

To: Chairman Marshall and Members of the House Consumer Affairs Committee – Representatives Quinn, Emrick, Sankey, Delozier, Farry, Kauffman, Mackenzie, Mehaffie, Metzgar, Miller, Nelson, Pickett, Todd, Warner, Bullock, Burns, Davis, Flynn, Malagari, Mullins, Parker, Schweyer and Snyder:

I woman: Donna Bervinchak, reside in Pennsylvania. I attest and affirm that the following statements are true, accurate and within my personal knowledge.

I wish and require an immediate moratorium on wireless applications at all areas of the Commonwealth of Pennsylvania. Microwave radiation emitted by smart meters, cell towers, cell phones, and all devises that emit wireless pollution cause grave harm to I.

While living in San Francisco in 2012, I was exposed to a bank of smart meters that exposed me to pulse-modulated microwave radiation, transmitted in thousands of microsecond bursts per day. Within four months I was near death due to this exposure.

My symptoms included breathing problems, heart palpitations, pressure on my eyes, headaches, sleeplessness, agitation, depression, memory problems, hives on my face, skin numbness, constant lump in my throat, very low energy. I'd never felt anything like this before. It was literally torturesome. At the end, I was on the verge of physical breakdown and death. I moved to Pennsylvania in 2012 to escape smart meters and my health improved. Today I remain highly sensitive to all forms of microwave radiation. If 5G microwave antennas are placed near my house, I will die or will be forced to flee the Commonwealth of Pennsylvania.

People's incapacity to tolerate microwave radiation is becoming increasingly common in the United States and around the World. In our Commonwealth, more than 500 health-related Formal Complaints were filed with the Public Utility Commission (PUC), following exposure to so-called "smart" meters' microwave radiation.

I will share with you why the proposed bill to give the Telecommunications corporations access to install 5G Antennas where ever they want, is unlawful and would allow trespasses by way of physical harm and financial loss to occur to Pennsylvania residents, including yourselves and loved ones. Please refer to the Power Point format, slides 1-25 to support my claim. I wish to speak at the May 25 public hearing on how 5G radio frequency microwave (RF/MW) radiation will cause me grave harm and to answer any questions lawmakers might have.

I have expressed no matter of mere concern but solely matters of substance, of fact, and law. I appreciate and accept your oath of office.

Autographed this 22nd day of May, 2021

Donna Bervinchak
care of: 825 Christine Lane, Lancaster, Pennsylvania



Opposition to 5G Expansion

Power Point portion of Donna Bervinchak's
Testimony for the Telecommunications Hearing on
May 25, 2021

Legislative Purposes Matter.

1996 Telecommunications Act
(TCA)

“to promote
the safety of
life and
property”

Federal Communications
Commission (FCC)

“promoting
safety of life
and property”

Key Federal Judiciary Rulings

August 9, 2019: According to the three top NEPA-specializing attorneys at FCC: “**Every new [wireless telecommunications facility (“WTF”)] must undergo NEPA review**”, and WTF applications cannot be batched for such purpose.

October 1, 2019: FCC willingly gave up its Title II regulation over Broadband Internet transmissions, changing Internet/Video/Gaming from Title II (regulated, and subject to TCA preemption) to Title I (unregulated). Internet transmissions are best conveyed by **energy-efficient Fiber Optic to the Premises (FTTP)**.

March 13, 2020: FCC applied fraudulent accounting methods for 20 years, allowing **\$Billions of Illicit Cross-Subsidies** from State Wireline Utilities to Private Wireless Cos. ***States can now correct this.***

NEPA = National Environmental Policy Act

- Act that empowers local communities to protect themselves and their environment from dangerous, rushed, or poorly planned federal projects.
- NEPA requires government agencies to engage in a review process intended to discover any significant environmental and public health impacts before a decision is made and construction is begun.
- Erika Rosenberg, FCC NEPA-Specialist Attorney:
“Every single [WTF] requires NEPA review.”
- National Historic Preservation Act (NHPA) requirements also remain.
- Towns can delay WTF Installations with [NEPA Strategies](#)

