

May 4, 2013

Dear Honorable San Francisco Board of Supervisors:

Norman Yee
John Avalos
Malia Cohen
London Breed
Eric Mar
David Chiu
David Campos
Katy Tang
Jane Kim
Mark Farrell
Scott Wiener

We the undersigned support the May 3, 2013 "[Expert Physician and Scientist Letter on Cell Phone Safety](#)¹". We agree that you should further evaluate all of the significant new scientific information tabulated in Table 1 below before you decide on settling the CTIA-The Wireless Association® law suit.

Please do not rush into any YES VOTE on Settlement of Lawsuit with CTIA – The Wireless Association that is Item # 8 [130315](#) on the [May 7th Board of Supervisor Meeting Agenda](#) without first carefully reviewing the new scientific information including the newly published scientific information in the 480 page WHO IARC Monograph published on April 24th and the other new information listed in Table 1.

Because a substantial amount of new scientific information has been released after the Rules Committee deliberated and voted, we respectfully ask you to reject the April 18th Board of Supervisor's Rules Committee recommendation to settle with CTIA-The Wireless Association® lawsuit² because it was made without any consideration of the new and significant scientific information listed in Table 1. And we respectfully ask you to CONTINUE this item due to these special circumstances and permit needed time for both the City and County of San Francisco, the public, and the CTIA-The Wireless Association® to review the substantial new scientific information relevant to this matter that the Rules Committee recommendation did not consider in their closed door deliberations (because it was not published when they met).

We also encourage the City and County of San Francisco to try to meet and confer with the CTIA-The Wireless Association® to discuss these new significant scientific information and discuss if in fact the narrowly asserted CELL PHONE DISCLOSURE REQUIREMENTS that are in the SF Environment Code do not in fact act to support the city's governmental interests of Protecting Children's Health in light of the new substantial scientific information in the official WHO IARC Monograph under its classification that cell phone radiation is officially a Group 2B carcinogen and the other new scientific reports including that brain tumor treatment costs in the US exceed \$1 Million per victim.

¹ <http://www.scribd.com/doc/139487033/Expert-Letter-on-Cell-Phone-Safety-5-4-2013>

² United States District Court, Northern District of California, Case No. 3:10-cv-03224 (WHA)

We encourage you not to take any rash or arbitrary and capricious actions that are not in accordance with the full constitutional GOVERNMENTAL rights and powers afforded under the law especially under the Central Hudson test³. Do not decide without first carefully reviewing and considering in depth the significant new scientific information tabulated in Table 1 including the 480 page World Health Organization (WHO) International Agency for Research on Cancer (IARC) Monograph that classifies cellular telephone and other Electromagnetic Radiation (RF EMF) as a Group 2B carcinogen.

Under the City's Fair Public Process Rules, the public has a right to know about all of the important new and relevant technical information before you vote on this matter consistent with the responsibilities of this great city to protect public health and safety. Accordingly, we respectfully ask you to:

1. Provide the public with posted information on this key new science on the City's websites linking to the 480 page WHO IARC Monograph on RF EMF radiation and the other new significant scientific information listed in Table 1 below and other new studies.
2. Reopen the "Public Comment Period" and allow the public to speak about this new information as it pertains to the passed ordinance.

As articulated in the "Expert Physician and Scientist Letter on Cell Phone Safety" we agree that the new science brought forth in Table 1 introduces materially changed facts and circumstances that need to be carefully considered before finalizing the Cities actions on the CTIA-The Wireless Association® lawsuit because the new information brings new information on health hazards and never before peer reviewed cost estimates on health impacts that the City may incur. In addition, the Federal Communications Commission will be formally issuing a new inquiry into its approach to cell phones reflecting new technical information as well.

We share the goal of saving lives in San Francisco, and we urge that the Board continue to ensure the public right to know about cell phone safety and assist in promoting broad public understanding of basic precautions that can be taken to reduce radiation exposure from cell phones. People have a right to know about ways to use phones more safely that they otherwise may be unaware of including the best practices currently embedded within phones or printed in small type in pamphlets they receive after purchasing these devices. We applaud your efforts to promote this basic right.

We urge you NOT to authorize any permanent injunction against enforcement of the Cell Phone Right-to-Know Law that was unanimously passed by the SF Board of Supervisors before reviewing the relevant new information that was released after the Rules Committee meeting including the WHO IARC Monograph and the other the other key new scientific information (See Table 1).

