proposed that power levels of such radiation not be restricted.

Respectfully submitted,



Arthur Firstenberg
Chairman, Cellular Phone Taskforce
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Dated: May 16, 1997

CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of May, 1997,
I mailed copies of the foregoing Reply to Oppositions via
U.S. mail, first-class, postage paid, to the following:

Carl R. Frank
Wiley, Rein & Fielding
1776 K Street, N.W.
Washington, D.C. 20006
Counsel for CD Radio, Inc.

Stephen J. Berman
Fisher Wayland Cooper Leader & Zaragoza L.L.P.
2001 Pennsylvania Ave., N.W.
Suite 400
Washington, D.C. 20006
Counsel for American Mobile Radio Corp.


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February 26, 1997

Office of the Secretary
Federal Communications Commission
1919 M Street, N.W.
Room 222
Washington, DC 20554

Re: Cellular Telecommunications Industry Association (CTIA)
Petition for Declaratory Ruling
DA 96-2140

Dear Mr. Secretary:

This letter is a comment on CTIA's petition which seeks preemption of moratoria imposed by state and local governments on siting of telecommunications facilities. Mr. Shaun Maher, in conversation with me today, said that my comments would be considered and included in the record, even though the January 17 comment date has passed.

For the record, I would like to add that the reason for the lateness of this filing is related to the reasons for my opposition, as representative of the Cellular Phone Taskforce, to CTIA's petition. We are people who have been injured by exposure to electromagnetic radiation, and who by reason of such injury are disabled to the extent of being unable to use computers and fax machines. Therefore, by reason of our handicap, sources of information such as the Commission's Internet site are inaccessible to us and the only source of information about Commission documents available to those of us who do not live in Washington is the Federal Register. The announcement of CTIA's petition was published in the Federal Register after the January 17 comment date had already passed, necessitating this late response.

I concur with the comments submitted by Jeff Akins of the Bulloch County Board of Commissioners, dated January 15, 1997, supporting the use of temporary moratoria on siting telecommunications facilities as a legitimate means to aid local governments in dealing with the legal complexities of rapidly developing and changing technology, the sweeping changes instituted by the Telecommunications Act of 1996, and the concerns of a citizenry bewildered by the speed at which it is all happening.

Office of the Secretary
Federal Communications Commission
February 26, 1997
page 2

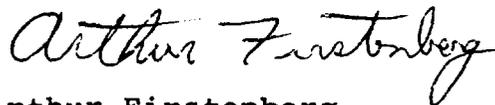
The Telecommunications Act of 1996 states that local governments shall act on requests to place telecommunications facilities "within a reasonable period of time" (Sec. 704(a)). By this language, Congress clearly intended to give local governments a reasonable amount of time to deal with the complexities now before them. To outlaw moratoria would be contrary to the intent of the Act.

In addition, there are a number of legal issues related to the siting of telecommunications facilities that have not yet been resolved, and it would be highly premature to force local governments which are considering such issues to make siting decisions before these issues are resolved and clarified.

One of these issues which is of particular concern to the Cellular Phone Taskforce is the manner in which the electrically sensitive population will be protected, and new cases of electromagnetic injury will be prevented. Before the Commission at this time for its consideration are several Motions by the Cellular Phone Taskforce in this regard in ET Docket No. 93-62. Also before the Commission is a Complaint, filed February 3, 1997, alleging that the Radiofrequency Safety Guidelines adopted August 6, 1996 discriminate against the electrically sensitive on the basis of their handicap. New evidence has also been submitted along with these documents which tends to invalidate the scientific evidence on the basis of which those Safety Guidelines were formulated: namely, a comprehensive review of the literature on low-level microwaves; and strong evidence that 1.9 GHz digital personal communications services (PCS) systems are already causing radiation sickness in thousands of people in New York City and elsewhere.

For the above reasons, I urge the Commission to deny the petition of the CTIA. To preempt all moratoria by state and local governments would be highly premature, contrary to the intent of Congress, and injurious to public health.

Sincerely,



Arthur Firstenberg
Chairman, Cellular Phone Taskforce

cc: International Transcription Service, Inc.
Shaun A. Maher, Esq.