Title I v. Title II: 47 U.S. Code § 153

- **Title I:** “(24) Information service — The term ‘information service’ means the offering of a capability for **generating, acquiring, storing, transforming, processing, retrieving,** utilizing, or making available information **via telecommunications.**”
- **Title II:** “(50) Telecommunications — The term ‘telecommunications’ means the transmission, between or among points specified by the user, of information of the user’s choosing, **without change** in the form or content of the information as sent and received.”
- **Title II:** “(53) Telecommunications service — The term ‘telecommunications service’ means the **offering of telecommunications for a fee** directly to the public, or to such classes of users as to be effectively available directly to the public, regardless of the facilities used. [i.e. **only Wireless phone calls**, per Oct 1, 2019 DC Circuit Ruling in [Case 18-1051](#)]”

Title I = unregulated (Internet/Video/Gaming); **Title II = regulated** (Phone calls)

Ruling, Case 19-1985, *THE IRREGULATORS v FCC*

- Since the early 1990s, a \$5-7 monthly fee was added to phone bills to fund the build-out of fiber-optic-to-the-premises (“FTTP”).
- Telecoms used these funds to build out **private Wireless Networks**, **instead of** building out **public FTTP to homes**, as promised.
- For 20 years, the Telecoms/State Utilities misapplied the FCC’s accounting rules to charge corporate holding co. expenses to the **State Public Telecom Utilities (“SPTUs”)**, creating artificial losses, allowing Telecoms to **avoid paying State taxes**.
- Also, Wireless Networks did not pay market prices to use the shared copper and fiber Wireline facilities. ***The States can now correct the illicit cross-subsidy (from SPTU to Wireless Cos.) and use the recovered funds to complete FTTP to homes.***



Correcting 24 Years of Industry Misrepresentations

Telecommunications Act (TCA) Preemptions

- **Preemption only for Wireless Telecommunications Service**
<https://scientists4wiredtech.com/legislation/titles-47-and-42-of-us-code/#J>
- **(50) Telecommunications** — The term “telecommunications” means the transmission, between or among points specified by the user, of information of the user’s choosing, without change in the form or content of the information as sent and received.
- **(53) Telecommunications service** — The term “telecommunications service” means the offering of telecommunications for a fee directly to the public, or to such classes of users as to be effectively available directly to the public, regardless of the facilities used.

Per the October 1, 2019 Ruling, this means **only wireless phone calls**, not internet.

The regulation of the **operations** of WTFs was **never preempted** from local zoning authority

Penultimate Version of the TCA (HR 1555 from Fall 1995)

In the penultimate version of the TCA, in Section 107, the words **operate** and **operation** appear throughout.

1995 — SEC. 107. FACILITIES SITING; RADIO FREQUENCY EMISSION STANDARDS.

(a) National Wireless Telecommunications Siting Policy. — Section 332(c) of the Act (47 U.S.C. 332(c)) is amended by adding at the end the following new paragraph:

(7) Facilities siting policies. —

(A) Within 180 days after enactment of this paragraph, the Commission shall prescribe and make effective a policy regarding State and local regulation of the **placement, construction, modification, or operation** of facilities for the provision of commercial mobile services.

(B) Pursuant to subchapter III of chapter 5, title 5, United States Code, the Commission shall establish a negotiated rulemaking committee to negotiate and develop a proposed policy to comply with the requirements of this paragraph. Such committee shall include representatives from State and local governments, affected industries, and public safety agencies. In negotiating and developing such a policy, the committee shall take into account —

Ultimate Version of the TCA (S.652 passed in Feb 1996)

In the ultimate version of the TCA, in Section 704, the words **operate** and **operations** were removed, expressing Congressional intent.

1996 — SEC. 704. FACILITIES SITING; RADIO FREQUENCY EMISSION STANDARDS.

(a) National Wireless Telecommunications Siting Policy. — Section 332(c) (47 U.S.C. 332(c)) is amended by adding at the end the following new paragraph:

(7) Preservation of local zoning authority. —

(A) General authority. — Except as provided in this paragraph, **nothing in this Act shall limit or affect the authority of a State or local government** or instrumentality thereof over decisions regarding the **placement, construction, and modification** of personal wireless service facilities.

