



## Takoma Park City Council Meeting –July 22, 2020 Agenda Item 11

### **Work Session**

Resolution Authorizing Councilmembers to Join Amici Curiae Brief re Radio Frequency Electromagnetic Fields

### **Recommended Council Action**

Consider Resolution for approval on July 29, 2020

### **Context With Key Issues**

Resolution 2018-XX was adopted by the City Council on December 5, 2018 that referenced concerns about federal Radio Frequency guidelines and noting that such guidelines have not been updated since 1996. A request has now been made to Councilmembers to have them to join an amici curiae brief to be filed in the U.S. Court of Appeals for the District of Columbia seeking review and rejection of the Federal Communications Commission's (FCC) December 2019 rules and policies related to human exposure to Radio Frequency Electromagnetic Fields.

This resolution would authorize, retroactively and prospectively, Takoma Park Councilmembers, acting in their official capacities, to sign the amici curiae brief of the Natural Resources Defense Council in support of the petitioners, led by Environmental Health Trust, who have asked the U.S. Court of Appeals for the District of Columbia to review and reject as unlawful the Federal Communications Commission's *Resolution of Notice of Inquiry, Second Report and Order, Notice of Proposed Rulemaking, and Memorandum Opinion and Order*, ET Docket Nos. 03-137, 13-84, and 19-226, FCC 19-126, released on December 4, 2019. The FCC's December 4<sup>th</sup>, 2019 action dealt with the FCC's rules and policies related to human exposure to Radiofrequency Electromagnetic Fields.

### **Council Priority**

A Livable Community

### **Environmental Impact of Action**

There is no Environmental Impact of Action of allowing Councilmembers to sign on to the brief acting in their official capacities.

### **Fiscal Impact of Action**

There is no Fiscal Impact of Action of allowing Councilmembers to sign on to the brief acting in their official capacities.

### **Racial Equity Impact of Action**

There is no Racial Equity Impact of Action of allowing Councilmembers to sign on to the brief acting in their official capacities.

### **Attachments and Links**

- Draft Resolution
- Resolution 2018-2

Introduced by:

**CITY OF TAKOMA PARK, MARYLAND**

**RESOLUTION 2020-XX**

**AUTHORIZING COUNCILMEMBERS, ACTING IN THEIR OFFICIAL CAPACITIES,  
TO JOIN AN AMICI CURIAE BRIEF REGARDING RADIO FREQUENCY  
ELECTROMAGNETIC FIELDS**

WHEREAS, the Takoma Park City Council has previously expressed its concerns regarding the lack of updated federal Radio Frequency guidelines, established in 1996; and

WHEREAS, concern about this matter was expressed in Resolution 2018-2; and

WHEREAS, Councilmembers, acting in their official capacities, may wish to join an amici curiae brief to be filed in the U.S. Court of Appeals for the District of Columbia seeking review and rejection of the Federal Communications Commission's December 2019 rules and policies related to human exposure to Radio Frequency Electromagnetic Fields; and

WHEREAS, doing so would be consistent with the established position of the Takoma Park City Council.

NOW, THEREFORE, BE IT RESOLVED that members of the Takoma Park City Council are authorized, retroactively and prospectively, to act in their official capacities to sign the amici curiae brief of the Natural Resources Defense Council in support of the petitioners, led by Environmental Health Trust, who have asked the U.S. Court of Appeals for the District of Columbia to review and reject as unlawful the Federal Communications Commission's *Resolution of Notice of Inquiry, Second Report and Order, Notice of Proposed Rulemaking, and Memorandum Opinion and Order*, ET Docket Nos. 03-137, 13-84, and 19-226, FCC 19-126, released on December 4, 2019.

Adopted this \_\_\_\_\_, 2020.

Attest: