



PUBLIC NOTICE

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**FCC SEEKS COMMENT ON RF EXPOSURE ISSUES SUBJECT TO
D.C. CIRCUIT REMAND IN *ENVIRONMENTAL HEALTH TRUST V. FCC***

ET Docket No. 13-84

Comments due: 30 days after publication in the Federal Register

Since the birth of the American wireless industry, the Federal Communications Commission has been entrusted to develop spectrum policies that bring economic prosperity, unleash innovation and investment, and promote national security as well as safety of life. Spectrum-based connectivity enabled by Commission policies has brought billions of dollars for the U.S. Treasury, created millions of jobs, served as an essential platform for U.S. tech innovation, bolstered America's geopolitical leadership, and driven down prices for consumers. Looking ahead, the U.S. government has determined that leading the world in 5G and 6G will require the Commission to auction large amounts of licensed spectrum and enable large swaths of unlicensed and satellite spectrum for next-generation services.

The Communications Act establishes the Commission's primacy over commercial spectrum policymaking, and the Working Families and Tax Cut Act, signed by President Trump in July 2025, directed the Commission to repurpose and auction 800 megahertz of spectrum, including 500 megahertz of federal spectrum for "full-power commercial licensed use cases[.]"¹ Along the way, courts have repeatedly affirmed that when the Commission "foster[s] innovative methods of exploiting the spectrum" in its role "as a policymaker," it is "accorded the greatest deference by a reviewing court."²

As an essential component of this policymaking function, Congress entrusted the Commission in 1996 to adopt rules regarding human exposure to RF energy emitted by Commission-regulated transmitters and facilities.³ The Commission's RF exposure rules⁴ are continuously evaluated and based

¹ Pub. L. No. 119-21, § 40002(c)(1), 139 Stat. 129 (2025).

² *Mobile Relay Associates v. FCC*, 457 F.3d 1, 8 (D.C. Cir. 2006) (cleaned up); *see also AT&T Servs. v. FCC*, 21 F.4th 841 (D.C. Cir. 2021) (upholding the FCC's order permitting unlicensed operations in the 6 GHz band) and *Pub. Safety Spectrum Alliance v. FCC*, No. 24-1363, 2026 LX 21636 (D.C. Cir. July 21, 2026) (upholding the FCC's order establishing new public safety rules for the 4.9 GHz band).

³ *See* Telecommunications Act of 1996, Pub. L. No. 104-104, § 704(b), 110 Stat. 56, 152 (directing the Commission to "prescribe and make effective rules regarding the environmental effects of radio frequency emissions"); *see also 2019 Resolution of Notice of Inquiry, Second Report and Order, and NPRM*, 34 FCC Rcd at 11689, para. 6 n.5; *2013 R&O, FNPRM, and NOI*, 28 FCC Rcd at 3503, 3530-31, paras. 10, 103 n.176.

⁴ 47 CFR §§ 1.1307, 1.1310. *See Guidelines for Evaluating the Environmental Effects of Radiofrequency Radiation*, ET Docket No. 93-62, First Report and Order, 11 FCC Rcd 15122 (1996) (*1996 Order*); *FCC Amends RF Emissions* (continued....)

on gold-standard research from entities with specialized expertise in health and safety issues, including the National Council on Radiation Protection and Measurements (NCRP), a congressionally chartered organization, as well as guidelines promulgated by the American National Standards Institute and the Institute of Electrical and Electronics Engineers (IEEE), internationally recognized standard-setting organizations.⁵ Courts have consistently upheld the reasonableness of the Commission's RF human-safety requirements when challenged in 2000,⁶ 2004,⁷ and 2021.⁸

Most recently, the Commission terminated a nearly six-year inquiry in December 2019, which had sought comment on whether the agency's RF safety rules should be reevaluated.⁹ Upon consideration of nearly 1,000 submissions, the Commission "conclude[d] that the best available evidence . . . supports maintaining [its] current RF exposure standards."¹⁰ The D.C. Circuit's 2021 decision in *Environmental Health Trust v. FCC* upheld the majority of the Commission's findings, including its determination that RF exposure at levels below the current limits does not cause cancer.¹¹ The panel also rejected arguments that the Commission had violated the Administrative Procedure Act by "fail[ing] to respond to various 'additional legal considerations'" and that it had violated NEPA by failing to conduct an environmental review regarding its decision to terminate the *Notice of Inquiry*.¹²

Rules and Adopts Notice of Proposed Rulemaking Seeking Comment on Preemption of State and local RF Regulations, ET Docket Nos. 93-62, 97-192, RM-8577, Second Memorandum Opinion and Order, 12 FCC Rcd 13494 (1997); 2013 R&O, FNPRM, and NOI; and 2019 Resolution of Notice of Inquiry, Second Report and Order, and FNPRM.