(B) Limitations. —

(i) The **regulation of the placement, construction, and modification** of personal wireless service facilities by any State or local government or instrumentality thereof —

What is Really Going On . . .

- **Densified 4G/5G sWTFs** are purposed for 24/7 crowd control and unjust/unreasonable *takings* from the Public.
(See *NY Times* Best-Seller [Surveillance Capitalism .](#))
- The FCC and FDA ***are dominated*** by the industries they presumably regulate. See [Captured Agency](#)
- Wireless Industry **spends \$2.4 Billion annually** on Ads/Lobbying.
- **60% of U.S. Population** has one or more Chronic Illnesses.

Chronic Illnesses & Early Death

WTFs' pulse-modulated microwave radiation – 24/7/365 involuntary exposure – produces adverse effects upon plants, insects, animals and humans:

Neurologic Effects: melatonin suppression and sleep impairments, fatigue, vertigo, seizures, migraines, headaches, learning and memory impairments, early dementias, tinnitus, ADD/ADHD, agitation.

Cardiologic Effects: irregular heartbeat, chest pain, hypoxia, high blood pressure, heart attack.

Reproductive Effects: infertility, birth defects, genetic damage in perpetuity.

Cellular Effects: blood cell clumping, oxidative stress, improper division.

More: cancer, decreased immunity

>20,000 radiofrequency (RF) / microwave (MW) radiation bioeffects studies conclude, overall, that this radiation is hazardous

- Modulated wave, as opposed to continuous wave, is more hazardous.
- Pulse modulation (PM) is more hazardous than Amplitude Modulation (AM).
- Constant duration is more hazardous than radiation that occasionally goes off for significant period of time and allows reprieve and adjustment.
- Wavelengths that approach the height of a person, animal or insect, or approach their body-part sizes, are more hazardous than longer wavelengths.

In sum: WTFs deploy the most harmful radiation. Pulse-modulated for digital communications, their infrastructures irradiate constantly at close proximity with the high power of a macro tower, in microwavelengths of less than a meter down to a millimeter in the sizes of heights and body-part dimensions. Sub-mm lengths also are intended – altogether optimizing absorption at whole-body to molecular levels.

“Small” Cells? Only Dimensions, not Power.

- **Sept 12, 2019:** Wireless Industry admits that sWTFs are Macro Towers in disguise . . .

[Lee Afflerbach](#): “The [antennas and] radios of [these small cells] are the exact same as on macro towers. It’s not a different technology . . . the same as on macro towers. I see them all the time.”

- **sWTF Max Power Output:** Inappropriate power output for antennas ([specs](#)) installed as close as **6 to 12 feet from homes.**

Verizon’s Amphenol CUUT360X12 (48" tall x 15" diam.)

Frequencies	ERP* x Antenna Gain	Max Total ERP*
696-806 MHz	500 Watts x 8.6 dBi	4,300 Watts ERP
806-960 MHz	500 Watts x 9.1 dBi	4,550 Watts ERP
1695-1880 MHz	300 Watts x 12.0 dBi	3,600 Watts ERP
1850-1990 MHz	300 Watts x 12.0 dBi	3,510 Watts ERP
1920-2200 MHz	300 Watts x 10.9 dBi	3,270 Watts ERP
2300-2700 MHz	300 Watts x 10.1 dBi	3,030 Watts ERP
TOTAL	n/a	22,260 Watts ERP

*ERP = Effective Radiated Power

Optimal Absorption & Resonance Effects

- As a **wavelengths approaches body-part size**, the absorption in that body part **increases exponentially**. A wavelength approximating body-part size, especially at $\frac{1}{2}x$ to $2x$ of organ-size, **produces maximum absorption, approaching resonance**. **At this point, the body part functions as an antenna**. This is an **exponential phenomenon**, meaning that even minimal intensities will produce disproportionate bioeffects. Living tissues' water content makes biological organisms function as sponges for **2-12 in. wavelengths**, which can be **easily demonstrated** with a Wireless RF-EMR source, an RF-meter and a human body.

