

June 8, 2007

Dr. Rick Jostes  
c/o The National Academy of Sciences  
500 Fifth Street, NW  
Washington, DC 20001

Re: National Academy of Sciences Project: NRSB-O-06-02-A

Dear Dr. Jostes,

We are writing to protest the proposed composition of the committee formed for project NRSB-O-06-02-A, Identification of Research Needs Relating to Potential Biological or Adverse Health Effects of Wireless Communications Devices, and to urge the National Academy of Sciences to revise the committee's membership. The conflicts of interest and imbalance of the current committee roster are inconsistent with the policy of the National Academies and could undermine the credibility of the committee's report.

This committee was requested by the Food and Drug Administration and formed under the terms of a 1999 Cooperative Research and Development Agreement with the Cellular Telecommunications Industry Association (CTIA), with the purpose of identifying needs for further research on adverse health effects from cell phone use. In recent years, a proliferation of scientific literature on the health effects of microwave radiation has suggested that such effects may be severe, and it is of the utmost importance that NAS's study committee be free from conflicts of interest.

The Federal Advisory Committee Act, as amended, requires that the Academy ensure that "no individual appointed to serve on the committee has a conflict of interest that is relevant to the functions to be performed, unless such conflict is promptly and publicly disclosed and the Academy determines that the conflict is unavoidable," and that "the committee membership is fairly balanced" (5 U.S.C. App. §15(b)(1)(A-B), 1972). In the case of the advisory committee convened to investigate possible adverse health effects from the use of wireless communication devices, the NAS has failed to meet those requirements. Several of the provisional appointees have received funding from the industries whose products are the topics of the committee's investigation and have clear conflicts of interest that may prevent an unbiased analysis of the true health risks from use of these devices.

In particular, Dr. Leeka I. Kheifets has spent the majority of the past 20 years working in various capacities with the Electric Power Research Institute (EPRI), the research arm of the electric power industry. She has also received funding for several of her research publications from EPRI, including a recent review of the effects of EMF radiation on childhood leukemia that appeared in the journal *Bioelectromagnetics*. Dr. Kheifets' longstanding relationship with EPRI may affect her ability to objectively assess the potential human health risks associated with the products of companies that financially support EPRI. The National Academies' conflict of interest policy, defined by statute 5 U.S.C. App. §15(b)(1)(A) (1972), states that financial conflicts of interest include employment relationships if they are "relevant to the functions to be performed"

("Policy on Committee Composition and Balance and Conflicts of Interest," [http://www.nationalacademies.org/coi/bi-coi\\_form-0.pdf](http://www.nationalacademies.org/coi/bi-coi_form-0.pdf).) Therefore, by NAS policy, Dr. Kheifets should not have been appointed unless her appointment was "unavoidable" because of her expertise. It is our view that Dr. Kheifets's expertise could be gotten elsewhere, and we request that she be removed from the committee.

Also, Dr. Bernard Veyret has clear conflicts of interest that should prompt his removal from the committee. As disclosed on the NAS's website, Veyret is on the consulting board of Bouygues Telecom (one of 3 French mobile phone providers), has contracts with Alcatel and other providers, and has received research funding from Electricite de France, the operator of the French electricity grid.

We urge you to replace these conflicted scientists by considering such qualified candidates as Dr. Carl Blackman, Research Scientist in the Environmental Carcinogenesis Division of the U.S. Environmental Protection Agency; Dr. Martin Blank, Professor of Physiology & Cellular Biophysics at Columbia University Medical School; Dr. David Carpenter, Professor of Environmental Health and Toxicology at the Institute for Health and the Environment, SUNY Albany; Dr. Henry Lai, an expert in the biological effects of nonionizing radiation at the University of Washington in Seattle; Dr. Lennart Hardel, a professor in oncology and cancer epidemiology at the University Hospital in Orebro, Sweden; Dr. Sam Milham, retired Washington State epidemiologist; Lloyd Morgan, Director of the Central Brain Tumor Registry of the United States; and Indira Nair, Associate Professor in the Department of Engineering and Public Policy at Carnegie Mellon University.

Sincerely,

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Washington, D.C.

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