⁵ *Guidelines for Evaluating the Environmental Effects of Radiofrequency Radiation*, ET Docket No. 93-62, Report and Order, 11 FCC Rcd 15123, 15135-52, paras. 28-74 (1996).

⁶ See *Cellular Phone Taskforce v. FCC*, 205 F.3d 82, 90-94 (2d Cir. 2000).

⁷ *EMR Network v. FCC*, 391 F.3d 269, 274 (D.C. Cir. 2004).

⁸ *Env't Health Tr. v. FCC*, 9 F.4th 893, 911-12 (D.C. Cir. 2021) (upholding, *inter alia*, the FCC's determination that exposure to RF radiation at levels below the current limits will not cause cancer).

⁹ 2019 Resolution of Notice of Inquiry, Second Report and Order, and NPRM, 34 FCC Rcd at 11692, para. 10; see also Reassessment of Federal Communications Commission Radiofrequency Exposure Limits and Policies; Proposed Changes in the Commission's Rules Regarding Human Exposure to Radiofrequency Electromagnetic Fields, ET Docket Nos. 13-84 and 03-137, First Report and Order, Further Notice of Proposed Rulemaking, and Notice of Inquiry, 28 FCC Rcd 3498, 3501-02, 3570-89, paras. 5-7, 205-52 (2013) (2013 R&O, FNPRM, and NOI). The Commission's rules specify limits for human exposure to RF emissions from Commission-regulated transmitters and facilities above which analysis is required pursuant to the National Environmental Policy Act of 1969, as amended (NEPA). See 47 CFR §§ 1.1307, 1.1310; see also 42 U.S.C. § 4321 *et seq.* The resolution of the Notice of Inquiry was part of a larger 2019 item. Proposed Changes in the Commission's Rules Regarding Human Exposure to Radiofrequency Electromagnetic Fields; Reassessment of Federal Communications Commission Radiofrequency Exposure Limits and Policies; Targeted Changes to the Commission's Rules Regarding Human Exposure to Radiofrequency Electromagnetic Fields, ET Docket Nos. 03-137, 13-84, and 19-226, Resolution of Notice of Inquiry, Second Report and Order, Notice of Proposed Rulemaking, and Memorandum Opinion and Order, 34 FCC Rcd 11687 (2019) (2019 Resolution of Notice of Inquiry, Second Report and Order, and NPRM), *aff'd in part and remanded in part*, *Env't Health Tr. v. FCC*, 9 F.4th 893 (D.C. Cir. 2021).

¹⁰ 2019 Resolution of Notice of Inquiry, Second Report and Order, and NPRM, 34 FCC Rcd at 11692-95, paras. 10-13.

¹¹ *Env't Health Tr.*, 9 F.4th at 903, 911-12.

¹² *Id.* at 912-14.

The panel maintained the legal force of the Commission’s RF safety rules, which remain effective today and have allowed Americans to benefit from world-leading networks. At the same time, the panel remanded for the Commission “to provide a reasoned explanation for its determination that its guidelines adequately protect against harmful effects of exposure to radiofrequency radiation unrelated to cancer.”¹³ The panel specifically directed the Commission to address three targeted issues: (1) “its decision to retain its testing procedures for determining whether cell phones and other portable electronic devices comply with its guidelines”; (2) “the impacts of RF radiation on children, the health implications of long-term exposure to RF radiation, the ubiquity of wireless devices, and other technological developments that have occurred since the Commission last updated its guidelines”; and (3) “the impacts of RF radiation on the environment.”¹⁴ Importantly, the panel did not vacate the 2019 decision—it merely directed the Commission to provide further explanation to justify its findings as to these specific issues.

