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THE FOUNDATION FOR BIOETHICS IN TECHNOLOGY

## Response to CTIA Objection Regarding H7422

02-26-2026

Chair and members of the Committee,

My name is Rachael McIntosh, Founder and Executive Director of The Foundation for Bioethics in Technology.

I would like to briefly address the objection submitted by CTIA regarding H7422.

The CTIA letter suggests this bill interferes with federal telecommunications authority. That is not correct.

H7422 does not regulate telecommunications siting.

It does not regulate placement, construction, or modification of wireless facilities.

It does not set new radiofrequency exposure limits.

It does not override FCC standards.

Those areas remain federal.

H7422 addresses environmental monitoring and classification under Rhode Island's delegated Clean Air Act authority.

Federal preemption under the Telecommunications Act is narrow. It applies to certain land use decisions. It does not prohibit states from monitoring environmental emissions within their borders. It does not remove the state's traditional authority to monitor environmental conditions under its Clean Air Act framework.

Monitoring is not regulation.

Rhode Island operates under an approved State Implementation Plan (SIP). If a category of emission is not currently measured within that framework, this body has authority to require monitoring. That is responsible governance, not federal conflict.

In 2021, the D.C. Circuit Court held in *Environmental Health Trust v. FCC* that the FCC failed to adequately explain its continued reliance on 1996 exposure guidelines in light of evidence in the record. The court did not vacate the limits, but it confirmed that federal review was incomplete.

That alone supports prudent state-level monitoring.

It is also notable that major telecommunications carriers classify electromagnetic fields and microwave radiation as pollutants within their own insurance documentation. If industry defines these emissions as pollutants for liability purposes, it is reasonable for a state environmental authority to examine them for transparency.

H7422 does not ban technology.

It does not halt deployment.

It does not conflict with federal law.

It asks a simple question:

Should Rhode Island measure environmental emissions generated within its borders?

If the answer is yes, this bill is well within the state's authority.

If the answer is no, we are creating a category of emissions exempt from environmental measurement.

That would be extraordinary.

For these reasons, the CTIA objection does not present a legal barrier to passage of H7422.

Thank you.

The Foundation for Bioethics in Technology is a USA-based, non-political, 501(c)(3) nonprofit organization. Our mission is to ensure the next generation inherits not just convenience, but dignity and freedom because innovation without ethics is catastrophe.

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