

**FACT SHEET: FEDERAL LEGISLATION ON WIRELESS COMMUNICATIONS****Federal Lands: Impacts of Blanketing the Wilderness and Backcountry with Cell Towers****19 Bills Currently Pending In Congress**

- These bills would proliferate cell towers and increase levels of radiofrequency radiation across federal lands.
- Federal lands represent approximately 30% of all land area in the United States, and include National Parks, National Forests, wildlife refuges, and rangeland.
- Congress is proceeding despite clear evidence of harm and no government agency having ever assessed the impact of these facilities on our national resources.<sup>1</sup>

**Category 1 Bills: Highest Scale Of Impact**

[HR 6492](#) (EXPLORE Act omnibus bill, includes [S.2018](#) Connect Our Parks Act/ [HR 5919](#)/ [S. 873](#)). Sections 141 and 142 deploy wireless facilities in National Parks and recreational areas of all federal lands<sup>2</sup>

[S.2855](#) promotes deployments on all federal lands; eliminates National Environmental Policy Act (NEPA) and National Historic Preservation Act (NHPA) reviews for expansions on non-federal land<sup>3</sup>

[HR 6915](#) prohibits land managers from recovering costs of wireless facilities on federal lands

[HR 4235](#) promotes wireless deployments to prevent wildfires, even though they can cause wildfires

[HR 3557](#) / [HR 4141](#) exempt a wide range of wireless facilities from NEPA and NHPA on federal and non-federal lands<sup>4</sup>

**Key Policies Implemented By These Bills**

- “Streamline” permitting of cell towers on federal lands to fast-track deployment.
- Eliminate certain environmental and historic reviews for cell towers.
- Limit fees so that land managers cannot recover costs incurred by wireless equipment.
- Require executive branch to create deployment plans for cell towers.

**Impacts of Wireless Facilities On Federal Lands**

- Radiofrequency (RF) radiation is a pollutant that harms animals and plants, with well-documented effects on trees, pollinators, and birds.<sup>5</sup>
- No US government agency has ever reviewed the science or assessed the impacts of RF on animals or plants.<sup>6</sup>
- No US government agency has ever determined safe levels of this pollutant for animals or plants, despite mounting evidence of harm.<sup>7</sup>
- US Court of Appeals for the DC Circuit in 2021 ordered the FCC to address environmental effects of radiofrequency; the FCC has not yet complied.<sup>8</sup>
- Insect populations have declined by approximately 75% in the last few decades; some have dubbed it the “insect apocalypse.”<sup>9</sup> RF represents an unmitigated threat to already-declining insect populations.<sup>10</sup>
- RF threatens pollinators, upon which our food supply depends.<sup>11</sup>
- Cell towers can create fire risk in fire-prone wilderness areas.<sup>12</sup>

### **Category 2 Bills: Significant Scale of Impact**

[HR 3306](#) streamlines permitting on federal land

[HR 3307](#) allows delegating environmental reviews to tribal authorities

[HR 5242/ S.2663](#) shortens shot clocks for USDA approvals of wireless facilities; waives all federal requirements for attaching wireless facilities in existing easements

### **Category 3 Bills: Moderate Scale of Impact**

[HR 3283](#) requires report on streamlining applications federal property

[HR 3293](#) establishes “strikeforce” to expedite wireless facilities on federal lands

[HR 3294](#) requires that land managers plan to streamline approvals

[HR 3299](#) streamlines electronic applications for wireless facilities on federal land

[HR 3309](#) prohibits federal agencies from recovering full cost of wireless facilities

[HR 3343](#) requires Department of Commerce to track wireless applications on federal land

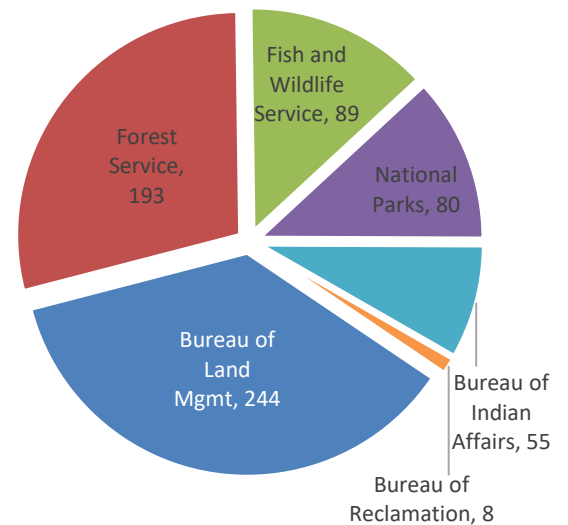
[S.1764](#) expedites deployment of technology (including wireless) for wildfire detection

[S.3117](#) mandates wireless infrastructure on federal land sold for housing

### **Alternatives to proposed deployment of wireless facilities on federal lands**

- Support wired broadband (fiber or cable) to administrative offices and lodging in recreational areas.
- Implement a moratorium on wireless deployments on federal land until the federal government has (a) assessed the impact of radiofrequency on these environments and (b) created exposure limits based on evidence.
- Encourage awareness among recreational visitors that wireless service is already available in the backcountry, via satellite from regular cell phones, including ordinary iPhones.<sup>13</sup>

