RESOLUTION No. 3181

A RESOLUTION REQUESTING THE FEDERAL GOVERNMENT UPDATE STUDIES ON THE POTENTIAL HEALTH EFFECTS OF 5G RADIO FREQUENCY WIRELESS EMISSIONS AND PUBLISH FINDINGS, AS FEDERAL GUIDELINES ENCOURAGE MORE RAPID DEPLOYMENT OF 5G

WHEREAS, the Federal Communications Commission ("FCC") is required by the National Environmental Policy Act of 1969 to evaluate the environmental effects from certain 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, 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 Bend, from considering environmental effects, including health risks, of RF emissions in the regulation and placement of wireless facilities, so long as such facilities 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

NOW THEREFORE BE IT RESOLVED that the Bend 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 effects arising from

RF wireless emissions considering 5G Technology; and

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

BE IT FURTHER RESOLVED, that 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.

Adopted by motion of the Bend City Council on December 4, 2019.

YES:	Sally Russell, Mayor	NO: none
	Bruce Abernethy	
	Barb Campbell	
	Bill Moseley	
	Justin Livingston	
	Gena Goodman-Campbell	
	Chris Piper	

Sally Russell, Mayor

Attest:

Robyn Christie, City Recorder

Approved as to form:

Mary A. Winters, City Attorney