

Incredibly, no monitoring of actual radiation emissions from 4G/5G antenna radiation is intended under SB649. The only supposed health and safety protection in the bill is the allowance that a city or county can require the telecom company to submit additional information showing that the radiation transmitter antenna complies with a federal regulation. However, that federal regulation does not require ANY monitoring. The bill would even *prevent* a city or county from requiring any monitoring of the radiation emissions or doing monitoring of its own!

The relevant FCC regulation was based in fraud from the start and has not been updated since 1996 to reflect current scientific knowledge. It does not protect against most biological harm, and is based on a false absorption model of a doll head filled with water! It utterly fails to protect children, whose brains are still developing and whose skulls are thinner than an adult skull. Studies show that RF/MW radiation at levels far below that which creates tissue heating is harmful to every human, animal, insect and plant.

Violation of federal and state laws

CA SB 649 would not only violate the 1996 TCA: it would violate the Americans with Disabilities Act (ADA) and the Federal Fair Housing Act. These laws guarantee equal access for all, but SB 649 would make most public places and federal housing, not to mention all housing, uninhabitable for already injured, impaired and/or electromagnetically sensitive (EMS) persons. SB649 says it requires compliance with ADA, but given the multiple simultaneous wavelengths and the intensities, compliance is impossible because pulsed, modulated microwave radiation is harmful.

At the April 26, 2017 Senate Governance and Finance Committee hearing there were 23 amendments to SB649. Those were first shown to the public at the meeting but not prior to the meeting. Those 23 amendments were not accurately edited into the bill prior to the Appropriations Committee hearing on May 15. This is a violation of Senate Rules and due process.

Violation of the powers of local government

Per the Office of Senate Floor Analyses, 110 cities are on record as opposing SB649. No city is on record as in support. SB649 would allow telecoms to override city and county planning and install powerful microwave radiation antennas on light poles and utility poles in the public right of way.

This is unconstitutional. By their police powers granted by Article XI of the California Constitution, cities retain broad discretion to legislate for public purposes and for the general welfare, including but not limited to matters of public health, safety and consumer protection. Cities also retain their authority under Article XII, § 8 of the California Constitution to grant franchises for public utilities and pursuant to California Public Utilities Code § 6203, “may in such a franchise impose such other and additional terms and conditions...whether governmental or contractual in character, as in the judgment of the legislative body are to the public interest.” The Legislature can't take away from cities a power granted to the cities by the California Constitution.

California must protect health, safety, agriculture and its own economy. Cities and counties have similar interests. SB649 sacrifices this all important state and local government interest. SB649 would cause chronic health problems and loss of productivity for millions of Californians where they live and work, and the loss of pollinators. Please oppose SB 649.

Mark Graham
Scientists for Wired Technology
mark.graham@scientists4wiredtech.com

Paul McGavin
Scientists for Wired Technology
paul.mcgavin@scientists4wiredtech.com