### **Overview of Federal Lands** **(millions of acres)**



These six agencies manage 669 million acres, or approximately 30% of total US land area of 2,270 million acres<sup>14</sup>

## References

<sup>1</sup> <https://www.wildlifeandwireless.org/>

<sup>2</sup> “We cannot ignore the dangers of radiation in our national parks”, by Devra Davis, President of Environmental Health Trust, The Hill, July 29, 2023 <https://thehill.com/opinion/energy-environment/4124742-we-cannot-ignore-the-dangers-of-radiation-in-our-national-parks/>

<sup>3</sup> Environmental Health Trust testimony regarding S.2855 submitted to the US Senate Committee on Energy and Natural Resources, October 25, 2023 <https://ehtrust.org/wp-content/uploads/S.2855-Scientific-Research-on-Environmental-Impacts-of-Wireless-Networks-EHT-10-25-23-4.pdf>

<sup>4</sup> EHT Factsheet on HR 3557 and HR 4141 <https://ehtrust.org/wp-content/uploads/EHT-Factsheet-3557-Factsheet-Federal-Legislation-Wireless-Final-.pdf>

<sup>5</sup> See Attachment 2: Radiofrequency Radiation Impacts on the Environment (page 20), Environmental Health Trust comments on National Spectrum Strategy, submitted January 2, 2024 <https://www.ntia.gov/sites/default/files/environmental-health-trust-written-input.pdf>

<sup>6</sup> Ibid, Attachment 1: Today’s Regulatory Gap Regarding Radiofrequency Bioeffects (page 11) Also, Froidevaux et al. “Addressing Wildlife Exposure to Radiofrequency Electromagnetic Fields: Time for Action” *Environmental Science & Technology Letters* 2024 11 (1), 3-4. <https://doi.org/10.1021/acs.estlett.3c00795>

<sup>7</sup> The 1996 Telecom Act required the FCC to “make effective rules regarding the environmental effects of radiofrequency emissions.” <https://www.congress.gov/104/plaws/publ104/PLAW-104publ104.pdf>

FCC has not done this. Instead of determining environmental effects, it recycled industry data, largely from studies with just a few animals in the late 1970s and early 1980s, to create human exposure limits. It then assumed that these limits would protect all life on earth.

<https://ehtrust.org/the-regulation-of-wireless-radiation-in-the-united-states-exemplar-of-a-regulatory-gap/>

In 2021, the US Court of Appeals for the DC Circuit, in *Environmental Health Trust et al. v. FCC*, ordered the FCC to justify these limits based on current science. The FCC has not yet complied.

[https://www.cadc.uscourts.gov/internet/opinions.nsf/FB976465BF00F8BD85258730004EFD7/\\$file/20-1025-1910111.pdf](https://www.cadc.uscourts.gov/internet/opinions.nsf/FB976465BF00F8BD85258730004EFD7/$file/20-1025-1910111.pdf)

<sup>8</sup> Ibid, in *EHT et al. v. FCC*, the court wrote: “We find the Commission’s order arbitrary and capricious in its complete failure to respond to comments concerning environmental harm caused by RF radiation.”

<sup>9</sup> “The insect apocalypse: ‘Our world will grind to a halt without them’”, *The Guardian*, July 25, 2021 <https://www.theguardian.com/environment/2021/jul/25/the-insect-apocalypse-our-world-will-grind-to-a-halt-without-them>

“The collapse of insects”, *Reuters*, December 6, 2022 <https://www.reuters.com/graphics/GLOBAL-ENVIRONMENT/INSECT-APOCALYPSE/egbbykdxjvq/>

<sup>10</sup> “Biological effects of electromagnetic fields on insects: a systematic review and meta-analysis,” *Reviews on Environmental Health*, 2023.

<https://ehtrust.org/newly-published-scientific-review-finds-numerous-impacts-to-insects-from-wireless-radiation-and-non-ionizing-emfs/>

<sup>11</sup> USDA: “pollinators’ ecological service is valued at \$200 billion each year”

<https://www.farmers.gov/blog/value-birds-and-bees.>

<sup>12</sup> EHT Fact sheet: Wildfire Risks from Cell Tower Proliferation

<https://ehtrust.org/wp-content/uploads/wildfire-cell-tower-fact-sheet-EHT-2-11-24.pdf>

<sup>13</sup> All iPhones since 2022 (from iPhone 14 onwards) are equipped with satellite connectivity for texting and GPS for public safety.

<https://support.apple.com/en-us/105097>

AT&T, T-Mobile, Verizon are launching voice and data via “direct to cell” satellite connectivity

<https://www.fiercewireless.com/tech/spacex-launches-first-satellites-t-mobiles-direct-cell-service>

<sup>14</sup> Federal Land Ownership: Overview and Data Updated February 21, 2020, Congressional Research Service <https://sgp.fas.org/crs/misc/R42346.pdf>

Chart does not include 8.8 million acres managed by Department of Defense, as these lands are typically outside the scope of the wireless bills described in this document. However, [HR 2670](#) (National Defense Authorization Act of 2024, signed into law), section 1526 requires DoD to allow commercial providers to deploy 5G on military installations.