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March 23, 1997

Office of the Secretary
Federal Communications Commission
1919 M Street, N.W.
Room 222
Washington, DC 20554

Reference No. ISP-96-005

Dear Mr. Secretary:

This letter is a comment on the second set of joint preliminary draft proposals, numbers 10-20, for WRC-97, and on proposals for WRC-97 in general. These are mostly proposals to allocate and regulate radiofrequency spectrum on a worldwide basis in such a way as to protect users of each portion of the spectrum from harmful interference. Levels of priority have been established. However, the first level of priority in any allocation of spectrum should be the protection of biological systems from harmful interference. Existing safety regulations in the United States and other countries are hopelessly inadequate to protect the environment and prevent injury to people. Evidence to this effect has already been submitted to the Commission by the Cellular Phone Taskforce in ET Docket No. 93-62: Petition for Reconsideration of August 30, 1996; Reply to Comments of AT&T Wireless Services, Inc. of Oct. 15, 1996; Opposition to Petition of Paging Network of Oct. 5, 1996; and Petition for Reconsideration of Feb. 17, 1997.

We have submitted an extensive review of the literature on non-thermal hazards with our Feb. 17 Petition. This literature is in no way in conflict with the literature on thermal hazards, and has been ignored too long in making public policy, with unfortunate consequences which are now becoming evident. We are presently collecting information on thousands of illnesses in New York, Pittsburgh, Las Vegas and other cities which are definitely connected with the broadcast of 1.9 GHz digital PCS signals. We are also in possession of reports of illness from other radiofrequency broadcasts, possibly even from satellite signals, but the inauguration of so many new technologies at once using so many parts of the spectrum at once prevents the identification of specific signals in these cases, other than to say that a general overload of radiofrequency radiation is causing these illnesses. Our reports are coming from both individuals and physicians.

Office of the Secretary
Federal Communications Commission
March 23, 1997
page 2

It must be pointed out that laboratory and epidemiological studies, cited in my review of the literature, Microwaving Our Planet: The Environmental Impact of the Wireless Revolution (Arthur Firstenberg, 1996, Cellular Phone Taskforce), indicate that satellite signals do affect biological systems adversely, and that the biological effect of radiofrequency signals is not necessarily proportional to the strength of those signals. We would also point out that these studies, some of which are still underway in Skrunda, Latvia and elsewhere, have not been contradicted by other evidence.

In light of all these facts, a priority of WRC-97 should be a total re-evaluation of radiofrequency safety standards before any further allocations of spectrum for any purpose are agreed to. The Cellular Phone Taskforce requests the FCC WRC-97 Advisory Committee and the NTIA draft such a proposal for the United States to bring to the world conference, and that this proposal receive priority above all other United States proposals to WRC-97. We will be glad to offer our assistance in this urgent matter.

Sincerely,



Arthur Firstenberg
Chairman, Cellular Phone Taskforce

cc: Director, Office of Spectrum Plans and Policies, NTIA
Lucinda Grant, Electrical Sensitivity Network

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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In the Matter of)	IB Docket No. 95-91
)	GEN Docket No. 90-357
Establishment of Rules and)	RM No. 8610
Policies for the Digital Audio)	PP-24
Radio Satellite Service in the)	PP-86
2310-2360 MHz Frequency Band)	PP-87

PETITION FOR PARTIAL RECONSIDERATION

Regarding FCC Report and Order
Adopted and Released March 3, 1997

The Cellular Phone Taskforce ("Taskforce") urges the Commission to reconsider its decision not to apply power flux-density (pfd) limits on satellite DARS networks (paragraph 114 of the Report and Order and Memorandum Opinion and Order). The Taskforce bases this request on information contained in a report published in November 1996 and made available to the Commission previously¹, entitled Microwaving Our Planet: The Environmental Impact of the Wireless Revolution (Arthur Firstenberg, 1996, Cellular Phone Taskforce); and on information reported to the Taskforce by individuals in various parts of the United States this winter.

Pages 19, 22, and 52-53 of Microwaving Our Planet review laboratory and epidemiological evidence that satellite signals are biologically effective and harmful.

¹ Accompanying the Taskforce's Petition for Reconsideration in ET Docket 93-62, Guidelines for Evaluating the Environmental Effects of Radiofrequency Radiation, February 17, 1997.

The Taskforce runs a clearinghouse on health problems caused by wireless transmissions. Many electrically sensitive individuals are reporting both health and auditory effects of radiofrequency transmissions in areas of the United States where those transmissions can only be coming from satellites. It is noted that these reports have increased dramatically during the past six months. The radiowave syndrome is well documented and medically provable. See especially pages 7-16 and 31-37 of Microwaving Our Planet.

In light of the above, the Taskforce is extremely concerned about the lack of power density limits on satellite DARS broadcasts, and asks the Commission to require all systems to at least meet a pfd level at the Earth's surface of $-139 \text{ dB(W/m}^2/4 \text{ kHz)}$, as originally contemplated.

