

# COURT JUDGEMENT

## UNITED STATES COURT OF APPEALS

FOR THE DISTRICT OF COLUMBIA CIRCUIT

Argued January 25, 2021

Decided August 13, 2021

No. 20-1025

**ENVIRONMENTAL HEALTH TRUST, ET AL.,**

Consolidated with 20-1138

**CHILDREN'S HEALTH DEFENSE, ET AL**

PETITIONERS

v.

**FEDERAL COMMUNICATIONS COMMISSION AND**

**UNITED STATES OF AMERICA,**

RESPONDENTS

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On Petitions for Review of an Order of the Federal Communications Commission

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*Edward Myers*, Attorney for Environmental Health Trust Petitioners:

*Robert F. Kennedy Jr. & Scott W. McCollough*, Attorneys for Children's Health Defense  
Petitioners:

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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**No. 20-1025**

**September Term, 2020**

FILED ON: AUGUST 13, 2021

ENVIRONMENTAL HEALTH TRUST, ET AL.,  
PETITIONERS

v.

FEDERAL COMMUNICATIONS COMMISSION AND UNITED STATES OF AMERICA,  
RESPONDENTS

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of the Federal Communications Commission

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Before: HENDERSON, MILLETT and WILKINS, *Circuit Judges*

**J U D G M E N T**

These causes came on to be heard on the petitions for review of an order of the Federal Communications Commission and were argued by counsel. On consideration thereof, it is

**ORDERED** and **ADJUDGED** that the petitions for review be granted in part and the case be remanded to the Commission to provide a reasoned explanation for its determination that its guidelines adequately protect against harmful effects of exposure to radiofrequency radiation unrelated to cancer, in accordance with the opinion of the court filed herein this date.

**Per Curiam**

**FOR THE COURT:**  
Mark J. Langer, Clerk

BY: /s/

Michael C. McGrail  
Deputy Clerk

Date: August 13, 2021

Opinion for the court filed by Circuit Judge Wilkins.  
Opinion dissenting in part filed by Circuit Judge Henderson.