We the public request a minimum of 60 days to review and comment on the new science that the city and its people have not yet had a chance to review and consider. Thank you for your efforts to protect our health and safety.

Sincerely,

³ Central Hudson Gas & Electric Corp. v. Public Service Commission of New York, 447 U.S. 557, 571 n.13 http://assets.opencrs.com/rpts/95-815_20081210.pdf

[SIGNATURES after Table 1 attached]

Table 1 Significant New Scientific Information

Date	Research Title	Reference: Internet link	Significant Relevant Findings
May 2nd 2013	The CTIA released its 2012 year-end survey ⁴ .	http://files.ctia.org/pdf/CTIA_Survey_YE_2012_Graphics-FINAL.pdf	Reports new data on wireless subscriptions (more than 1 billion). Provides data trend exponential growth. More subscriptions than people, and more cell tower sites
April 24 th 2013	International Agency for Research on Cancer (IARC) of the World Health Organization issued its Monograph ⁵	IARC Monograph Non-ionizing Radiation, Part 2: Radiofrequency Electromagnetic Fields volume 102 http://monographs.iarc.fr/ENG/Monographs/vol102/index.php	IARC re-affirmed its official classification of mobile telephone radiation is a <u>Group 2B carcinogen</u> , along with automobile exhaust and other toxic substances like heptachlor, styrene and hexachlorobenzene. Monograph that provides the details of the classification in this the most significant report on mobile phone radiation ever. Concludes that: "Due to the closer proximity of the phone to the head compared with adults, the average exposure to radiofrequency radiation from the same mobile phone is higher by a factor of 10 and higher by a factor of 10 in the bone marrow (p. 408) "Positive associations have been observed between radiofrequency radiation from wireless devices and acoustic neuroma" ⁷ (p.421), "Radiofrequency electromagnetic field: carcinogenic to humans (Group 2B)." ⁸ Compiles peer-reviewed research that shows non-thermal effects on the brain and cardiovascular system including sperm damage including reduced motility and causing deformation in surviving sperm

⁴ http://files.ctia.org/pdf/CTIA_Survey_YE_2012_Graphics-FINAL.pdf

⁵ IARC Monograph Non-ionizing Radiation, Part 2: Radiofrequency Electromagnetic Fields volume 102 <http://monographs.iarc.fr/ENG/Monographs/vol102/index.php>

⁶ Ibid

⁷ Ibid

⁸ Ibid

Date	Research Title	Reference: Internet link	Significant Relevant Findings
April 17, 2013 pre-release	Swedish review strengthens grounds for concluding that radiation from cellular and cordless phones is a probable human carcinogen, paper	Pathophysiology, pre-release with special permission from the publisher, http://dx.doi.org/10.1016/j.pathophys.2013.03.001 (hand-delivered to the BOS and the Rules Committee of the Board of Supervisors on April 17, 2013)	Reports medical cost data estimate "...treatment for a single case of brain cancer between \$100,000 for radiation therapy to the million depending on drug costs, re-illness are already in short supply and not available in either developing or de
March 29, 2013	The FCC Notice of Inquiry (NOI) ¹⁰ .	FCC Review of RF Exposure Policies, REPORT AND ORDER FURTHER NOTICE OF PROPOSED RULE MAKING AND NOTICE OF INQUIRY, http://www.fcc.gov/document/fcc-review-rf-exposure-policies	Issued a proposal to review safety rule new scientific findings
February 26, 2013	Verizon Communications Inc Annual Report to the US Securities and Exchange Commission (US SEC) ¹¹ includes disclosure of financial risk for liability and lawsuits	http://www.sec.gov/Archives/edgar/data/732712/000119312513075713/d441535d10k.htm	"...our wireless business also faces potential consumer class action lawsuits relating to the effects of wireless phones or radio frequency radiation and class action lawsuits that challenge our business practices and disclosures relating to the effects of handheld wireless phones. In addition, we may be required to pay significant expenses in defending these lawsuits. In addition, we may be required to pay settlements."

