

## **RESOLUTION No. 37418**

Request the federal government update studies on the potential health risks of 5G radio frequency wireless emissions and publish findings, as federal guidelines push for more rapid deployment of 5G (Resolution)

WHEREAS, the Federal Communications Commission FCC, hereinafter referred to as FCC, is required by the National Environmental Policy Act of 1969 to evaluate the effects of emissions from FCC-regulated transmitters on the quality of the human environment; and

WHEREAS, on August 1, 1996, the FCC adopted National Council on Radiation Protection and Measurements' recommended Maximum Permissible Exposure limits for field strength and power density for the transmitters operating at frequencies of 300 kHz to 100 GHz; and

WHEREAS, the FCC in 2015 last updated guidelines for human exposure to radio frequency, hereinafter referred to as RF, electromagnetic fields from wireless facilities, based primarily on recommendations of other federal agencies after reviews of prior scientific literature related to RF biological effects, primarily from the 1990s; and

WHEREAS, currently no federally-mandated RF exposure standards exist; and

WHEREAS, the FCC relies upon federal agencies with health and safety expertise, such as the Food and Drug Administration (FDA), the Environmental Protection Agency, the National Institute for Occupational Safety and Health, and the Occupational Safety and Health Administration which have assigned roles in federal law for monitoring and investigating issues related to RF exposure; and

WHEREAS, the FCC has jurisdiction over non-federal wireless facilities, authorizing and licensing all non-federal devices, transmitters and facilities that generate RF radiation; and

WHEREAS, federal law preempts state and local governments, including the City of Portland, from considering health concerns in the regulation and placement of wireless facilities, so long as such facilities otherwise comply with applicable federal law; and

WHEREAS, the Government Accounting Office in 2001 prepared a report of its investigation into safety concerns related to mobile phones, and concluded that further research into wireless technology is needed, recommending the FDA take the lead in monitoring research results; and

WHEREAS, in May 2009, the City Council unanimously approved a request that the federal government undertake efforts to update studies on the potential human health effects of RF emissions considering significant increases in the use of wireless telephones and technology studies. Resolution No. 36706; and

WHEREAS, in September 2011, the City Council unanimously adopted a local

broadband strategic plan recognizing broadband networks, both wired and wireless, as essential infrastructure fundamental to the future of Portland's community members and businesses. Resolution No. 36879; and

WHEREAS, in September 2017, 180 scientists and doctors from 36 countries sent an appeal to the European Commission recommending a moratorium on the roll-out of 5G until potential hazards for human health and the environment had been fully investigated by scientists independent from industry; and

WHEREAS, the results of the world's largest study on the link between RF radiation associated with 2G and 3G cell phones and cancer were released on November 1, 2018 by the National Toxicology Program, an inter-agency program within the U.S. Department of Health and Human Services, found evidence of cancerous heart tumors, as well as some evidence of cancerous brain tumors, in male rats exposed to high levels of RF radiation like that used in 2G and 3G cell phones. However, researchers have cautioned that findings "do not apply to 4G or 5G technologies;" and

WHEREAS, on December 3, 2018, U.S. Senator Richard Blumenthal and Congresswoman Anna G. Eshoo co-authored a letter to FCC Commissioner Brendan Carr that requested the FCC and relevant health agencies provide them studies informing the FCC's 5G safety determination, and while they did receive a letter from the FCC on December 17, 2018, it had no mention of 5G safety testing; and

WHEREAS, the Resolution by the City would permit the City to: (1) advocate for updated studies on RF Exposure Limits; and (2) potentially influence the outcome of the proceeding for the benefit of Portland community members; and

NOW THEREFORE BE IT RESOLVED that the Portland City Council requests the FCC to work in cooperation with the FDA and other relevant federal agencies to revisit and update studies on potential health concerns arising from RF wireless emissions considering 5G Technology; and

BE IT FURTHER RESOLVED, that the Portland City Council requests the FCC make findings from such studies publicly available in a timely manner; and

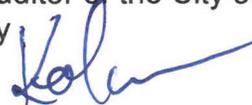
BE IT FURTHER RESOLVED, that the Office of Government Relations shall cause a copy of this Resolution to be sent to all members of the FCC, to the FDA Commissioner, and to all members of the Oregon Congressional Delegation.

Adopted by the Council: MAR 13 2019

Mayor Ted Wheeler  
Commissioners Fritz and Eudaly  
Prepared by: Cynthia Castro  
Date Prepared: March 4, 2019

**Mary Hull Caballero**  
Auditor of the City of Portland

By



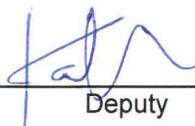
Deputy

281

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Agenda No.  
**RESOLUTION NO. 37418**  
 Title

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<p style="text-align: center;"><b>INTRODUCED BY</b> Commissioner/Auditor: Wheeler, Eudaly, Fritz</p>	<p>CLERK USE: DATE FILED <u>MAR 05 2019</u></p>
<p style="text-align: center;"><b>COMMISSIONER APPROVAL</b></p>	<p>Mary Hull Caballero Auditor of the City of Portland</p> <p>By:  Deputy</p> <p><b>ACTION TAKEN:</b></p>
<p>Mayor—Finance &amp; Administration – Wheeler <i>MP</i></p>	
<p>Position 1/Utilities - Fritz <i>Amador Fritz</i></p>	
<p>Position 2/Works - Fish</p>	
<p>Position 3/Affairs - Hardesty</p>	
<p>Position 4/Safety - Eudaly <i>CBE</i></p>	
<p style="text-align: center;"><b>BUREAU APPROVAL</b></p>	
<p>Bureau: N/A Bureau Head: N/A</p>	
<p>Prepared by: Cynthia Castro Date Prepared: 3/4/2019</p>	
<p>Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p>	
<p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p><b>City Auditor Office Approval:</b> required for Code Ordinances</p>	
<p><b>City Attorney Approval:</b> required for contract, code, easement, franchise, charter, Comp Plan</p>	
<p>Council Meeting Date <b>3/13/2019</b></p>	

<b>AGENDA</b>
<p><b>TIME CERTAIN</b> <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p><b>CONSENT</b> <input type="checkbox"/></p>
<p><b>REGULAR</b> <input checked="" type="checkbox"/></p> <p>Total amount of time needed: <b>10 minutes</b> (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Hardesty	3. Hardesty	✓	
4. Eudaly	4. Eudaly	✓	
Wheeler	Wheeler	✓	