



May 11, 2022

Re: National Council on Disability – Quarterly Business Meeting - May 12, 2022¹

Dear National Council on Disability,

This is to provide a brief summary of core issues related to electromagnetic radiofrequency radiation (RF) exposure for placement into the National Council on Disability's (NCD) record.² The NCD is receiving information at its May 12, 2022 meeting, per notice in the Federal Register. It is recommended that NCD review these materials and then schedule a hearing and open the record for comments regarding the establishment of an action plan for protecting people with disabilities who are impacted or may be subject to harmful impact.

Given NCD's remit, it is ideally placed to convey initial findings to a broad swath of the U.S. Government. "NCD is an independent federal agency charged with advising the President, Congress, and other federal agencies regarding policies, programs, practices, and procedures that affect people with disabilities. NCD is comprised of a team of Presidential and Congressional appointees, an Executive Director appointed by the Chair, and a full-time professional staff."³

There are six (6) main items listed herein for NCD's review:

- 1). A Substantial and Growing Number of Doctors and Patients Have Cited EMF Exposure Involvement in Disabling People and in Being Especially Harmful to People With Pre-Existing Conditions.⁴
- 2). The Federal Communications Commission (FCC) Sets Human Radiofrequency (RF) Radiation Exposure Standards, Yet Its Keystone Regulations Have Been Remanded by a Federal Court.⁵

¹ Federal Register / Vol. 87, No. 84 / Monday, May 2, 2022 / Notices 25677 <https://www.govinfo.gov/content/pkg/FR-2022-05-02/pdf/2022-09412.pdf>

² Id.

³ <https://ncd.gov/about>

⁴ See: *CITIZEN PETITION FOR IMMEDIATE HAZARD RULING by the Department of Health and Human Services (HHS) concerning the current official policy of the Food and Drug Administration (FDA) regarding the safety of human exposure to non-ionizing radiofrequency (RF) radiation* (Petitioners: AMERICANS FOR RESPONSIBLE TECHNOLOGY (ART), a not-for-profit coalition of more than 150 allied organizations, and other petitioners Environmental Health Trust, Consumers for Safe Cell Phones, California Brain Tumor Association, Tahoe Stewards, Manhattan Neighbors for Safer Telecommunications, Sally Jewell Coxe and Robert Strayton. ("CITIZEN PETITION") (FDA-2021-P-1347-0001).

⁵ *Environmental Health Trust, et al., Petitioners v. Federal Communications Commission and United States Of America, Respondents*, United States Court of Appeals for the District of Columbia Circuit Argued January 25, 2021, Decided August 13, 2021, No. 20-1025. ("EHT v FCC") "The phenomenon of radio waves and microwaves moving through space is described as 'RF radiation.'"

[https://www.cadc.uscourts.gov/internet/opinions.nsf/FB976465BF00F8BD85258730004EFDF7/\\$file/20-1025-1910111.pdf](https://www.cadc.uscourts.gov/internet/opinions.nsf/FB976465BF00F8BD85258730004EFDF7/$file/20-1025-1910111.pdf)



- 3). The FCC's Human RF Radiation Exposure Standards Are Largely Derived From a Food & Drug Administration (FDA) Recommendation.⁶
- 4). The FDA Recommendation, According to a Federal Court Ruling, Appears to Not Have Ever Been Derived from an Administrative Procedures Act (APA) Compliant Process.⁷
- 5). Meanwhile, 5G Networks & Devices, Wireless Internet of Things (IoT) Networks & Devices, Satellite Mega-Constellation Networks & Devices, and Numerous Other Wireless RF Radiating Systems Are Being Deployed at an Exponentially Growing Rate.⁸
- 6). Professional-grade RF Spectrum Analysis Systems & Techniques Reveal That The Current FCC Human RF Radiation Exposure Standards (Which Are Under Court *Remand*) (i) Are Likely Being Systemically Exceeded Nationwide, (ii) Were Never Derived to Assess Non-Thermal Microcellular and Tissue Damage, and (iii) Were Never Prepared in an APA-Compliant Manner by the National Institutes of Health (NIH), the Environmental Protection Agency (EPA), FDA or other Health Care and Environmental Protection Agencies.⁹

In conclusion, it is recommended that NCD (i) review these materials and then (ii) schedule a hearing and open the record for comment regarding establishing an action plan for communicating to the executive and legislative branches a plan for protecting people with disabilities who are impacted by or may be subject to harmful impact from RF radiation exposure.

Sincerely,

/s/

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⁶ EHT v. FCC

⁷ Id. See also: CITIZEN PETITION

⁸ Id. See generally: IEEE Spectrum Magazine:

<https://spectrum.ieee.org/magazine/?msclkid=794d0eefd16d11ecbba4415cb3294e45#toggle-gdpr>; See also: Highlights of CTIA's 2021 Annual Wireless Industry Survey (July 27, 2021) <https://techblog.comsoc.org/2021/07/27/highlights-of-ctias-2021-annual-wireless-industry-survey/?msclkid=8a83889ad16c11ec94046fd9a567e808>

⁹ CITIZEN PETITION. Also, see generally: <https://ehtrust.org/>