MW Radiation in the US today: How Many Overlapping Wavelengths Are Too Many?

“MHz” = Megahertz “dm” = decimeter “cm” = centimeter “mm” = millimeter

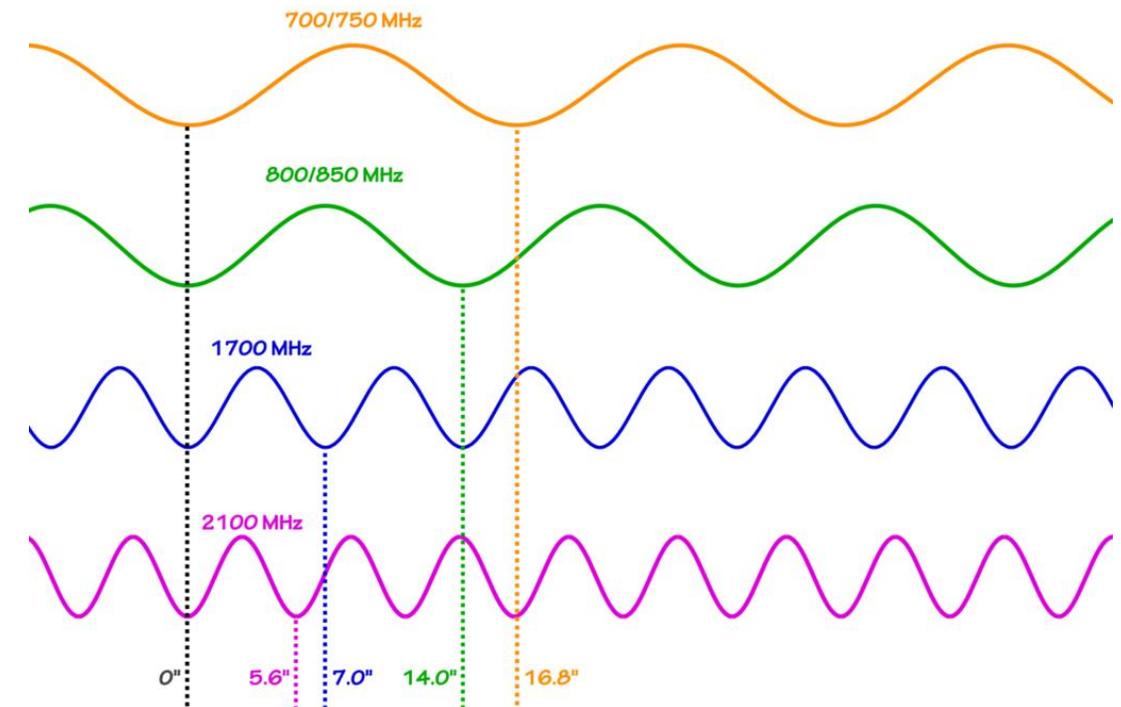
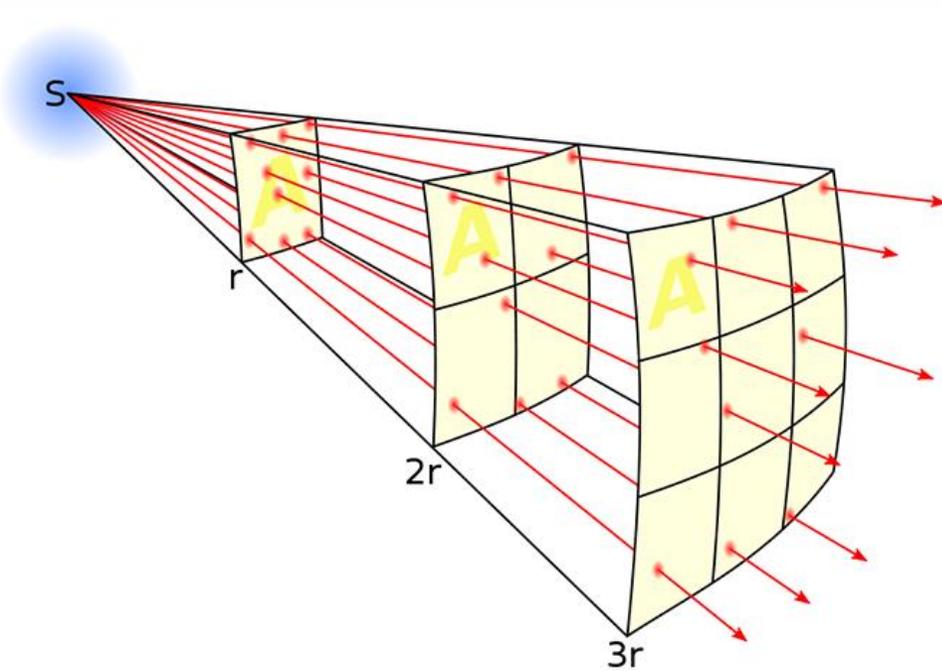
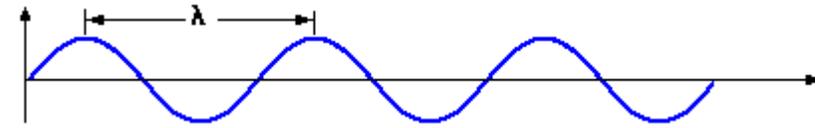
Note: This first 5G wavelength is the height of a baby up to 1 month old.

