COMMENTS IN RESPONSE TO FCC PUBLIC NOTICE DA 26-997

ET Docket No. 13-84| Released Sept 17, 2026

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

In response to the FCC's September 25, 2026 court filing in opposition of a writ of mandamus, the FCC states **that "**The FCC generally lacks 'the expertise to interpret[] the biological research necessary to determine what [RF radiation] levels are safe,' Environ. Health Trust, 9 F.4th at 920 (Henderson, J., dissenting)…" (pg. 17) and therefore if this is true, how can you the FCC assure the courts and the public that "The Record Does Not Demonstrate A Substantial Health Risk"(pg.18) and there is NO health and environmental safety issue due to current wireless RF radiation emissions allowed and how can you assure the courts and the public that your safety testing protocols called into question in EHT vs FCC are adequate to actually protect human health and the environment? Also FCC if this is true, how can you assure the courts and the public FCC how can you state that "There is thus "insufficient record evidence that a substantial health risk would result from some further delay." if you have admitted to "The FCC generally lacks "the expertise to interpret[] the biological research necessary to determine what [RF radiation] levels are safe," therefore, you FCC also lack the expertise to even review and pass judgement regarding the record evidence? The fact is FCC you in essence are admitting that you are guilty of a dereliction of your duties and responsibilities to manage the safety of wireless emissions since you were given that responsibility 30 years ago in 1996 and your 5 year delay in responding put the health and safety of the American people more at risk, and I hope the courts order that

responsibility for managing the health and environmental safety of wireless RF radiation emission be moved to an agency with actual expertise in health and environmental safety.

On page 21, the FCC states “The Commission Is Acting In Good Faith.” How can the FCC be acting in good faith and defend their duties and responsibilities to oversee the safety of wireless technology emissions while at the same time admitting that they do not have competency and capacity to fulfill their responsibilities? How can the FCC say they are acting in good faith while instead of addressing the remand regarding the adequacy of wireless safety guidelines and wireless device safety testing, they were actively trying to dramatically accelerate wireless deployment with FCC Docket 25-276 Build America: Eliminating Barriers To Wireless Deployments and just this past Sept 30, 2026 in a FCC Open Commission Meeting (ref 2), you FCC passed agenda items that streamlined the environmental protections through NEPA which apply to wireless deployment, authorized release of significant amounts of additional spectrum for satellite deployment that have never been safety tested for biological or environmental safety, and UNLEASHED Ultrawide Band frequencies that have never been tested for biological or environmental effects that can be used for “wall penetrating radar.” (ref 1) What FCC do these “wall penetrating radar” do when penetrate human beings? Yes as you stated above you do not know; shouldn’t you know before you unleash them on the innocent public? This disregard for human and environmental safety is criminal and certainly should not be seen as acting in good faith.

On page 9, the FCC admits that it maintains a stance of “watchful waiting” which is clearly irresponsible and dangerous given the fact that wireless RF radiation

emissions and other electromagnetic field (EMF) emissions are clearly at a minimum bioactive, meaning they can cause biological effects and Carcinogenic, Neurotoxic, and Genotoxic according to the 11,000 studies demonstrating wireless RF radiation effects and other EMF effects below current FCC thermal only safety guidelines submitted initially in EHT vs FCC from FCC Dockets 13-84 and 19-26, the thousands of more studies demonstrating wireless RF radiation and other EMF effects below current FCC thermal only safety guidelines submitted recently to FCC Docket 25-276, the thousands of additional studies demonstrating wireless RF radiation and other EMF effects below current FCC thermal only safety guidelines submitted to this Docket 13-84 currently in this request for comment, as well as the studies demonstrating wireless RF radiation effects and other EMF effects submitted in other FCC Dockets in which I know there are many. In this science and in other science, there is clear scientific evidence that wireless RF radiation emissions and other EMF emissions can be linked to the Autism epidemic, low fertility epidemic, early dementia epidemic and cancer epidemic in this country. Most recently, wireless RF radiation has been linked to the Diabetes epidemic in this country as well. But this should not be a surprise to anyone. Simply put, these wireless RF radiation emissions are microwave emissions and we are slowly microwave poisoning our population. The FCC failure to actively risk manage wireless RF radiation emission and other EMF biological and environmental safety has resulted in the injury, disability, and death of innocent Americans as evidenced by the 504 testimonials of EMF injury submitted along with this comment in addition to thousands of additional studies demonstrating wireless RF radiation and other EMF effects routinely ignored by the FCC. These testimonials should serve as proof that innocent Americans are and

