

Sample state legislation establishing a commission to evaluate the environmental and health effects of the deployment of 5G wireless technology.

STATE OF _____

AN ACT, establishing a commission to study the environmental and health effects of evolving wireless technologies, including 5G.

Whereas, the State finds that the wireless industry is engaged in a massive deployment of microwave and millimeter-wave "small cell" antennas in (*name of state*) to facilitate the next generation of wireless communications known as Fifth Generation, or "5G," and

Whereas, the State finds that this new technology uses existing technology and new types of radio-frequency (RF) microwave radiation ("wireless radiation") to transmit large amounts of data, but requires much closer proximity to users, resulting in the dense deployment of antennas near schools, residences and businesses, and

Whereas, the State finds that the deployment of tens of thousands of these "small cell" antennas across our state raises serious questions regarding the potential health impacts of such installations on nearby residents, and results in an involuntary exposure of citizens without their knowledge or consent, and

Whereas, the State finds that the Federal Communications Commission ("FCC") has conducted no long-term testing of this new technology, and has failed to update its wireless radiation human exposure guidelines since 1996, despite being advised to do so by the U.S. General Accounting Office, the American Academy of Pediatrics, and scientists of the U.S. National Institutes of Health, and

Whereas, the State finds that wireless industry leaders have admitted that they have not conducted any safety tests to determine the possible adverse health effects from the constant exposure to wireless radiation that will result from the deployment of the new small cell antennas, and

Whereas, the State finds that a significant body of published, peer-reviewed, independent science exists linking exposure to wireless radiation with serious biological harm and increased risk of cancer, reproductive problems and neurological impairments, and

Whereas the State finds that populations especially at risk include pregnant women, children, the elderly, individuals with implanted medical devices, or cardiac or neurological problems, and

Whereas, the State finds that more than 250 medical and public health professionals have signed a joint statement urging government officials to consider the latest science on microwave radiation and human health, especially as it may be resulting in abnormal brain development in unborn children, and

Whereas the State finds that the theory that low-level exposure to radio-frequency microwave radiation is harmless, which has been the underlying principle of all federal legislation and regulations regarding wireless technologies for more than twenty years, has now been proven false,

Therefore, the State does hereby declare and resolve as follows:

§1. Establishment of the Commission

There shall be established a commission to study the environmental and health effects of evolving wireless technologies, including Fifth Generation or "5G" technology, with a focus on the potential health consequences the deployment and use of these technologies poses to our most vulnerable populations.

§2. Commission Membership

I. The members of the commission shall be as follows:

- (a) Three members of the Assembly, including one member each from the committees on *(insert relevant committees, such as Health, Education, Commerce, etc.)*, appointed by the Speaker of the Assembly.
- (b) Two members of the Senate, including one member each from the committees on *(insert relevant committees, such as Health, Education, Commerce, etc.)*, appointed by the President of the Senate.
- (c) One member of the public with expertise in the biological effects of wireless radiation, appointed by the Governor.
- (d) The Attorney General, or designee.
- (e) One member representing the business community, appointed by the Governor.
- (f) One member of the State Medical Society who specializes in environmental medicine and is familiar with wireless radiation, appointed by the Society.
- (g) One member representing the university system of *(name of state)* knowledgeable in wireless radiation, appointed by the chancellor.

(h) One member of the cell phone/wireless technology industry, appointed by the President of the Senate.

(i) The Commissioner of the Department of Health, or designee.

II. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named house member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Seven members of the commission shall constitute a quorum.

§3. Duties and Reporting Requirements

I. The commission shall:

(a) Examine the known and studied health and environmental impacts of exposure to wireless radiation emitted by waves in the 300 kilohertz (kHz) - 100 gigahertz (GHz) range, and

(b) Assess the long-term health and environmental impacts of chronic exposure to those types of frequencies from so-called "small cell" wireless antennas when placed in close proximity to homes, apartments, schools and businesses.

(c) Receive testimony from the scientific community, including but not limited to physicists and electrical engineers, the medical community, including but not limited to cellular experts and oncologists, the wireless technology industry, including but not limited to cell phone businesses, as well as other organizations and members of the public with an interest in the deployment or use of 5G technology.

(d) Consider the following questions and the impact they may have on citizens, municipalities, and state government:

(1) Why has the insurance industry recognized wireless radiation as a significant risk, and why have they placed exclusions in their policies for financial damage caused by health claims related to exposure to wireless radiation?

(2) Why do manufacturers of wireless equipment, including cell phones, warn users to keep such devices away from the body?

(3) Why has the FCC refused to modernize its 23-year-old wireless radiation human exposure guidelines, which are based only on thermal effects and do not account for the non-thermal, non-ionizing, biological effects of wireless radiation?

(4) Why are the FCC's wireless radiation human exposure guidelines less protective than those in Russia, China, Italy, Switzerland, and most of Eastern Europe?

II. All meetings of the commission shall be open to the public. Agendas, minutes, documents and testimony from all meetings shall be posted on the state's website.

The commission shall prepare and publish an interim and final report of its findings and recommendations. The reports shall:

- (a) Outline the advantages of, and risks associated with, 5G technology running in conjunction with the 3G and 4G technology infrastructure.
- (b) Develop a strategy, if deemed necessary, to limit the public's wireless radiation exposure from 5G or other wireless technologies.
- (c) Include a public policy statement on 5G wireless systems, which either declares the technology safe or outlines actions required to protect the health of its citizens and the environment.
- (d) Consider alternatives to 5G technology such as fiber optic fiber optic connectivity that provides faster speeds and safeguards the security and privacy of users.
- (e) Provide any recommendations for proposed legislation developed by the commission.

III. The commission shall submit the interim report required under paragraph II to the Speaker of the Assembly, the President of the Senate, the Governor, and the state library on or before (*insert date*), and shall submit its final report to the same parties on or before (*insert date*). All reports shall be posted on the states website.

§4 Effective Date.

This act shall take effect (*insert date*)

This document was produced for Americans for Responsible Technology by Grassroots Communications, 52 Main Street, Port Washington NY 11050. © 2019 Grassroots Communications, Inc. All rights reserved. Permission to copy is hereby granted to state governments, their elected officials, legal counsel, employees and residents.