- **5G:** 600 MHz = dm microwaves of 5 dm \approx 20 inches (“)
- 4G: 700 MHz = dm microwaves of \sim 4.3 dm \approx 17”
- 3G/4G: 800 MHz = cm microwaves of 37.5 cm \approx 15”
- 3G/4G: 900 MHz = cm microwaves of \sim 33.3 cm \approx 13”
- 3G/4G: 1800 MHz = cm microwaves of \sim 16.7 cm \approx 6.6”
- 3G/4G: 2100 MHz = cm microwaves of \sim 14.3 cm \approx 5.6”
- Wi-Fi: 2450 MHz = cm microwaves of \sim 12 cm \approx 5”
- **5G:** 3100 MHz to 3550 MHz = \sim 9.7 to \sim 8.5 cm \approx 3.8 to 3.3”
- **5G:** 3550 MHz to 3700 MHz = \sim 8.5 to \sim 8.1 cm \approx 3.3 to 3.2”
- **5G:** 3700 MHz to 4200 MHz = \sim 8.1 to \sim 7 cm \approx 3.2 to 2.8”
- **5G:** 4200 to 4900 MHz = \sim 7 to \sim 6 cm \approx 2.8 to 2.4”
- Wi-Fi: 5800 MHz = \sim 5 cm microwaves of \sim 2”
- **5G:** 24,250 to 24,450 MHz = mm microwaves of \sim 12mm \approx **0.5”**
- **5G:** 25,050 to 25,250 MHz = mm microwaves of \sim 12mm \approx **0.5”**
- **5G:** 25,250 to 27,500 MHz = mm microwaves of \sim 11mm \approx **0.4”**
- **5G:** 27,500 to 29,500 MHz = mm microwaves of \sim 10mm \approx **0.4”**
- **5G:** 31,800 to 33,400 MHz = mm microwaves of \sim 9mm \approx **0.4”**
- **5G:** 37,000 to 40,000 MHz = mm microwaves of \sim 8mm \approx **0.3”**
- **5G:** 42,000 to 42,500 MHz = mm microwaves of \sim 7mm \approx **0.3”**
- **5G:** 64,000 to 71,000 MHz = mm microwaves of \sim 5mm \approx **0.2”**
- **5G:** 71,000 to 76,000 MHz = mm microwaves of \sim 4mm \approx **0.2”**
- **5G:** 81,000 to 86,000 MHz = mm microwaves of \sim 3.6mm \approx **0.1”**

Wavelengths Approaching Body-Part Size

Small periodic forces near a resonant frequency that produce large amplitude oscillations in the system due to the storage of vibrational energy.

Electromagnetic Resonance:



Effects of 5G Infrastructures

Ronald N. Kostoff, Paul Heroux, Michael Aschner, Aristides Tsatsakis, [Adverse health effects of 5G mobile networking technology under real-life conditions](#), *Toxicology Letters*, Volume 323, 2020.