continue to get injured by wireless RF radiation due to FCC refusal to actively risk manage wireless RF radiation emissions and worsening this injury by failing to respond to the courts remand for an additional 5 years. These testimonials represent a larger segment of the population being injured by wireless RF radiation and other EMFs. A recent study, *Wireless sensitivity and co-morbidities: A prevalence study in Australia, Canada, and the United States,* estimates the prevalence of wireless sensitivity to be 12.6% which in the US would be 43,167,600 Americans noticeably affected by wireless RF radiation and other EMF health effects (ref 3)--of which the FCC is monitoring and surveying zero, of which the FCC is helping and aiding zero, and of which the FCC is trying to actively protect zero.

On page 17, FCC you state “Because the agency’s examination of the effects of RF energy exposure on human health could have broad ramifications, the agency must be meticulous in its analysis.” Ok FCC if your analysis has been meticulous for the past 5 years, show the courts and the public evidence of your meticulous process, show **w**hat staff have been assigned to this meticulous task, what budget has been allotted to doing this meticulous analysis, and show that the process began 5 years ago and you did not just begin one month ago when you reopened FCC Docket 13-84 to ask for the help of the public and broader community to do a job you have not done for the past 30 years.

Fact is we are electromagnetic beings, our cells, organs, body systems function electromagnetically as demonstrated by EKGs, EEGs and EMGs and the fact is the FCC fails to safety test the interaction between the billions of wireless microwaves per second transmitted by wireless devices and transceivers and our own electromagnetic

cells, organs and body systems. The fact that the FCC has consciously decided to sit back and not risk manage wireless RF radiation emissions as the bioactive, carcinogenic, genotoxic and neurotoxic agent that it is ---is unforgiveable and FCC should be held accountable. The courts should issue a ruling which forces responsibility for risk managing the safety of wireless RF radiation and other EMF emissions biological health and environmental safety from the FCC which has no admitted expertise to an actual health and safety agency with expertise such as HHS or EPA.

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 made by NY Times 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 AT&T. 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 to 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 criticized 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.

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 whose 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. Currently, 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 study conclusions regarding human studies in 2011. One only needs to follow the money and the significant conflicts of interest 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 harmfully exposing people.

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.

On page 10 of the FCC response to the courts, the FCC mentions in their public notice DA 26-9 request for input regarding reopening of Docket 13-84, that input would be welcomed from a wide array of parties including “’NCRP, IEEE, [and] the International Commission on Non-Ionizing Radiation Protection (ICNIRP)’ entities that ’have published standards, articles, or information related to RF exposure that may assist in responding to the court’s remand.’” But the courts should dismiss the input of all of these groups and standard setting bodies because they have in common a reliance on the false scientific notion that there are only thermal harmful effects from wireless RF radiation emissions and other EMF emissions but this notion has been proven scientifically FALSE decades ago and most recently articulated by the International Commission on Biological Effect of Electromagnetic Fields, please see *ICBE-EMF: Scientific evidence invalidates health assumptions underlying the FCC and ICNIRP exposure limits: implications for 5G* submitted along with this comment. Therefore, for the FCC to rely on the recommendations of these outside groups and

standard setting bodies that rely on a primary scientific theory that is false is unacceptable and will result in the continued EMF injury of innocent Americans. The courts must see this basic flaw in the FCC thinking, arguments, and safety guidelines, and safety testing protocols that only seek to prevent thermal effects from wireless RF radiation not non-thermal effects which make up the majority of effects.