By this *Public Notice*, we seek to refresh the record on these targeted issues to discharge the Commission’s obligations in response to the Court’s remand in *Environmental Health Trust*. In all cases, the Commission found in 2019 that the nearly six-year record failed to justify a change to the Commission’s rules. We seek comment on that finding. We emphasize that, in light of the limited scope of the court’s remand, we do not seek comment here on any other aspects of the 2019 decision that were upheld in *Environmental Health Trust* or portions of the record that were not properly before the court.¹⁵

* * *

The panel’s opinion in *Environmental Health Trust* took “no position in the scientific debate regarding the health and environmental effects of RF radiation.”¹⁶ Rather, it pointed to submissions and studies in the record that the Commission did not address in consideration of the specific issues identified above.¹⁷ The panel did not endorse those submissions, whereas the dissent specifically determined that many of them were insufficient to warrant the Commission’s explicit analysis. The panel did, however, acknowledge “that there may be good reasons” why those submissions “do not warrant changes to the Commission’s guidelines.”¹⁸ The panel further noted that “if those six sources fairly represented the credible record evidence seeking a change in Commission policy,” then the criticisms of those sources in the dissenting opinion “would have sufficed” as reasoned decision-making.¹⁹ We seek comment on the submissions specifically cited and discussed in the *Environmental Health Trust* opinion. Are they representative of record evidence seeking a change in the Commission’s rules? Do they demonstrate sufficient indicia of quality, reliability, or rigor to justify a change in the Commission’s rules?

¹³ *Id.* at 914; *see id.* at 903-08.

¹⁴ *Env’t Health Tr.*, 9 F.4th at 914; *see id.* at 908-10.

¹⁵ *See generally* 2019 Resolution of Notice of Inquiry, Second Report and Order, and NPRM.

¹⁶ *Env’t Health Tr.*, 9 F.4th at 914.

¹⁷ *Id.* at 903-10.

¹⁸ *Id.* at 914.

¹⁹ *Id.* at 910. *But see id.* at 915-16 (Henderson, K., dissenting in part) (“[a] close inspection of the five research articles confirms that they “are nothing if not tentative”) (internal citation omitted); *see also id.* (Henderson, K., dissenting in part) (concluding that “[b]ecause the studies on which the majority relies plainly are tentative, they do not challenge a fundamental premise of the Commission’s decision and therefore cannot provide the basis for the majority’s limited remand under our precedent” while noting that five articles, among other observed shortcomings, variously fail to offer conclusive evidence or find negative health effects, provide “a murky picture of the current science,” “fail[] to address . . . whether RF radiation below the Commission’s current limits can cause negative health effects,” and may have been “conducted at RF radiation levels below the Commission’s current limits”).

The panel's remand—both as to the Commission's decision to maintain its existing testing procedures, and the Commission's determination that its RF exposure limits did not pose adverse health effects to children—flowed from the Commission's purported failure to provide sufficient justification for its finding that “exposure to RF radiation at levels below its current limits does not cause negative health effects unrelated to cancer.”²⁰ In so finding, the panel pointed largely to five articles that the Commission did not discuss regarding the putative non-cancerous effects of RF exposure below the prescribed levels.²¹

We seek comment on whether “the five articles on which the majority opinion relie[d] ... do not challenge a fundamental premise of the Commission's order” and we ask the same question as to any record information that the panel identified in arriving at its holding.²²

- One such article, the dissenting opinion noted, purported to present evidence of non-cancerous “oxidative effects” but conceded that it “[*did*] not provide conclusive evidence of causal effects and should be *interpreted with caution* until confirmed in other population.”²³
- Another meta-analysis, the dissent observed, summarized the results of human studies on the behavioral effects of RF radiation and identified “31 studies that showed no significant behavioral effects compared to 20 studies that showed behavioral effects,” including “four [that] found behavioral improvements, not negative health effects.”²⁴
- Yet another, according to the dissent, failed to “address the critical issue—whether RF radiation below the Commission's current limits can cause negative health effects” because it examined the International Commission on Non-Ionizing Radiation Protection's (ICNIRP) recommended RF exposure limit, which “is significantly higher than the Commission's current limit—0.08 W/kg averaged over the whole body and a peak spatial-average of 1.6 W/kg over any 1 gram of tissue.”²⁵
- And yet another, the dissent noted, acknowledged that “the health effects of [exposure to radiofrequency electromagnetic fields (RF-EMFs)] are still unknown ... [and] to date studies addressing this topic have produced inconsistent results.”²⁶

²⁰ *Id.* at 908.