“Science has documented additive, synergistic, potentiative, and/or antagonistic effects created by the combination of exposures. The researchers conclude that in aggregate, for the high frequency (radiofrequency-RF) part of the spectrum, currently published reviews show that RF radiation below the FCC guidelines can result in: carcinogenicity (brain tumors/glioma, breast cancer, acoustic neuromas, leukemia, parotid gland tumors), genotoxicity (DNA damage, DNA repair inhibition, chromatin structure), mutagenicity, teratogenicity, neurodegenerative diseases (Alzheimer’s Disease, Amyotrophic Lateral Sclerosis), neurobehavioral problems, autism, reproductive problems, pregnancy outcomes, excessive reactive oxygen species/oxidative stress, inflammation, apoptosis, blood-brain barrier disruption, pineal gland/melatonin production, sleep disturbance, headache, irritability, fatigue, concentration difficulties, depression, dizziness, tinnitus, burning and flushed skin, digestive disturbance, tremor, cardiac irregularities, adverse impacts on the neural, circulatory, immune, endocrine, and skeletal systems” and “from this perspective, RF is a highly pervasive cause of disease.”

Prolonged MW Radiation Exposure Has Serious Biological and Health Effects

Priyanka Bandara, David O. Carpenter. **Planetary electromagnetic pollution: It is time to assess its impact.** [The Lancet Planetary Health, Volume 2, Issue 12](#), December 2018.

“As the Planetary Health Alliance moves forward after a productive second annual meeting, a discussion on the rapid global proliferation of artificial [electromagnetic fields](#) would now be apt. The most notable is the blanket of radiofrequency electromagnetic radiation, largely microwave radiation generated for wireless communication and surveillance technologies, as mounting scientific evidence suggests that prolonged exposure to radiofrequency electromagnetic radiation has serious biological and health effects.”

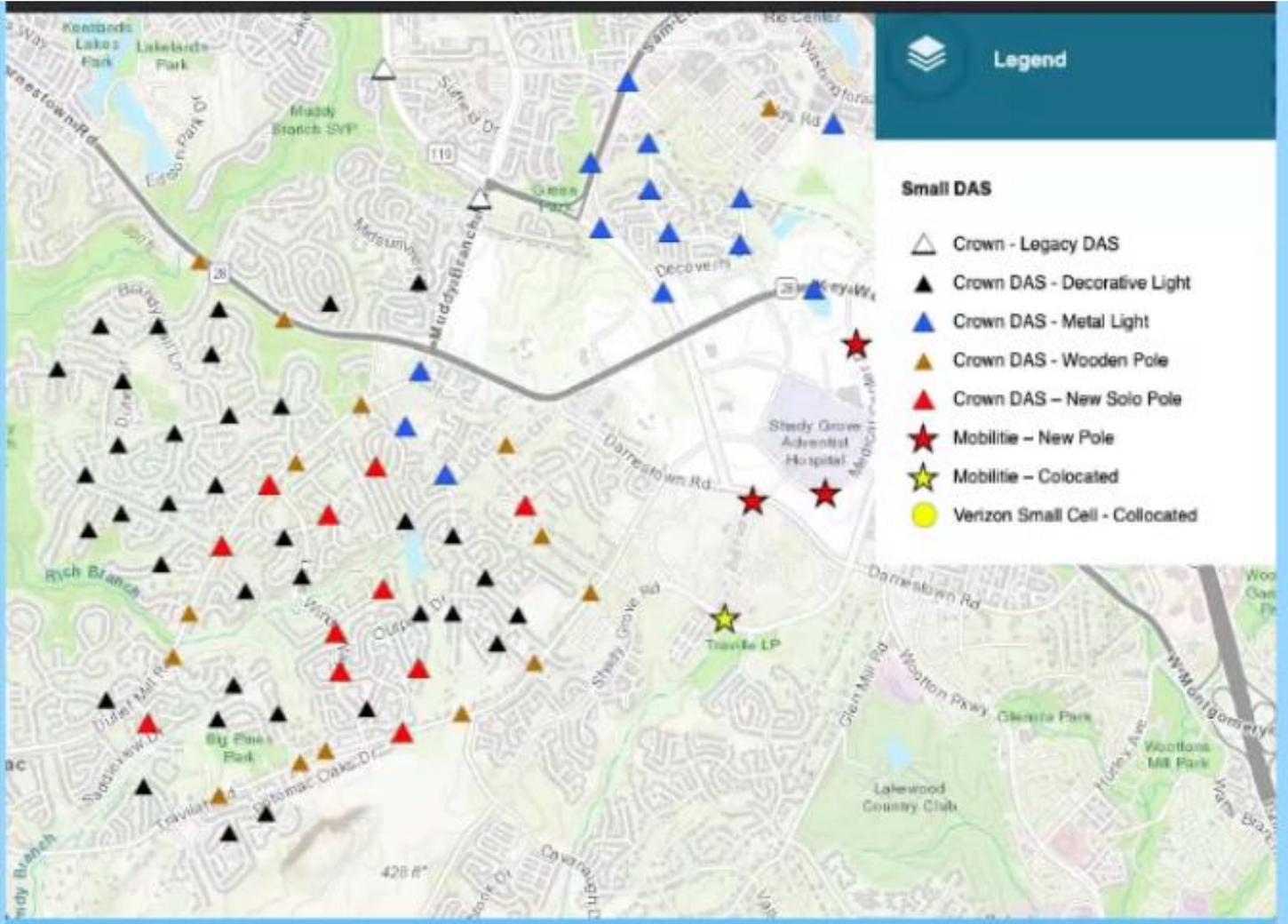
Effects on Blood in People Near Base Stations

