



COUNCIL RESOLUTION NO. 5264

**A RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO
UPDATE STUDIES ON POTENTIAL HEALTH RISKS OF 5G RADIO
FREQUENCY WIRELESS EMISSIONS AND PUBLISH FINDINGS, AS
FEDERAL GUIDELINES PUSH FOR MORE RAPID DEPLOYMENT OF
5G.**

PASSED: 8

REJECTED:

OPPOSED:

ABSENT:

CONSIDERED: April 17, 2019

EFFECTIVE DATE: Immediate



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A. The Federal Communications Commission, 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.

B. 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.

C. The FCC has not updated its guidelines for human exposure to radio frequency, hereinafter referred to as RF, electromagnetic fields from wireless facilities for over twenty years.

D. Currently no federally-mandated RF exposure standards exist.

E. The FCC relies upon federal agencies with health and safety expertise, such as the Food and Drug Administration, hereinafter referred to as 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.

F. The FCC has jurisdiction over non-federal wireless facilities, authorizing and licensing all non-federal devices, transmitters and facilities that generate RF radiation.

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

H. 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.

I. 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.

J. 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."

K. 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-specific safety testing.

L. The Resolution by the City Council 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 Eugene community members.

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUGENE, a Municipal Corporation of the State of Oregon, as follows:

Section 1. The Eugene 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.

Section 2. The Eugene City Council requests the FCC make findings from such studies publicly available in a timely manner.

Section 3. The City Manager 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.

Section 4. This Resolution is effective immediately upon its passage by the City Council.

The foregoing Resolution adopted the 17th day of April, 2019.

Samantha Roberts
Deputy City Recorder