²¹ *Id.* at 903-04. The panel held that Commission's order disregarded the five studies and additional record information. *E.g., id.* at 903-904 (summarizing the Petitioners' reliance on multiple studies and reports and comments submitted by individuals); *id.* at 910 (referencing additional record information).

²² *Id.* at 916; *see also id.* at 903-904 and 910.

²³ *Id.* at 915 (Henderson, K., dissenting in part) (observing that the Foerster article concludes “[o]ur findings *do not provide conclusive evidence* of causal effects and should be *interpreted with caution* until confirmed in other population.”) (internal citation omitted).

²⁴ *Id.* (Henderson, K., dissenting in part) (“The Lai article provides a similarly murky picture of the current science” as did the Foerster article).

²⁵ *Id.* at 916 (Henderson, K., dissenting in part) (observing that “it is uncertain how many, if any, of the referenced peer-reviewed studies were conducted at RF radiation levels below the Commission's current limits”).

²⁶ *Id.* at 915 n.2.

- Still another, according to the dissent, “found decreases in figural memory” but acknowledged that “some experimental and epidemiological studies on RF-EMF found improvements in working memory performance.”²⁷
- And a final study, the dissenting opinion remarked, was “hardly worth discussing because the self-published report has been widely discredited as a biased review of the science.”²⁸

We seek comment on the foregoing discussion regarding the credibility and probative value of these studies.

With respect to environmental considerations, the panel faulted the Commission for not discussing a 2014 letter from the Department of Interior on the impact of communications towers to migratory birds.²⁹ As the dissent noted, the Department of Interior’s letter found that “no independent, third-party field studies have been conducted in North America on impacts of tower electromagnetic radiation on migratory birds.”³⁰ We seek comment on the probative value of the Department of Interior’s letter.

* * *

Beyond the submissions discussed in *Environmental Health Trust*, we seek comment on whether other record evidence properly before the court—namely, submissions filed after our 2013 *Notice of Inquiry* and before our 2019 decision to terminate the *Notice of Inquiry*—warrants the Commission revisiting its RF exposure rules on the specific issues subject to remand identified above. We also seek comment on whether record evidence affirmatively supports our rules or casts doubt on the reliability of submissions to the contrary.

As with our prior efforts, we intend to give particular weight to submissions that reflect specialized experience in health and safety issues on RF exposure. In prioritizing the quality of submissions over their quantity,³¹ we do not anticipate affording such scientific weight to meta-analyses that simply compile studies marked by wide ranges in scientific rigor and differing and sometimes contradictory conclusions. Nor do we anticipate affording such weight to unverifiable or repetitive testimonial submissions that purport to assert the existence or absence of adverse health effects. Probative value will be accorded to parties who have demonstrated a capacity to interpret the biological research necessary to assess the health impact of RF emissions and determine what exposure levels are considered safe for humans, and who can do so with sufficient detail and persuasiveness to overcome the failings that the court identified when the Commission last attempted to rely on the expertise of expert agencies.

²⁷ *Id.*

²⁸ *Id.* at 916 n.3.

²⁹ *Id.* at 909-10.

³⁰ *Id.* at 916-17 (Henderson, K., dissenting in part) (identifying substantive and procedural shortcomings related to the petitioners’ reliance on the Department of Interior’s letter, noting that the letter itself concedes that “no independent, third-party field studies have been conducted in North America on impacts of tower electromagnetic radiation on migratory birds”) (internal citation omitted).

³¹ See, e.g., *Restoring Internet Freedom*, WC Docket No. 17-108, Declaratory Ruling, Report and Order, and Order, 33 FCC Rcd. 311, 503-04, paras. 344-345 (2018), *aff’d in part, vacated in part, and remanded sub nom. Mozilla Corp. v. FCC*, 940 F.3d 1 (D.C. Cir. 2019).