⁹ Pathophysiology, pre-release with special permission from the publisher, <http://dx.doi.org/10.1016/j.pathophys.2013.03.001>

¹⁰ FCC Review of RF Exposure Policies, REPORT AND ORDER FURTHER NOTICE OF PROPOSED RULE MAKING AND NOTICE OF INQUIRY, <http://www.fcc.gov/document/fcc-review-rf-exposure-policies>

¹¹ <http://www.sec.gov/Archives/edgar/data/732712/000119312513075713/d441535d10k.htm>

Date	Research Title	Reference: Internet link	Significant Relevant Findings
March 2012	Report of Incidence trends in the anatomic location of primary malignant brain tumors in the United States: 1992-2006, Zada G et al, (March 2012) ¹² .	http://www.ncbi.nlm.nih.gov/pubmed/22120376	Found that statistically significant annual temporal lobe grade IV brain cancers (from 1992 to 2006).
October, 2012	Italian Supreme Court Ruling ¹³ .	http://www.icems.eu/ http://www.radiationresearch.org/images/documents/icems%20position%20paper1.pdf	Court ruled the Insurance Body for Workers to compensate a worker who developed a brain tumor due to long-term, heavy use of mobile phones. Importantly, the ruling underscored that the low evidence of risk found by industry is higher evidence of risk found by independent experts.
July 12, 2012	The American Academy of Pediatrics sent a letter to the Federal Communication Commission (FCC). ¹⁴	http://www.scribd.com/doc/104230961/American-Academy-of-Pediatrics-letter-to-the-FCC	AAP made up of 60,000 MD pediatricians to open a "formal inquiry into radiation from mobile phones and other wireless products" and assessed the standard for cell phone radiation.
Dec 2011	Analysis of three-dimensional SAR distributions emitted by mobile phones in an epidemiological perspective, ¹⁵ .	Bioelectromagnetics. 2011 Dec;32(8):634-43 http://www.ncbi.nlm.nih.gov/pubmed/21695709	that the brain's frontal and temporal lobe total cell phone radiation absorbed by the carrier frequency of the cell phone.

¹² Zada G et al, (March 2012) Incidence trends in the anatomic location of primary malignant brain tumors in the United States: 1992-2012 Mar;77(3-4):518-24 <http://www.ncbi.nlm.nih.gov/pubmed/22120376> .

¹³ ICEMS Position Paper on the Cerebral Tumor Court Case, by Livio Giuliani, ICEMS Scientific Secretariat and Spokesman, Morando So Committee Chairman, <http://www.icems.eu/> <http://www.radiationresearch.org/images/documents/icems%20position%20paper1.pdf>

¹⁴ <http://www.scribd.com/doc/104230961/American-Academy-of-Pediatrics-letter-to-the-FCC>

¹⁵ Analysis of three-dimensional SAR distributions emitted by mobile phones in an epidemiological perspective, Bioelectromagnetics. <http://www.ncbi.nlm.nih.gov/pubmed/21695709> .

Date	Research Title	Reference: Internet link	Significant Relevant Findings
6-9-2011	The Spanish Labor Court Ruling ¹⁶ .	http://www.noticiasmedicas.es/medicina/noticias/10451/1/La-hipersensibilidad-a-las-ondas-que-producen-los-telefonos-moviles-se-convierte-en-una-nueva-causa-de-incapacidad-permanente/Page1.html and English translation http://electromagnetichealth.org/electromagnetic-health-blog/labor-court-spain/	Ruled 'permanent incapacitation' of a person who suffered from chronic fatigue and environmental electromagnetic hypersensitivity

¹⁶ <http://www.noticiasmedicas.es/medicina/noticias/10451/1/La-hipersensibilidad-a-las-ondas-que-producen-los-telefonos-moviles-nueva-causa-de-incapacidad-permanente/Page1.html> and English translation <http://electromagnetichealth.org/electromagnetic-health-blog/labor-court-spain/>

SIGNATURE LIST (chronological order)

Health Professionals, Scientists, Public Officials and Community based Organizations

Ellen Marks, California Brain Tumor Association

Arthur Firstenberg, President Cellular Phone Task Force

Tony La France, MD

David Shapiro, Attorney, Calabasas City Council

Cindy Sage, MA, Sage Associates Co-editor Biolniative Report 2012

Nancy Evans, Health Science Consultant, SF

Mona Nilsson, Fonderu, Vice Chairman, Swedish Radiation Protection Foundation

Ms. Kiku Iwata, Co-founder Burbank Action (Against Cell Towers in Our Neighborhoods)