Respectfully submitted,

by Arthur Firstenberg
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April 9, 1997

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Washington, DC 20554

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In the Matter of)	IB Docket No. 95-91
)	GEN Docket No. 90-357
Establishment of Rules and)	RM No. 8610
Policies for the Digital Audio)	PP-24
Radio Satellite Service in the)	PP-86
2310-2360 MHz Frequency Band)	PP-87

COMMENTS ON FURTHER NOTICE OF PROPOSED RULEMAKING

The Cellular Phone Taskforce ("Taskforce") hereby submits comments on the Commission's Further Notice of Proposed Rulemaking on Terrestrial Repeaters, which was released in connection with its Report and Order in the above-referenced matter on March 3, 1997.

The Commission requests comments on any potential effects of radio frequency emissions to the public from the proposed terrestrial repeaters, specifically with reference to the Commission's Rules for environmental effects as defined by Sections 1.1301 through 1.1319 of the Commission's Rules.

The Taskforce has submitted Petitions for Reconsideration and other Motions in ET Docket No. 93-62 with regard to the adoption of the Commission's Rules for environmental effects. The issues we raised have not been resolved. The approval of terrestrial repeaters for a new nationwide service, as proposed in these proceedings, would magnify the problems we already raised in our Motions in ET Docket No. 93-62. We therefore oppose the licensing of satellite DARS

complementary terrestrial repeaters because of its probable environmental effects.

Respectfully submitted,

by Arthur Firstenberg
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April 28, 1997

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)
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Petition of the Intelligent)
Transportation Society of)
America for Amendment of the) RM-9096
Commission's Rules To Add)
Intelligent Transportation)
Services (ITS) as a New Mobile)
Service With Co-Primary Status)
in the 5.850 to 5.925 GHz Band)

REPLY COMMENTS

The Electrical Sensitivity Network herein replies to the comments filed regarding the above-named proposal.

The Electrical Sensitivity Network is a national support group for people who become ill during electromagnetic exposures; this illness is known as electrical sensitivity (ES). These health effects can be life-threatening. Avoidance of EMF exposures is the primary tool for averting these adverse ES effects. We typically live in low EMF areas and minimize use of electrical appliances in order to cope.

The proposal to flood the nation's highways with microwave transmissions for the myriad automated highway systems makes no accommodations for those who are at risk of injury from such exposures: the electrically sensitive, epilepsy patients, cardiac pacemaker users, cataract patients, etc. Will we no longer be able to safely travel the roads, not even as a passenger in an ambulance?

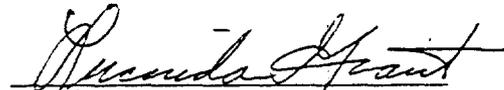
Also, this proposal should not be accepted because it would subject the general public to radiation exposure without historical precedent, which has no scientific proof of safety among a population which includes many at-risk groups, including children.

Electromagnetic interference from the automated highway systems will not only disturb the body's natural electricity but will undoubtedly increase safety problems of interference with car instrumentation and controls, such as the electronic systems (ignition, etc.), doors, windows, displays, etc. and consumer products used in the cars. These safety problems would be the equivalent of problems with various consumer devices (computers, cellular phones, etc.) in airplane travel, necessitating banned use of the devices during takeoffs and landings to prevent electromagnetic interference from causing a safety problem during these critical times.

In conclusion, these automated systems which are billed as safety measures will bring up a new set of safety issues regarding electromagnetic interference in automobile travel and endanger the lives and health of the segment of the population who will be unable to safely travel the roads with

these systems. While some say that these exposures are too low to bother anyone, this general statement does not consider electrical sensitivity, which reduces one's tolerance to "normal" electromagnetic exposures. Until the electrically sensitive population is considered in the overall planning of wireless exposures in public areas, no further approval of wireless systems such as this one should be considered. One way people become ES is by chronic EMF exposure, and this system is another that could increase ES in the general population, and we don't know how many people will be affected - safety concerns must prevail.