Zothansiyama, et al. [“Impact of radiofrequency radiation on DNA damage and antioxidants in peripheral blood lymphocytes of humans residing in the vicinity of mobile phone base stations.”](#) Electromagnetic Biology and Medicine 36.3 (2017): 295-305.

“This study evaluated effects in the human blood of individuals living near mobile phone base stations (within 80 meters) compared with healthy controls (over 300 meters). The study found higher radiofrequency radiation exposures and statistically significant differences in the blood of people living closer to the cellular antennas. The group living closer to the antennas had for example, statistically significant higher frequency of micronuclei and a rise in lipid peroxidation in their blood. These changes are considered biomarkers predictive of cancer.”

Planned deployment of small cell sites on public rights-of-way:

This map shows Crown Castle’s plan to deploy distributed antenna sites (small cells) on public rights-of-way in a Maryland suburb. **THIS PLAN WAS STOPPED!**



The Main Harm to Children – Barrie Trower PhD

[Wifi – a Thalidomide in the Making – Who Cares? \(2013\)](#)

- Blood Brain Barrier requires 18 months to form and protects the brain from toxins. It is known to be effected.
- Myelin Sheath requires 22 years to build its 122 layers. It is responsible for all thinking, organ and muscle processes.
- Brain requires 20 years to develop (I can assure you, cell phones do not help in its development).
- Immune System requires 18 years to develop. Bone marrow and Bone Density are known to be affected by low-level microwaves as are the immune systems' white blood cells.
- Bones requires 28 years to develop as mentioned the moisture content of children makes both the 'soft bones' and marrow particularly attractive to microwave irradiation. Bone marrow produces blood cells.
- Sperm - DNA fragmentation from WiFi levels of irradiation.

Motor Skills, Memory and Attention Decreased in Students Near Towers

Meo, S. A., Almahmoud, M., Alsultan, Q., Alotaibi, N., Alnajashi, I., & Hajjar, W. M. (2018). [Mobile Phone Base Station Tower Settings Adjacent to School Buildings: Impact on Students' Cognitive Health](#). *American Journal of Men's Health*.

“High exposure to RF-EMF produced by mobile phone base station towers was associated with delayed fine and gross motor skills, spatial working memory, and attention in school adolescents compared to students who were exposed to low RF-EMF.”

