

# Congress of the United States

Washington, DC 20515

November 9, 2023

Honorable Antony Blinken  
Secretary of State  
United States Department of State  
2201 C. St. NW  
Washington, DC 200520

Dear Secretary Blinken,

The Intergovernmental Negotiating Committee (INC) is a unique opportunity for countries across the globe to work together towards a shared goal of protecting our planet on behalf of future generations. Ahead of INC-3, we urge the State Department to align with the countries and businesses in the High Ambition Coalition to End Plastic Pollution in striving for mandatory standards that meaningfully reduce plastic production and robust rules and procedures that will enable that outcome.

Plastic pollution impacts public health, ecosystems, and our global climate. Plastics are also a large and growing source of greenhouse gas emissions. Petrochemical and harmful waste management facilities are overwhelmingly sited in low-income communities and communities of color, exposing these communities to harmful air and water with major human health consequences, including increased incidences of asthma, cancers, endocrine disruption, developmental disorders, and heart disease. An international legally binding instrument is an opportunity for the world to come together and address this global crisis.

As such, we urge the State Department to adhere to four guiding principles in your negotiations:

- A small number of plastic producing countries cannot be empowered to stop the rest of the world from addressing this crisis
- A meaningful treaty must include binding production limits
- Innovation and circularity cannot be excuses for inaction
- Parties to the treaty must have tools to protect themselves

*A small number of plastic producing countries cannot be empowered to stop the rest of the world from addressing this crisis*

There is strong global momentum to finalize an ambitious legally binding agreement by the end of 2024. While the goal of any negotiation is to reach a consensus product that all countries can support, the plastic pollution crisis is too dire to allow a small number of intransigent countries to delay or derail the process. The United States should push for rules and procedures that enable robust collaboration and deliberation while ultimately allowing for a majority driven process in order to protect ambition on a meaningful timeline.

*A meaningful treaty must include binding production limits*

Plastics are harmful across their entire lifecycle, from the toxic chemicals that are released during production of raw materials to the microplastics that result from plastics waste. An agreement that fails to meaningfully address plastic production with binding time-bound targets will be a global failure. We were pleased to hear that the Administration supports “universal binding provisions” as part of the international legally binding instrument to address plastics. We urge the Administration to support the inclusion of binding production limits in the final text.

*Innovation and circularity cannot be excuses for inaction*

Innovation and circularity cannot be used to justify delaying actions that are available now to address plastic pollution. While technologies may eventually be developed to address plastic pollution, none of them are ready now, and none of them address the impacts of plastic production. Even more troubling, circularity and innovation are too often applied to technologies that are actually down-cycling, which result in large amounts of hazardous waste, or which are actually just fancy ways to burn plastics. The United States should not support innovation or circularity without strong definitions that ensure that technologies are actually recycling plastics into the same polymers and creating near closed-loop systems. And support for innovation at the end-of-life of plastics must be coupled with meaningful reduction in plastics production and use.

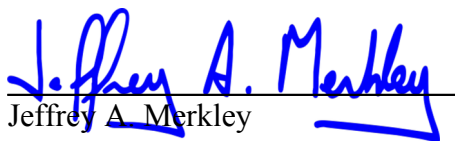
*Parties to the treaty must have tools to protect themselves*


Currently, non-party trade provisions are missing from the zero-draft. These provisions are essential to ensure that parties to the treaty are able to protect themselves from countries that do not join the agreement. We urge the United States to support robust provisions that protect the industries in parties to the treaty from being disadvantaged by countries that fail to sign the treaty.

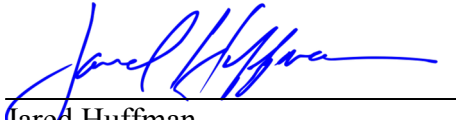
*Conclusion*

The international legally binding instrument to end plastic pollution is an unprecedented opportunity for the world to come together to address our plastic pollution crisis and our climate crisis in tandem. We urge the State Department to use its influence to support an ambitious treaty that will help deal with all aspects of the plastic crisis.

Sincerely,

  
\_\_\_\_\_  
Jeffrey A. Merkley  
United States Senator

  
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Sheldon Whitehouse  
United States Senator



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Jared Huffman  
Member of Congress