Kevin Kunze, Director, Mobilize

Katie Hickox, Member SF Women's Forum, SF for Democracy

Dana Nachman, CTF Films

B. Blake Levitt, Former New York Times writer, author A Consumer's Guide to the Issues and How to Protect Ourselves

Sam Schwartz, MD

Leland Mew, MD

Katharina Gustavs, Cert. EOH Building Biology Environmental Consultant IBN

George Spathis, Attorney at Law,

Ariel Barfield, HEAL of Southern Arizona

Ann McCampbell, MD, Environmental Health Consultant

Jonathan Franklin, MD

Cynthia Franklin, Consumers for Safe Cell Phones

Sandi Maurer, Director EMF Safety Network

Rae Amey, President, Rae Amey Enterprises

Mary Beth Brangan and James Heddle, Co-Directors Ecological Options Network, EON

Daphne Jasperes, widow of Steven, died age 48 cell phone related brain tumor

Lloyd Morgan, Senior Research Fellow, Environmental Health Trust

Dorothy Goldin Rosenberg, MES, PhD, University of Toronto

Lew Levenson, Chair, Rim Country Environmental Health Coalition, Payson, AZ

Lisa Tully, PhD

Sharon L. Noble, Director, Coalition to Stop Smart Meters

Commissioner Phoebe Sorgen, Berkeley, CA

Ted Smith, Coordinator, International Campaign for Responsible Technology

Andrew Goldsworthy BSc PhD, Lecturer in Biology (retired), Imperial College London

Ed Friedman, EMF Safety Coalition

Rhonda Salerno, Environmental Health Trust, Jackson Action Schools, Director, Campaign for Safer Cell Phone Use, rhondasalerno@gmail.com

Una St.Clair, Executive Director, Citizens for Safe Technology Society, www.citizensforsafetechnology.org

Dan Mattson, EMF Technician/Consultant

Rabbi Steven A. Chester

Joanne C. Mueller, CEO, Guinea Pigs "R" Us Organization www.guineapigsrus.org

Kenn Burrows MPH, Lecturer

Susan Junfish, Parents for a Safer Environment

Melissa Batavia, Oakland Celiac Support Group

Dr. Robert and Mrs. Lindsay Lytle

James Johnson, President, Vortis Technology Inc., www.vortisantenna.com

Deborah Rubin, People Against Cell Towers at School, PACTS, Tampa, FL

Joshua Hart, Stopsmartmeters.org

Frank Clegg, CEO, C4ST, <http://www.c4st.org>, Former President of Microsoft Canada, Board Member Indigo Books and Music, Navantis and Pelmorex.

Legislators, Policymakers

Rep. Vanessa Lowery Brown (D-190, PA General Assembly and Chairwoman of the PA legislative Black Caucus

Rep. Andrea Boland (D) Maine

Max Anderson, Berkeley City Council

David Shapiro, Attorney, Calabasas City Councilman

Councilmember Peter F. Vallone Jr. (D), District 22, New York City, NY

Commissioner Phoebe Sorgen, Berkeley, CA

Commissioner Antoinette "Toni", Stein, PhD: Co-moderator of Collaborative on Health Working Group on Electromagnetic Fields (CHE-EMF), Volunteer Member of the Berkeley Community Health Commission

SIGNATURE LIST of BRAIN TUMOR VICTIMS

Mindy Brown, widow of Coach Dan Brown, Defensive Coordinator Fresno State football, father of 6, deceased at age 50 from cell phone related brain tumor

Larry Brown- son of Dan

Eric Brown- son of Dan

Jordan Brown- son of Dan

Travis Brown- son of Dan

Korissa Brown- daughter of Dan

Tara Markey- daughter of Dan

Alan Marks, cell phone related brain tumor victim

Zachary Marks, son of victim

Jordan Marks, son of victim

Amanda Marks, daughter of victim

Valerie Marks

Keith Marks- brother of victim

Teresa Gregorio- 52, victim cell phone related brain tumor

Jewel Gordner- wife of victim

Bob Gordner- victim, cell phone related brain tumor

Brian Berglund- victim, cell phone related brain tumor

Sharesa Price- victim, cell phone related brain tumor

Brandon Marks

Jenna Marks

Anthony Patch, 40- victim, cell phone related brain tumor

Abigail Marks, widow of Milton Marks

Cristin Prischman, widow of Paul- deceased age 42 cell phone related brain tumor

Monique Solomon, widow of Andrew Solomon, age 43, cell phone related brain tumor

Tess Solomon, 11, daughter of deceased father Andrew- cell phone related brain tumor

