

MAHATM

ACTION

July 14, 2026

VIA ECFS

Marlene H. Dortch, Secretary
Federal Communications Commission
45 L Street, NE
Washington, D.C. 20554

Re: Written *Ex Parte* of MAHA Action
In the Matter of Upper C-band (3.98 - 4.2 GHz), GN Docket No. 25-59;
Expanding Flexible Use of the 3.7 to 4.2 GHz Band, GN Docket No. 18-122

Dear Ms. Dortch,

MAHA Action submits this *ex parte* on the FCC's draft Order reconfiguring the 3.7 - 4.2 GHz band¹. The Draft Order would allow mobile and portable devices to emit more power than currently permitted, from 1 watt to 4 watts², and the Commission has not yet conducted a clear, public, health-focused analysis of what that increase means for human exposure to radiofrequency ("RF") energy. Before finalizing this rule, MAHA Action urges the Commission to complete and publish that analysis.

This is not an argument against wireless service. This is an argument for basic precaution: if the Commission believes a fourfold power increase is safe, it should show its work. Parents should not be asked to accept more RF energy in homes and around children based only on engineering claims about coverage and throughput. They deserve meaningful, science-based assurance that the devices they allow into their homes are safe.

The Commission's own exposure rules measure how much radiofrequency energy the body absorbs through the Specific Absorption Rate (SAR), the current public limit for devices is 1.6 watts per kilogram³. Against that backdrop, a higher maximum power limit creates a higher ceiling for exposure, especially for devices used indoors, near the body, in homes and schools, and, critically, by children.

¹ GN Dockets 25-59 and 18-122, Draft Order of Proposed Modification and Order on Reconsideration. This presentation also addresses the Wireless Telecommunications Bureau's April 10, 2026 "refresh" request for the Lower C Band in DA 26-341, GN Docket No. 18-122.

² See Draft Order 72 (approving 4 EIRP power limit to mobile and portable devices in both Lower and Upper C bands).

³ Cell Phones and Specific Absorption Rate, available at <https://www.fcc.gov/general/cell-phones-and-specific-absorption-rate>.



We know real-world exposure is complicated, but that complexity is precisely why the Commission should study the health implications before it adopts a rule allowing higher emission power in any band and for any device.

MAHA Action requests the Commission to do five things before this Order is finalized:

1. Require a public health assessment of the proposed 4-watt mobile and portable device limit in the 3.7 - 4.2 GHz band.
2. Explain how SAR compliance will be assured for devices operating at 4 watts EIRP.
3. Analyze cumulative RF exposure in real-world environments, including homes and schools.
4. Consider whether children, pregnant women, and other potentially vulnerable populations require additional safety factors.
5. Require transparent testing for body-worn, indoor, and fixed wireless use cases.

American families deserve a complete, transparent health-risk analysis to prove that this change will not increase harmful RF exposure for the public. We are ready to contribute constructively to any modernization effort that strengthens American public health.

Respectfully,

Tony Lyons, President of MAHA Action

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About MAHA Action

MAHA Action is a 501(c)(4) nonprofit organization dedicated to the Make America Healthy Again™ (MAHA™) movement. Founded by Tony Lyons to reverse America's chronic disease epidemic, MAHA Action empowers citizens to tackle the root causes of our nation's chronic disease crisis.