For instance, on potential environmental impact from RF, we encourage input from science-based standard-setting organizations and other interested parties and request that commenters describe their relevant qualifications and subject-matter expertise, and provide sufficient supporting information so that we may evaluate the methodological rigor underpinning their views and claims. We note the work of the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA), who “finds good quality studies show no effect from radio waves on plants and animals,”³² and the ongoing work of the ICNIRP Project Group on Environmental EMF Protection tasked to “draft a statement on environmental effects of EMFs on the basis of qualitatively reliable scientific papers.”³³ We also invite comment on our testing procedures for determining whether cell phones and other portable electronic devices comply with our guidelines. As stated in Commission rules, guidance regarding applicable measurement techniques for the evaluation of compliance for portable devices can be found in the Office of Engineering and Technology (OET) Laboratory Division Knowledge Database (KDB).³⁴

In particular, we ask that parties addressing the Commission’s past findings that “[t]he weight of scientific evidence has not linked cell phones with any health problems,” that “the current safety limits for cell phones are acceptable for protecting the public health,” that the “totality of the available scientific evidence continues to not support adverse health effects in humans caused by exposures at or under the current radiofrequency energy exposure limits,” and that “no changes to the current standards are warranted at this time,”³⁵ clearly articulate the factual bases for their positions. Commenters who choose to address the body of scientific studies regarding the issues on remand, including the alleged existence of adverse effects to humans from low-level RF exposure, potential impacts on children, and potential health implications of long-term exposure to RF radiation, the ubiquity of wireless devices, and other technological developments that have occurred since the Commission last updated its guidelines, should clearly describe their specialized experience and subject-matter expertise that makes them well qualified to address such matters.

³² Brzozek et al., *Investigating the Impact of Anthropogenic Radiofrequency Electromagnetic Fields on Animals and Plants in the Environment: Analysis from a Systematic Map*, 81 Int’l J. of Env’t Stud. 2343 (2024), <https://doi.org/10.1080/00207233.2024.2375861>. Summarized on the ARPANSA website, *Good Quality Research Shows No Environmental Effects from Radio Waves* (Aug. 22, 2024), <https://www.arpansa.gov.au/good-quality-research-shows-no-environmental-effects-radio-waves>.

³³ ICNIRP, *Working Groups* (last visited Aug. 31, 2026), <https://www.icnirp.org/en/about-icnirp/working-groups/index.html>.

³⁴ See 47 CFR 2.1093(d)(2). Evaluation of compliance for portable devices can be demonstrated by either laboratory measurement techniques or by computational modeling. Guidance regarding applicable measurement techniques can be found in the OET Laboratory Division KDB. The staff guidance provided in the KDB does not necessarily represent the only acceptable methods for measuring RF exposure or RF emissions, and is not binding on the Commission or any interested party. Current RF exposure procedures and equipment authorization policies for mobile and portable devices are published in KDB 447498.

³⁵ 2019 Resolution of Notice of Inquiry, Second Report and Order, and NPRM, 34 FCC Rcd at 11692, 11692-93, 11695, paras. 10, 11, 12 n.42 (internal quotation marks omitted). We also note that in February 2020, subsequent to our 2019 Resolution of Notice of Inquiry, the FDA published a comprehensive literature review of radiofrequency exposure and cancer, available online from the FDA at <https://www.fda.gov/media/135043/download> (last visited Aug. 31, 2026). The review summarizes the FDA’s evaluation of approximately 125 peer-reviewed animal studies and 70 peer-reviewed epidemiological studies of possible links between radiofrequency exposure and cancer. It finds that, “there is no quantifiable causal link between RFR exposure and tumor formation,” and the FDA affirms on their webpage that “the current limit on radio frequency (RF) energy set by the [Federal Communications Commission remains acceptable for protecting](#) the public health” and that “to date, there is no consistent or credible scientific evidence of health problems caused by the exposure to radio frequency energy emitted by cell phones.” See U.S. Food & Drug Admin. *Cell Phones*, <https://www.fda.gov/radiation-emitting-products/cell-phones/scientific-evidence-cell-phone-safety> (last visited Aug. 31, 2026).

