Broadband Safety and Integrity Council Synopsis of 9th Circuit District Court Hearing
January 25, 2021
Environmental Health Trust, Children's Health Defense vs. FCC

Link to Complete Recording of Court Hearing (click here):

Go to Times indicated in Time column to hear exact testimony as written in the Statement column below.

Time	Who	Statement
16:40	Judge Panel	"recommendation without statement of limits, makes need for ruling, moot, since limits were not contemplated:" 1. FCC says technology cannot work at low levels safe enough to be biologically safe from non-ionizing effects 2. sources relate to fixed base stations, not accounting for the multiple devices that are supposed to be considered for proper weight and impact of wireless technology biologically speaking, this was the charge of the inquiry to which FDA was NON-RESPONSIVE.
25:51	Judge Panel	"Do you know if this committee that Judge Wilkins referenced within the FDA, if it even exists and whether it has spoken on this issue?"
26:01	FCC Attorney	"I am not familiar with the committee or what it's status is."
27:30	Judge Panel	"No indication from FCC brief that the decision the FCC made regarding standards, relied on the working group (the committee that is statutorily designated to review this issue)."
28:34	FCC Attorney	"cell phones create the most radio emissions"
28:46	Judge Panel	"The FCC has presented NO EVIDENCE the expert committee, derived as a cohort from the FDA and the FCC, has looked at any of the evidence needed to determine safety standards around wireless devices."
39:40	Judge Panel	"Why I am inclined to rule against you(FCC). The FCC in its' brief cites the statute and makes references to evidence having been set by the committee; yet provides no evidence the working group (committee) even exists; and the FCC attorney says as much at 26:01 in the proceeding [I am not familiar with the committee or what it's status is.]; at a minimum the expert body from the FDA should be saying they looked at the evidence, articulate the evidence they looked at, and who were the members of the committee looking at the evidence; we needed to know the right people looked at the materials"

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40:	Judge Panel	"We need to know the right people at the FDA actually looked at the materials" 1. Sets out specific statute with cited references, 2. Notes that the FCC mentioned nothing about the committee that is statutorily required to review the materials and set standards based upon that review, 3. Working group as cited by statute that should exist between the FDA and the FCC outed as not existing by way of lack in referencing what this assigned body reviewed and/or recommended. 4. No cite by FCC's counsel about the committee
52:00	Judge Panel	"Can you tell me if the committee exists?"
52:05	FCC Attorney	"Sitting here I cannot."