Respectfully submitted,



Lucinda Grant
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Sensitivity Network
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(520) 778-4637

August 15, 1997

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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FCC MAIL ROOM

In the Matter of)
)
Spectrum Allocation Proposals) IB Docket No. 97-95
for Fixed-Satellite, Fixed,) FCC 97-85
Mobile, and Government Operations)

COMMENTS ON PROPOSED RULE

The Cellular Phone Taskforce ("Taskforce") hereby submits comments on the Commission's proposed rule in the above-referenced proceeding. The Taskforce has submitted Petitions for Reconsideration and other Motions in ET Docket No. 93-62 with regard to the adoption of the Commission's Rules for environmental effects. The concerns raised by the Taskforce in that proceeding are magnified with every new proposed allocation of spectrum for terrestrial and satellite broadcast use, particularly in light of the increasing number of reports the Taskforce is receiving nationwide of adverse health and particularly auditory effects, even in areas where the source of those auditory effects can only be satellite broadcasts.

In this regard we particularly bring to the Commission's attention that the Environmental Protection Agency (EPA) disagrees with the 1992 ANSI/IEEE standard's statement that the human auditory effect is not deleterious. That position was made clear in the EPA's comments to the Commission on FCC 93-62, April 1993, Notice of Proposed Rulemaking, and has not altered.

The Taskforce urges the Commission to adopt a moratorium on the licensing of new spectrum for terrestrial and satellite services, as we requested in our Petition for Reconsideration of August 30, 1996 in ET Docket No. 93-62, pending the final resolution of the issues we have raised in that proceeding.

Respectfully submitted,

by Arthur Firstenberg
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April 28, 1997

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America for Amendment of the) RM-9096
Commission's Rules To Add)
Intelligent Transportation)
Services (ITS) as a New Mobile)
Service With Co-Primary Status)
in the 5.850 to 5.925 GHz Band)

REPLY COMMENTS

The Cellular Phone Taskforce hereby replies to the initial comments filed in the above-captioned proceeding. The Taskforce opposes the allocation of frequencies for use in Intelligent Transportation Services (ITS), and believes it is not in the public's interest, nor in the interest of an unpolluted environment, to facilitate the use of Dedicated Short Range Communication ("DSRC") based systems along the nation's highways, contrary to the assertions of most of the commenters.

1. Statement of Interest

The Cellular Phone Taskforce is comprised partially of citizens who are already suffering serious illness, or have lost their homes, or have had to move away from their place of residence, because of microwave radiation from wireless communications technology installed in their vicinity during the past nine months. Some of our members have died because

of continuing involuntary exposure to such radiation. A review of the scientific literature on exposure to microwaves at power densities of from .0000000026 microwatts per square centimeter to 500 microwatts per square centimeter ($\mu\bar{W}/\text{cm}^2$) indicates overwhelmingly that, contrary to the Commission's safety guidelines established August 6, 1996, such radiation is extremely injurious to life.¹ The large majority of

¹ 0.6 $\mu\text{W}/\text{cm}^2$ at 1425 MHz can cause arrhythmias or even stop the heart: Frey, A.H. and Seifer, E. Pulse modulated UHF energy illumination of the heart associated with change in heart rate. Life Sciences 7(Part II):505-512, 1968.

10 $\mu\text{W}/\text{cm}^2$ impairs memory and visual reaction time: Chiang et al. Health effects of environmental electromagnetic fields. Journal of Bioelectricity 8(1):127-131, 1989.

Less than 0.1 $\mu\text{W}/\text{cm}^2$ is enough to impair motor function, reaction time, memory and attention: Kolodynski, A.A. and Kolodynska, V.V. Motor and psychological functions of school children living in the area of the Skrunda Radio Location Station in Latvia. The Science of the Total Environment 180:87-93, 1996.

Chronic exposure produces changes in brain waves similar to those seen in epileptic seizures: Klimkova-Deutschova, E. Neurologic findings in persons exposed to microwaves. Biologic Effects and Health Hazards of Microwave Radiation: Proceedings of an International Symposium, Warsaw, 1973, P. Czerski et al., eds., pp. 268-272.

Garaj-Vrhovac et al. write that microwave radiation is "a known mutagenic agent": Garaj-Vrhovac, V. et al. Somatic mutations in persons occupationally exposed to microwave radiation. Mutation Research 181:321, 1987.

Balcer-Kubiczek proved microwaves are carcinogenic, using 2.45 GHz pulsed waves at 0.1 W/kg: Balcer-Kubiczek, E.K. Experimental studies of electromagnetic field-induced carcinogenesis in cultured mammalian cells. In On the Nature of Electromagnetic Field Interactions with Biological Systems, A.H. Frey, ed., 1994, pp. 143-155.

0.00000002 $\mu\text{W}/\text{cm}^2$ at 6 GHz has hormonal effects: Kondra, P.A. et al. Growth and reproduction of chickens subjected to