On page 19, FCC states **"**Nothing in the Environmental Health Trust decision suggests that the Commission's RF energy exposure limits cannot be justified on remand. There is thus 'insufficient record evidence that a substantial health risk would result from some further delay' In re United Mine Workers of Am. Int'l Union, 190 F.3d 545, 553 (D.C. Cir. 1999)." FCC how can you say "Nothing in the Environmental Health Trust decision suggests that the Commission's RF energy exposure limits cannot be justified on remand" when your exposures limits and safety testing protocols are based on the assumption that there are only thermal effects and the record evidence includes thousands of studies demonstrating non-thermal effect that your guidelines and testing protocols assume do not exist?

The definitive proof that the FCC's wireless safety guidelines and safety testing protocols are based on a false scientific notion, that is, that there are only thermal effects from wireless RF radiation and other EMF radiation to risk manage, is the fact the FDA has been medically and scientifically reviewing and approving EMF devices for their non-thermal, non-ionizing biological and health effects for decades. Where there are effects, there are possible negative harmful side effects in every case.

I submitted along with this comment a list of FDA classifications for EMF devices, a sample of the EMF devices already approved, and the non-thermal, non-ionizing

frequencies they use to treat a wide variety of health conditions including: brain cancer, pancreatic cancer, lung cancer, liver cancer, bone fractures, muscle disorders, hand tremors, blood circulation, inflammation, pain, anxiety, OCD, major depression, insomnia, ADHD, opiate withdrawal, smoking cessation, etc.

What happens when people are exposed to much more intense non-thermal, non-ionizing EMFs farther up the EMF spectrum than these frequencies-- billions of times more intense, and these frequencies are being overdosed randomly by wireless carriers rather than MDs and medical providers with no consideration of their non-thermal biological and health effects sometime 24hrs a day in the case of WiFi and cell tower emissions and combined and dosed with other EMF devices randomly as in the case of someone who lives near a cell tower, uses a wireless laptop, holds a wireless cell phone in their hand, has a wireless watch on their arm, and sticks a wireless phone ear piece in their ear all pulsing different frequencies in different combinations at different intensities many hours a day and sometimes all day again with no with consideration of their non-thermal biological and health impacts except whether they heat the skin like a microwave oven even though wireless EMF devices do not operate like a microwave oven?

Submitted to the record along with this comment is a sample of the EMF devices and the frequencies approved for use by the FDA. There are thousands of devices approved in some of these categories that have been approved over decades. FCC you cannot have it both ways -- the FCC says there are no non-thermal, non-ionizing biological and health EMF effects to risk manage and this way are able to maintain their very permissive thermal only safety guidelines that allow them to sell lots of wireless cell

phone devices. And the FDA is medically approving EMF devices for their non-thermal, non-ionizing health effects so they can approve and get the licensing fees and promote EMF medical devices. Both agencies are profiting for the benefit of US government by selling devices. Someone is lying. The FCC is lying to the public regarding wireless RF radiation safety and innocent people are having negative health symptoms 43,167,600 Americans according to one study-see above (ref 3).

Interestingly, the medical conditions and symptoms these EMF Devices treat parallel the symptoms and conditions reported by those injured by wireless RF radiation exposure overdose with Microwave Syndrome or EHS or EMS or radiofrequency sickness or EMR-R or however the group that is dealing with the people becoming sick from wireless technology labelled it.

FCC citing NCRP, ICRP, IEEE is a problem, looking to outside groups, and outside international standards setting bodies rather than our own safety testing as we do with other bioactive agents like prescription medications. This is not what the US government typically does, take the safety assurances from outside groups or outside standard settings bodies or other governments for granted as being correct. The US usually safety tests and evaluates for themselves which they have not done in this case – not tested the biological safety of wireless RF radiation and other EMF emissions. It points out the critical problem which is that the **FCC admittedly does not have expertise to safety test and risk manage emissions for biological safety and does not even have the expertise to know if the input from outside groups and outside standard setting bodies is valid or effective which it is not**. We know there are non-

thermal effects, a fact which makes the input of these other groups: NCRP, ICNIRP, IEEE false and ineffective in providing actual biological and environmental safety.

