



Wireless
Infrastructure
Association

Sean Conway
Deputy Chief Counsel
National Telecommunications and Information Administration

[Submitted Electronically]

RE: National Spectrum Strategy Implementation

Dear Mr. Conway,

I am writing to you in response to the Notice of Opportunity for Public Input on the National Spectrum Strategy (“NSS” or “Strategy”)¹ on behalf of the Wireless Infrastructure Association (“WIA”). WIA is the preeminent trade association representing the businesses that build, own, manufacture, and maintain the nation’s mobile telecommunications networks. As the companies that are providing the needed infrastructure to connect Americans on the go—and increasingly at home—the continued availability of mobile spectrum is a key concern for WIA’s members. We were encouraged when the Administration released the NSS in November, identifying over 2,700 MHz of spectrum to study for commercial operations, as well as addressing considerations WIA raised during the comment period.² WIA further appreciates the Administration’s continued commitment to soliciting public feedback as it begins implementing its policies that will shape our nation’s wireless future and transform how our economy and society communicate.

Yet the utility of spectrum is ultimately limited by our ability to deploy it, which can be stymied by unfounded fears about the use of spectrum itself. As the Administration considers the implementation of its Strategy, I would like to highlight an important consideration that the wireless industry sees repeatedly—state and local rules proposing to limit wireless deployment based on unfounded concerns and fears that wireless emissions present a risk to health and safety. We have seen numerous measures to delay, or even outright ban, wireless telecommunications.³ For example, in a number of states

¹ *Notice of Opportunity for Public Input*, NTIA, 88 Fed. Reg. 85266 (Dec. 7, 2023), <https://www.federalregister.gov/documents/2023/12/07/2023-26810/implementation-of-the-national-spectrum-strategy>.

² See Comments of WIA, NTIA – 2023-003 (April 17, 2023), <https://www.regulations.gov/comment/NTIA-2023-0003-0104>.

³ See, e.g., NY S 5123 (2023), <https://www.nysenate.gov/legislation/bills/2023/S5123> (prohibiting “5G telecommunications towers” within 250 feet of a business or residence); TN SB 1365 (2023), <https://www.capitol.tn.gov/Bills/113/Bill/SB1365.pdf> (prohibiting cell towers within 1,640 feet of a school property); KY S 238 (2023), <https://apps.legislature.ky.gov/record/23RS/sb238.html> (prohibiting the approval of cell towers within 1,640 feet of “any inhabitable building or any outdoor space where 10 or more people gather”). See also, Comments of the Environmental Health Trust, GN Docket No. 22-270, <https://www.fcc.gov/ecfs/search/search-filings/filing/120294498201> (urging the Commission to not

we routinely see “setback” bills that limit where wireless infrastructure can be deployed either explicitly or implicitly due to concerns about RF emissions. While most of these efforts have been unsuccessful, the federal government’s voice on this matter could prevent potential hurdles to utilizing the spectrum the Administration is seeking to make available. To this end, we request for NTIA to add an educational component to its implementation strategy to better inform the public of the facts around the safety of wireless infrastructure.

Despite the science,⁴ some continue to try and erect unnecessary barriers to deployment that will reduce connectivity and ultimately (and ironically), harm public safety. Mobile services are key to ensuring public safety, from maintaining contact and navigating to calling emergency services,⁵ mobile connectivity is a vital tool in the public safety toolkit. Further, as our mobile broadband networks become more robust, new solutions are being made available, even turning ambulances into mobile emergency rooms that can have a tremendous effect on patients’ outlook.⁶ These tools, and others, make it clear that wireless connectivity is a benefit to public safety, while limiting its deployment will reduce its effectiveness.

The rapid deployment of wireless networks is a national imperative to ensure the benefits of next generation telecommunications networks are enjoyed by all Americans. Providing clear guidance to the public that wireless networks are safe, efficient, and beneficial to communities, will go a long way in assuaging these concerns and helping citizens understand the benefits of wireless connectivity.

We again appreciate the Administration’s time and consideration in this matter and stand ready to provide any additional information as is helpful.

adopt higher speed requirements for wireless networks as it would encourage the deployment of more wireless facilities).

⁴ See Am. Cancer Soc., *Radiofrequency (RF) Radiation*, <https://www.cancer.org/cancer/risk-prevention/radiation-exposure/radiofrequency-radiation.html> (last visited Dec. 28, 2023) (“Radiofrequency (RF) radiation, which includes radio waves and microwaves, is at the low-energy end of the electromagnetic spectrum. It is a type of non-ionizing radiation. Non-ionizing radiation does not have enough energy to remove electrons from an atom”); *Review of Published Literature between 2008 and 2018 of Relevance to Radiofrequency Radiation and Cancer*, FOOD AND DRUG ADMIN. (Feb. 2020), <https://www.fda.gov/media/135043/download>.

⁵ See 9-1-1 Statistics, NAT’L EMERGENCY NUM. ASS’C. <https://www.nena.org/page/911statistics> (last visited Jan. 2, 2024) (noting of the estimated 240 million calls made to 9-1-1 each year, 80% or more originate from a wireless device).

⁶ Sanjay Joshi, *5G and Me: And the Golden Hour*, DELL TECHNOLOGIES (Nov. 19, 2019), <https://www.delltechnologies.com/en-us/blog/5g-me-and-golden-hour/>.

Sincerely,

/s/ Michael Saperstein

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