

Congress of the United States
Washington, DC 20510

May 25, 2023

The Honorable Joseph R. Biden
The White House
1600 Pennsylvania Avenue, NW
Washington, DC, 20500

Dear President Biden:

We write to express our disappointment with the United States' submission prior to the Second Session of the Intergovernmental Negotiating Committee on Plastic Pollution and our fear that it signals that this Administration is not committed to an ambitious agreement. We urge the State Department to align with the countries and business in the High Ambition Coalition to End Plastic Pollution by striving for mandatory standards that reduce the environmental harms from plastics instead of aligning with petrostates like the Kingdom of Saudi Arabia and big polluters like the People's Republic of China, who are trying to hold the process back or are pushing for a weak structure built around nationally determined contributions. Strong, consistent international standards are critical to ensure American businesses can operate on a level playing field, enabling the innovation that will grow our economy and create opportunities out of this crisis.

Plastic pollution impacts public health, ecosystems, and our global climate. There is growing scientific evidence the toxic chemicals contained in plastics and microplastics themselves are impacting human health. The full long-term impacts of which we still do not fully understand. The plastics sector is already responsible for more global greenhouse gas emissions than the entire aviation sector, and as the world transitions to clean and renewable energy, demand for oil is projected to shift to petrochemicals with plastics estimated to account for 20% of oil demand by 2050.

This plastic pollution crisis also comes with decades of environmental injustices – driven by the siting of petrochemical and harmful waste management facilities in low-income communities and communities of color. These facilities expose frontline and fence-line communities to harmful air and water with major human health consequences for them, including increased incidences of asthma, cancers, endocrine disruption, developmental disorders, and heart disease.

We are painfully aware that the United States Congress is divided and that the prospect for passing ambitious action through Congress in the near term is small. Rather than using our divisions as a justification for holding the world back, the United States must recognize the severity of this crisis and leverage the opportunities available through executive authority and push for a majority-based process that will allow for a high ambition agreement.

Our specific concern with the United States Proposal include:

- Viewing “national action plans as a mechanism to foster ambitious action,” as past multilateral environmental agreements have taught us that voluntary action plans alone are insufficient to meet the scale and scope of these global problems,

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- The failure to identify reducing plastic production as a core objective of the treaty instead of a mere corollary that might be achieved. Numerous studies have modeled global interventions necessary to address this crisis and they all agree that we must start with reducing the amount of plastics we make and use in the first place.
- A failure to account for sea based sources of plastics. While land-based sources represent the majority of plastic pollution, pound-for-pound, sea-based sources like lost and abandoned fishing gear are the most harmful to wildlife and the blue economy.

As one of the leading drivers of this crisis, the United States has a leadership opportunity and an obligation to help move the world responsibly in the right direction. The international legally binding instrument is an unprecedented opportunity to address our plastic pollution crisis and our climate crisis in tandem. We urge you to stop thinking of this as just as a pollution problem and to recognize it as the public health, justice and climate crisis that it poses.

Sincerely,



Jeffrey A. Merkley
United States Senator



Jared Huffman
Member of Congress