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 and completed thorough risk assessment for all technologies in all scenarios with all population according to the 1996 Telecom Act but they do not**. Therefore, FCC should develop or ask an agency like HHS which assumes responsibility for wireless RF radiation emission safety to 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 any other country 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 in this case only 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.

Given you FCC have the responsibility for wireless health and environmental safety, you should not be discharging this responsibility by deferring to other groups. Instead, you FCC should give this responsibility to an agency like HHS which is qualified to risk manage health and environmental effects. We could give you 10 years, and still, you FCC wouldn't have the expertise. You FCC need to transfer the responsibility to an agency with health and safety expertise.

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 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. FCC does not do real world testing of actual exposures in real world use settings especially in combination with other transmitters which people are exposed to in real scenarios. 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 needs to do what is scientifically and morally right and 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/environmental 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... FCC 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 harmful environmental effects?

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.

FCC needs 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. 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.

FCC needs to transfer responsibility for wireless RF radiation and other EMF exposures to an agency with health and environmental safety expertise like HHS. HHS needs 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.

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 for short and long term.

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.

FCC needs to do the scientifically and more thing to do and **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, 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.

FCC needs 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.

I am certainly not alone in saying that FCC has failed to risk manage wireless RF radiation effective and to call for an expert agency to fill the wide risk management gaps left by the FCC's deliberate failure. 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.

Rather than advocating for one industry, the wireless industry, FCC needs 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

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.

The other problem is the hiding and denying of wireless RF radiation and other EMF biological and environmental effects are an international global problem and studies demonstrating wireless RF radiation emissions and other EMF biological and health effects come largely from other countries around the world. But federal governments from around the world cooperate with industry in the hiding and denying of effects because all of these international federal governments profit from the sale of wireless frequency spectrum and the taxes which these wireless related businesses generate. These other federal governments are quite literally in the wireless business because in spectrum auction years they are often making the most from the wireless industry. I have submitted cell towers EMF effects studies from around the world along with this comment. An indication that wireless RF radiation emission biological and environmental effects are a global problem is the international medical doctors and scientists who have organized to address the problem. I submitted along with my comment many scientists and medical doctor appeals over the years begging the world's government, United Nations, as well as other ruling public health bodies like the WHO to do something about wireless RF radiation and other EMF exposure which in

essence is a massive global human experiment seeing what happens when you microwave radiate your entire population with insufficient thermal only safety guidelines ignoring long term, non-thermal effects which compose the vast majority of health and environmental effects.

On page 20, FCC complains that the relief requested in the petition would improperly "'put the petitioner[s] 'at the head of the queue' while 'mov[ing] all others back one space.'" Well the FCC **would not have to be moved up to the head of the queue if you FCC HAD STARTED TO RESPOND TO THE REMAND 5 YEARS AGO AS YOU WERE ORDERED TO BY THE COURTS.**

On page 20, the FCC further cites **"**Courts 'are properly hesitant to upset an agency's priorities by ordering it to expedite one specific action, and thus to give it precedence over others.'" But you FCC had five years to find time to respond to this remand; now that you are trying to find time amongst your other priorities is not the problem of the courts or the petitioners but rather another sign of your dereliction of your duties and responsibilities to manage the safety of wireless RF radiation emissions for 5 more years since the 25 years before that you refused to appropriately risk manage wireless RFR with your stance of "watchful waiting" and as a result continue to put the health and safety of every American at risk.

