

United States Senate

WASHINGTON, DC 20510

November 21, 2022

Dear Secretary Blinken:

We are writing to urge the Administration to take an ambitious stance at the first session of the Intergovernmental Negotiating Committee (INC) to develop an international legally binding instrument on plastic pollution.

Plastic pollution is a clear and present threat to our public health, our economic security, and the future wellbeing of our planet. Without immediate, bold action, it is a threat that will only continue to grow. Earlier this year, the resumed fifth session of the UN Environment Assembly (UNEA-5.2) recognized this growing threat by adopting a resolution deciding to pursue the negotiation of an international legally binding instrument that will bring the world together to act to stop the harmful increase in plastic production and pollution that we know is coming.

This is a unique opportunity for people all across the globe to work together towards a shared goal of protecting our planet on behalf of future generations.

The first session of negotiations will set the stage for future discussions, and many nations will look to the United States for leadership on fighting the plastics crisis. A strong stance right out of the gate will signal the Biden Administration's commitment to reducing plastics at the source, and will push others to match such actions in their own countries.

As a major driver of plastic use and plastic pollution, we have a responsibility to spearhead solutions to this crisis. According to one recent study, when we take our exportation of plastic waste overseas into consideration, America ranks as high as third among countries contributing to coastal plastic pollution.¹ In spite of our contributions to this crisis, generations of Americans have been taught to believe that every piece of plastic they throw into those blue recycling bins gets remade into something new—following the three-R's "reduce, reuse, recycle." With just 5% actually getting recycled, however, the truth is actually the three-B's: "burned, buried, or borne out to sea." That's because the majority of plastics end up burned, buried in landfills, or floating in the ocean. And the resulting impacts on American citizens in every community is undeniable, particularly in marginalized communities which have been disproportionately burdened with pollution from plastic production and harmful waste management practices.

Those impacts have been exported to other nations. For decades, the U.S., and other countries have exported much of our plastic waste overseas where it falls to the informal sector to collect, sort, and sell for recycling. Waste pickers collect approximately 60% of all the plastic that is collected for recycling globally.¹ As a result, they have played a critical role in reducing plastic pollution and strengthening a global circular economy. Due to the nature of their jobs, however, these individuals are often exposed to hazardous working conditions such as harmful air, water, and soil

¹ Law, K.L., et al. "[The United States' Contribution of Plastic Waste to Land and Ocean.](#)" *Science Advances*. (2020)

pollution. Therefore a global agreement to address plastic pollution should support better working conditions for waste pickers and environmental justice throughout the plastics lifecycle.

We are in the midst of a plastic pollution crisis – plastic pollution has been found everywhere from Arctic ice to mountain peaks in our national parks, to inside our own bodies. Each year, nearly 11 million metric tons of plastic waste flows into the ocean from land-based sources alone. Without intervention, that number is expected to triple by the year 2040.² On the water, abandoned, lost, or otherwise discharged fishing gear, known as “ghost gear” is the most deadly type of marine debris³ – it has been estimated that ghost gear is responsible for an estimated 5-30% decline in fish stocks around the world.⁴ There is clear evidence that microplastics, and the toxic chemicals they contain, are threatening human and marine health.⁵ And it has been estimated that each of us is consuming a credit card’s worth of those microplastics every week through the food chain and our water supplies.⁶ Plastics also contribute directly to our climate crisis with the plastics sector being responsible for more global greenhouse gas emissions than the entire aviation sector. That impact will only grow as plastics are estimated to make up 20 percent of oil demand by 2050.⁷

We cannot address our climate emergency without tackling our plastic pollution crisis.

We urge the Administration to show leadership and ambition during the first session of the INC by supporting the following goals for the legally binding instrument:

- Promote the development and implementation of national action plans that include robust metrics and targets for source reduction as well as waste management, pollution prevention, and clean up;
- Advocate for circular economy principles, including better product design and support for recycling, and ensure chemical recycling technologies that harm communities and do not perpetuate a circular economy are not part of the agreement;
- Advocate for the inclusion of the most harmful types of plastic pollution in the discussions, including “ghost gear” and microplastics;
- Encourage negotiators to discuss the role of plastics in climate commitments;
- Elevate the importance of the informal sector and other marginalized groups in the process and agreement;
- Advocate for robust financial support and technical capacity to ensure all countries can undertake ambitious strategies.

The international legally binding instrument is an unprecedented opportunity to address our plastic pollution crisis. We applaud your continued leadership on this critical issue and are confident that, through purposeful international engagement, plastic pollution can be reduced at a meaningful scale. We stand ready to work with the Biden Administration to further these efforts on the federal level.

² [“Breaking the Plastic Wave.”](#) Pew Charitable Trusts. (2020)

³ Wilcox, C., et al. [“Using expert elicitation to estimate the impacts of plastic pollution on marine wildlife.”](#) *Marine Policy*. (2016)

⁴ Ocean Conservancy and Global Ghost Gear Initiative. [“Effective Ghost Gear Solutions.”](#) (2020)

⁵ CIEL. [“Plastic & Health: The Hidden Cost of a Plastic Planet.”](#) (2019)

⁶ <https://www.cnn.com/2019/06/11/health/microplastics-ingestion-wwf-study-scn-intl>

⁷ [“The New Plastics Economy.”](#) Ellen MacArthur Foundation. (2017)

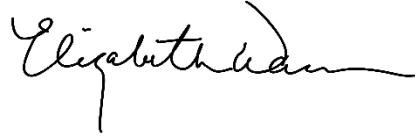
United States Senate

WASHINGTON, DC 20510

Sincerely,



Jeffrey A. Merkley
United States Senator



Elizabeth Warren
United States Senator



Ron Wyden
United States Senator



Bernard Sanders
United States Senator

CC:

The Honorable John Kerry,
The Honorable Gina McCarthy,
Secretary Debra Haaland,
Secretary Gina M. Raimondo,
Administrator Michael Regan,
The Honorable Brenda Mallory