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CHD Files Response Brief in Landmark Case Against FCC on 5G and Wireless Health Impacts

WASHINGTON, DC—OCTOBER 20, 2020—Children’s Health Defense (CHD), chaired by Robert F. Kennedy, Jr., [filed its response brief](#) on Monday to the Federal Communications Commission in the U.S. Court of Appeals for the District of Columbia. The [case](#) against the FCC challenges the [agency’s refusal to review](#) its 25-year-old obsolete wireless “health guidelines” and to adopt scientific, biologically based radio frequency emissions rules that adequately protect public health. The brief was filed jointly with [Environmental Health Trust](#). CHD is represented by Robert F. Kennedy Jr. and Scott W. McCollough.

CHD’s brief is a response to the [FCC Brief](#) filed on September 22nd. CHD’s [principal brief](#) was filed on August 14, 2020.

The FCC used unauthorized materials in its brief, misconstrued evidence brought by the petitioners and misrepresented other government agencies’ positions.

Petitioner’s response brief accuses the FCC of failing to “meaningfully assess the vast amount of reliable peer-reviewed scientific and medical evidence generated after 1996” indicating health risks from exposure at “currently-authorized levels” and claims the FCC’s irresponsible refusal to confront the evidence have resulted in widespread sickness including in children. The petitioners assert that FCC’s disdain for human suffering reflects a disturbingly distorted view of the public’s interest.

The majority of independent experts, as represented by the [BioInitiative](#) and [EMF Scientist](#) appeal, don’t agree with the FCC guidelines. The scientific consensus is that the radiation emitted by wireless sources such as cell phones, Wi-Fi and cell towers within FCC allowed levels was proven to harm humans and the environment. The brief also accused the FCC of failing to address potential impacts of new technologies like 5G.

The brief shows that the FCC and FDA dismissal of the [National Toxicology Program](#) (NTP) study is indefensible. The \$30 million study found [clear evidence of cancer](#) and [DNA damage](#). The FDA opinion that the results cannot be extrapolated to humans is contrary to FDA's own protocols and was rejected by numerous experts including NIEHS former director, [Dr. Linda Birnbaum](#).

“CHD is committed to protecting children from toxic exposures. This case seeks justice for parents of kids who have suffered health impacts from wireless radiation,” said Robert F. Kennedy, Jr. “We are committed to making our government accountable, and giving a voice to injured children.”

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