As we consider how much weight to give to submissions or studies that purport to cast doubt on our RF exposure rules on the issues encompassed by the court’s remand, we seek comment on their methodological rigor. What is the scope of such studies, do they properly bear on the remanded issues, and do they come with any acknowledged caveats? Does the record provide evidence that such studies have been replicated? Do such studies provide longitudinal evidence of non-cancerous adverse health effects or environmental harms? Does the record contain epidemiologic evidence that considers the ubiquitous saturation of cell phones in the American population over time? Do any such studies establish a demonstrated biological mechanism or marker through which such adverse effects are known to occur? If they purport to establish proxies such as oxidative effects, to what extent do those proxies establish adverse health effects? If they purport to show adverse health effects on humans, do they properly distinguish correlation from causation? If they purport to be based on literature review, are the reviews based on weight of scientific evidence? Are they based on self-reported data? Do they measure RF exposure through properly calibrated instruments and accepted scientific methods? Is dosimetry properly controlled, evaluated and documented? Are multiple exposure levels studied to establish a dose-response relationship, and do they substantiate an adverse health effect in humans at exposure levels below Commission limits? Do they control for confounding factors? Are proper controls and blinding procedures implemented in the study design? Are they based on representative sample sets? Are statistical analyses properly performed and sample sets of sufficient size to support conclusions? If they are based on experiments or testing in controlled environments, do those environments credibly resemble realistic deployment scenarios in the United States? If such studies are based on animal-based experiments, to what extent do they properly establish adverse health effects on humans?

While the scope of issues the Commission invites comment on is narrowly confined to record evidence that was properly before the court in *Environmental Health Trust*, we invite the broadest range of commenters to participate, including local, state, federal, and international health and safety agencies, science-based standard-setting organizations that are active in this area, and other interested parties.³⁶ These include, but are not limited to, NCRP, IEEE, the International Commission on Non-Ionizing Radiation Protection (ICNIRP), and parties directly engaged with other competent bodies that are involved in this area.³⁷ These entities have published standards, articles, or information related to RF exposure that may assist in responding to the court’s remand.³⁸

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³⁶ 2013 R&O, FNPRM, and NOI, 28 FCC Red at 3575, para. 219. We note that this is similar to the 2013 *Notice of Inquiry* where the Commission stated that, “[i]n addition to seeking input from federal health and safety agencies and institutes, we solicit comment from national and international standards organizations (specifically including NCRP and IEEE) on the currency of their exposure limits and supporting documents in light of recent research and [the International Agency for Research on Cancer’s] announcement on its classification of RF fields.” *Id.*

³⁷ IEEE is a non-profit international professional association of electrical and electronics engineers involved in technology standards development. ICNIRP is an international non-profit organization comprised of independent scientific experts that provides scientific advice and guidance on the health and environmental effects of non-ionizing radiation (NIR) to protect people and the environment from detrimental NIR exposure. The NCRP is a nonprofit corporation chartered by Congress in 1964 primarily to collect, analyze, develop, and disseminate information on radiation protection.

³⁸ See, e.g., Inst. of Elec. and Elec. Eng’g, *IEEE Standard for Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 0 Hz to 300 GHz*, IEEE Std C95.1- 2019 (2019); Int’l Comm. on Non-Ionizing Radiation Protection, *ICNIRP Guidelines for Limiting Exposure to Electromagnetic Fields (100 kHz to 300 GHz)*, 118 Health Phys. 483 (2020); Nat’l Council on Radiation Protect. & Measurements, <https://non-ionizing.ncrponline.org/> (last visited, Aug. 31, 2026).

Interested parties may file comments and reply comments on or before the dates indicated on the first page of this document. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS).

Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <https://www.fcc.gov/ecfs>.

Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. Filings can be sent by hand or messenger delivery, by commercial courier, or by the U.S. Postal Service. **All filings must be addressed to the Secretary, Federal Communications Commission.** Hand-delivered or messenger-delivered paper filings for the Commission's Secretary are accepted between 8:00 a.m. and 4:00 p.m. by the FCC's mailing contractor at 9050 Junction Drive, Annapolis Junction, MD 20701. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building. Commercial courier deliveries (any deliveries not by the U.S. Postal Service) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701. Filings sent by U.S. Postal Service First-Class Mail, Priority Mail, and Priority Mail Express must be sent to 45 L Street NE, Washington, DC 20554.

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Ex Parte Rules. The proceeding this Notice initiates shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.³⁹ Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (e.g., .docx, .xml, .pptx, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

Further Information. Questions regarding this *Public Notice* may be directed to the FCC's RF Safety Program at rf-safety@fcc.gov. Comments and reply comments to this Public Notice must be filed in ET Docket 13-84 using the procedures described above and should not be sent to this mailbox.

³⁹ 47 CFR § 1.1200 *et seq.*