Meg Solomon, 15- daughter of deceased father Andrew- cell phone related brain tumor

Stuart Cobb, 37, victim cell phone related brain tumor

Kristen Cobb- wife of victim

Jenna Weiss, daughter of brain tumor survivor

Alisha Buller Kidd- wife of victim, mother of 3 young children

Sean Kidd, 33, victim – cell phone related brain tumor

Laura Ingram, SF resident- long term cell phone user, now environmentally ill

Jean Brooks, widow of victim – deceased age 52, cell phone related brain tumor

John Lawler, age 40, victim cell phone related brain tumor

Ashley Lawler, wife of victim- mother of 3 young children

Jimmy Gonzalez, attorney, 41, victim cell phone related brain and hand tumors

Anthony Patch, 40, victim cell phone related brain tumor

Mat Hand- 38, victim cell phone related brain tumor

Daphne Jasperes, widow of Steven, died age 48 cell phone related brain tumor

Brett Bocook- attorney, 45- victim, cell phone related brain tumor

Laura Bocook- wife of victim- mother of 2 small children

Virginia & Craig Farver- parents of Richard- deceased at age 29, cell phone related brain tumor

Laura Ingram, Sf resident- long term cell phone user, now environmentally ill

Andrea Erickson, EM and RF sensitive

Paul Raymond Doyon, EMF Refugee

Charles Gordner- 55- victim, cell phone related brain tumor

Jewel Gordner- wife of victim

Alaina Gordner, daughter of victim

Brandon Gordner, son of victim

SIGNATURE LIST of Concerned People

Amy O'Hair

Leslie Fuller

Sudi Scul

Thea Scarato

Steve Steckler

Sophia Steckler

Magdalena Steckler

Francine Polse

Maury Polse

Angela Lucas

David Lucas

Vicki Burns

Mina Handa

Donna La France

Kevin Mottus

Faye Harrison

Linda Specht

Korissa Brown

Tara Markey

Larry Brown

Eric Brown

Travis Brown

Ann Eittenger

Susan Golovan

Bruce Golovan
Zack Golovan
Greg Golovan
Eva Hoffman
Kevin Hoffman
Sharon Schwartz
Sybelle Gabriel
Marla Spector
Sharon Schwartz
Nancy Hubert
Jordan Brown
Wendy A. Ferguson, Fairfax
Kristen Cobb
Margaret Mew
Evan Mew
Liddy Clark
Roberta Lewis
Kelly Fiorella
Lino Fiorella
Nicholas Fiorella
Lisa Spathis
Debra Peilet
Andrew Peilet
Gail Freed
Mark Freed

Joni Gimbel

Lee Gimbel

Sandra Chiafiori,

Stephenie Ratke

Adam Ratke

Kesler Ratke

Max Ratke

Jill Botti

Pamela Smith,

Joseph Spathis

Jenna Spathis, student University of Illinois

Julia Spathis

Hallie Peilet

Carly Peilet

Debby Marks

Glenn Marks

Cindy Licht

Glenn Licht

Dani Licht

Brit Licht

Barb Payne

Cary Westfall

Karen Johnson

Deborah McCutcheon

Marne Glaser

Barbara Weightman

Jake McCombs

Samantha McCombs

Lynn Walker

Sarah Reilly

Jerry Reilly

Elizabeth Miles

Keith Miles

Al Leuthner

Karen Leuthner Johnson

Cynthia Rahav

Mike Pellegatti, Phoenix, AZ

Marianne Shannon, Pantagonia, AZ

Gary Widman, Tiburon, CA

David and Dawn Roberts, Gold Canyon, AZ 85118

Susan Riley-concerned citizen, retired RN, Tucson, AZ

Greg Roberson

Monnie Ramsell, 50 Bronco Drive, Sedona AZ 86336

Susan Benson, Tucson, AZ 85704

Andrea Twitchell, 896 W Safari Drive, Tucson, AZ 85704

Susan Molloy, Snowflake, AZ 85937

Ron Gordon

