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COALITION FOR LOCAL OVERSIGHT OF UTILITY TECHNOLOGIES (CLOUT)

www.cloutnow.org

**LOS ANGELES COUNTY BOARD OF SUPERVISORS
CALLS FOR REPEAL OF FEDERAL CELL TOWER HEALTH PREEMPTION**

NEW NATIONWIDE COALITION CLAIMS FIRST MAJOR VICTORY

The Los Angeles County Board of Supervisors voted unanimously on Tuesday, June 2, to actively seek and support federal legislation to repeal portions of the Telecommunications Act of 1996 that limit the authority of state and local governments to regulate cell towers and related wireless facilities on the basis of their health and environmental effects.

The vote follows similar action taken by the Los Angeles Unified School District (LAUSD) Board of Education at its May 26, 2009 meeting.

The motion by Supervisors Zev Yaroslavsky, Michael D. Antonovich and Mark Ridley-Thomas cited "ongoing debate within the scientific community and among governing bodies throughout the world regarding how thoroughly the long-term health effects of low-frequency electromagnetic and radio-frequency emissions are understood" and "questions . . . regarding how well the existing regulations established by the Federal Communications Commission (FCC) protect more vulnerable populations such as school-aged children, and how well they protect against the cumulative effect of radio-frequency emissions on people who live or work in close proximity to multiple cellular facilities."

While the City Council of Portland, Oregon passed a resolution in May of this year calling on the FCC to work with the Food & Drug Administration and other federal health and environmental agencies to revisit and update studies on the potential health effects of wireless facilities like cell towers, Los Angeles is the first major local government to directly take on the federal preemption of the Telecommunications Act of 1996.

"This marks a major step forward on this issue," said Doug Loranger of the new nationwide organization Coalition for Local Oversight of Utility Technologies (CLOUT), which is actively seeking to change federal law governing cell towers. "For almost 15 years, local planning and zoning officials, City Council members and Supervisors across the United States have been telling residents concerned about cell tower proliferation that their hands are tied by the Telecommunications Act of 1996 when it comes to health and environmental concerns. We finally have an elected body of one of the largest metropolitan areas in the country willing to say 'enough is enough' and take a stand to change this situation."

The Supervisors' motion also calls for changes to the California Public Utilities Code (CPUC), which currently limits the authority of local governments in the State of California to regulate wireless facilities in public rights of way. These limitations have provided a convenient loophole for wireless carriers to install antennas on light and utility poles in residential neighborhoods that would otherwise be off-limits to these types of facilities.

"We literally have had people wake up to find cell towers installed directly in front of their homes with no notification or public hearings under the current CPUC regulations," said Sally Hampton of Los Angeles, who organized the regional Southern California coalition Residents Engaged Against Cell Towers (REACT), which is part of CLOUT. "Thanks to today's action, the word will start to get not only to our elected representatives in Washington, D.C., but also to those

in Sacramento, that laws need to be changed to give local governments more authority to regulate the proliferation of wireless facilities. We applaud the leadership of the Los Angeles County Supervisors, <who collectively represent nearly 10 million citizens>, and call on all local municipalities to join forces with Los Angeles to urge the Congress to repeal those sections of the 1996 TCA which preempts local control and prevents local governments from considering health effects. Local officials need the power to protect citizens and homeowners and to support smart deployment of better technologies that will benefit all Americans for years to come."

As part of its efforts on this issue, the Board of Supervisors will be filing comments consistent with its motion with the FCC with regard to National Broadband Policy. Elected officials and members of the public around the U.S. have until June 8 to submit comments to the FCC on the rollout of broadband infrastructure, which forms part of President Obama's multi-billion-dollar stimulus package.

On April 2 of this year, the European Parliament overwhelmingly passed a resolution on Health Concerns Associated with Electromagnetic Fields (EMFs) by a vote of 559 to 22 (there were 8 abstentions), which includes the position that wireless telecommunications facilities should not be placed in proximity to schools, places of worship, retirement homes, and health care institutions.

Meanwhile, in the United States it remains illegal for local governments to prevent the placement of wireless facilities near schools and other sensitive locations because of the Telecommunications Act of 1996's federal preemption.

For more information, including links to the LAUSD, City of Portland and European Parliament resolutions, visit CLOUT's website at www.cloutnow.org.