On page 19, the FCC complains it is currently "engaged in a number of important, complex proceedings, many of which are subject to statutory deadlines. See, e.g., In the Matter of Upper C-Band (3.98-4.2 GHz), No. 18-122, 2026 WL 2186867, at *16 ¶ 47 (rel. July 24, 2026)(discussing the One Big Beautiful Bill Act, Pub. L. No. 119-21, § 40002, 139 Stat. 72 (2025), which requires the FCC to issue licenses for not less

than 100 megahertz of spectrum in the Upper C-band through a competitive bidding process by July 4, 2027, and directs the Assistant Secretary of Commerce, in consultation with the FCC, to identify 500 megahertz of spectrum for high-power, high-density, and wide-area commercial mobile services. **But logically, Congress would not have ordered**: a power increase allowed for 5G phones and auction of additional spectrum if they fully understood the health, safety and environmental issues at the heart of this remand. FCC you have these other statutory requirements because you have not thoroughly briefed the Commerce Committees and the rest of Congress who have to ultimately vote on these statutory requirements on the details of this EHT vs FCC court case, the specific remand, and your unwillingness to address the remand, and its serious implications to the health and safety of all Americans and our environment. It is another example of your dereliction of your duties and responsibilities and more reason that these responsibilities should be moved to an agency which has expertise in health and environmental safety.

On page 21, FCC argues that “they identify no other interests that would be adversely affected” and they should not have to prioritize responding to the remand for reasons other than for health and environmental safety mentioned by the petitioners. Well yes maybe so but protecting the health and safety of 100% of the American population that is being increasing involuntarily exposed to a variety of completely unnatural, manmade, harmful, Electromagnetic Fields is more than enough reason for the FCC to respond to the remand and do it immediately--- like 5 years ago. Yes, FCC you need to hurry up and do your job—a job you consciously failed to do for the past 30 years in your own words – “watchfully waiting” as millions became Microwave Sick,

failed to do a job that puts the health and safety of every American at risk. What priority could be more important than saving people's lives? Have you ever had a brain tumor? How about neurological sensitivity to the point you cannot leave your house? These are some of the ailments Microwave Sick/EHS/EMS/radiofrequency sick people report IF you read the 540 testimonials from innocent Americans you have injured, disabled and killed.

On page 11, FCC cites in their response "….delays that might be reasonable in the sphere of economic regulation are less tolerable when human health and welfare are at stake;…" Human Health and well-being of our entire population are definitely at stake in this case and no further delay should be tolerated by the courts. FCC has been consciously "watchful waiting" and not actively risk managing wireless RF radiation for 30 YEARS since the 1996 Telecom Act so no further delay should be tolerated! With "93% of American households had a smartphone" or 125,364,000 Households being directly exposed and 100% of our 342,600,000 Americans being involuntarily exposed by cell towers, public WiFi, second-hand cell phone emissions etc, there can be no excuse and no higher priority for the FCC's attention.

On page 18, FCC states ,"The FCC's RF energy exposure limits are structured to protect human health, and '….the Commission takes its charge "to protect the public from any potential harm due to RF exposure seriously.'" But FCC, how seriously can you be about protecting the public from harm when you admit you have no expertise in assessing or risk managing the safety of wireless RF radiation exposures? Through these and many other obvious contradictions listed above, it seems that you FCC are

continually lying to the courts and the public regarding wireless RF radiation and other EMF safety.

I cannot believe the arrogance and apathy toward protecting the American people that the FCC shows in their response to the courts. I truly hope they are held accountable for putting corporate interests and profits over the health and environmental safety of America.

Sincerely,



Kevin Mottus
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CA Brain Tumor Assn
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References:

1 - The FCC's September 25, 2026 court filing

https://ehsciences.org/wp-content/uploads/2026/09/26-1121-FCC-Response-Sept-25-2026-to-Writ-if-Mandemus-Documents-1.pdf

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

https://www.fcc.gov/September2026

3 - Wireless sensitivity and co-morbidities: A prevalence study in Australia, Canada, and the United States

https://www.sciencedirect.com/science/article/pii/S3050475926002745

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/