Tower Radiation Significantly Impairs Students' Cognitive Functions

Meo SA, Almahmoud M, Alsultan Q, Alotaibi N, Alnajashi I, Hajjar WM, [Mobile Phone Base Station Tower Settings Adjacent to School Buildings: Impact on Students' Cognitive Health](#). Am J Mens Health. 2018 Dec 7:1557988318816914. doi: 10.1177/1557988318816914.

“This study investigated the impact of exposure to radiofrequency electromagnetic field (RF-EMF) radiation generated by mobile phone base station towers (MPBSTs) on cognitive functions. Two hundred and seventeen volunteer male students aged between 13 and 16 registered from two different intermediate schools: 124 students were from School 1 and 93 students were from School 2. The MPBSTs were located within 200 m from the schoolbuildings. In School 1, RF-EMF was 2.010 $\mu\text{W}/\text{cm}^2$ with a frequency of 925 MHz and in School 2, RF-EMF was 10.021 $\mu\text{W}/\text{cm}^2$ with a frequency of 925 MHz. Students were exposed to EMFR for 6 hr a day, 5 days a week for a total period of 2 years. The Narda Safety Test Solution device SRM-3006 was used to measure RF-EMF in both schools, and cognitive functions tasks were measured by the Cambridge Neuropsychological Test Automated Battery (CANTAB). Significant impairment in Motor Screening Task (MOT; $p = .03$) and Spatial Working Memory (SWM) task ($p = .04$) was identified among the group of students who were exposed to high RF-EMF produced by MPBSTs. High exposure to RF-EMF produced by MPBSTs was associated with delayed fine and gross motor skills, spatial working memory, and attention in school adolescents compared to students who were exposed to low RF-EMF.”

Fetal Abnormalities, Genetic Damages in Children of Microwave-Exposed Girls & Women

https://ec.europa.eu/health/scientific_committees/emerging/docs/emf_117.pdf

Physicist and Microwave Radiation Weapons Expert with MI6 (ret.), Barry Trower PhD:

“A minimum of 57.7% of schoolgirls exposed to low-level microwave radiation (Wi-fi) are at risk of suffering stillbirth, foetal abnormalities or genetically damaged children when they give birth. Any genetic damage may pass to successive generations.”

John R Goldsmith MD MPH:

“Of the microwave-exposed women, 47.7% had miscarriages prior to the 7th week of pregnancy....”

1



OVARIES
- 400,000 FOLLICLES
- 400 TO MATURE
- 14 EACH CYCLE TO PRODUCE EGG(S) WHICH CAN BE FERTILIZED

CHILD 'A' 5-16 YEARS EXPOSED TO WI-FI IN SCHOOL
Possible damage to first and subsequent generations.

Microwave irradiation can cause oxidative and nitrosative stress to mitochondria - this DNA is 10x more susceptible to low level chronic microwave radiation than other DNA.

Low histone protein content i.e. mitochondriopathy $N_2 O_2$ is essential for brain / immune system, any DNA damage is irreparable and can pass to every female hence forth.

57.7%

2



* PHOTSENSITIVE GANGLIONS ABSORB RAD: EFFECT BODY FUNCTIONS

CHILD 'B' FOETUS FROM CHILD 'A' NOW AS A PREGNANT STUDENT/ADULT
With possible DNA damage

- 100 days for follicles to form: no definite structure thence 150+120 d. to mature
- No protein 53 (x4) to fight radiation
- No nuclear core complex (x30) proteins for defence
- No factor 1 protein* (apoptosis)
- Of 100,000 protein structures only 600 are known

7d = 100 Cells

28d = Heart

*40d = Eye

47d = fingers / toes

Body is initially inside out, i.e.

major organs are the most irradiated

Woman may not know she is pregnant at this stage: Hence no precautions taken

3



CHILD 'B' IS NOW PREGNANT CHILD 'C'
Adult Child C may already have been irradiated

- Every aspect of Child 'C's life has been at maximum risk from stages 1,2 & 3.
- The greatest risk is yet to come. Biggest danger from school wi-fi irradiation on students and teachers

1st 56 days is when all embryos are most vulnerable. During the first 4-6 weeks, the mother may not know she is pregnant, therefore will not shield the embryo from radiation

25+ years