

For Immediate Release
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Contact: Janet Newton
The EMR Policy Institute
Tel: 802-426-3035
E-mail: JNewton@emrpolicy.org

Citizens Group Challenges FCC Refusal to Investigate Health Effects of Broadband Transmissions

Washington D.C., Feb. 11, 2004 -- A group of scientists, engineers, and community leaders has asked the D.C. Court of Appeals to order the Federal Communications Commission (FCC) to initiate scientific research into the health effects of wireless transmission of 3rd Generation (3G) digital signals from the increasing level of broadband technologies and other radiofrequency (RF) transmitters in residential communities and areas near schools and hospitals.

The EMR Network (EMR) petitioned the FCC 3 years ago to open an inquiry into current environmental impacts of RF radiation. Last August the FCC denied the request, disclaiming any responsibility. EMR filed its brief seeking to reverse this action late last week.

Under the Telecommunications Act of 1996 the FCC has sole jurisdiction to determine acceptable levels of RF radiation in populated areas. Its present guidelines were developed almost 20 years ago. Citing the increasing number of international studies finding biological effects from RF radiation, EMR asserts that the FCC is obligated to review its obsolete guidelines without further delay.

Whitney North Seymour, Jr. is providing legal counsel for this appeal pro bono. His legal career has included private practice, a term as federal prosecutor for New York, and public interest work with a particular interest in environmental law, having co-founded the Natural Resources Defense Council in 1969.

"EMR is requesting the Court to reverse the Commission's dismissal Order and require the FCC to issue a Notice of Inquiry about the need to revise its Rules concerning the environmental effects of RF radiation," states Janet Newton, President of The EMR Policy Institute, who assisted in preparing the appeal brief file last week. "Given the explosion in the past decade of RF radiation-dependent technologies that are in continuous operation throughout our environment, the FCC must shoulder its statutory responsibility and take a NEPA-compliant "hard look" to protect the public interest in this evolving public health question, especially in light of the fact that other regulatory agencies - EPA and FDA - have been largely defunded in their fiduciary roles"

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[See Appeal Summary at: http://www.emrpolicy.org/litigation/case_law/index.htm . For more information contact: Janet Newton (802)426-3035.]