

United States Senate

WASHINGTON, DC 20510

November 14, 2024

The Honorable Joseph R. Biden, Jr.
President of the United States
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear President Biden,

We write to express great concern that just as talks at the Intergovernmental Negotiating Committee (INC) enter their final phase, the administration has changed the U.S. negotiating positions to address plastic pollution. It is unfortunate the administration appears to have succumbed to pressure from extremist environmental activists and now supports constraints on manufacturing and the development of target lists that identify chemicals and plastic products to be banned around the world in the potential treaty. We will not support a treaty that proposes global lists to restrict the production or use of chemicals, plastics, or plastic products or that requires new domestic authority.

Throughout the negotiating process, the United States positioned itself to broker an agreement that not only seizes upon a historic opportunity to end plastic pollution in the environment, but one that also bolsters American manufacturing by supporting innovative new product designs and recycling technologies. Such an agreement could usher in a beneficial “circular economy” for plastics. This last-minute change in U.S. policy could sabotage years of positive collaboration and progress in brokering a treaty that ends plastic pollution, unlocks innovation, and, importantly, that could be ratified by the U.S. Senate.

This last minute shift in policy harms the United States’ reputation in the negotiations. Until this point, the United States has been able to build bridges between different parties and has been able to not only lead, but also deliver results. It would be wise to reconsider this drastic shift and ignore the calls of extremists who want to undermine U.S. manufacturers and American jobs.

Instead, this administration should continue to negotiate a treaty that the United States could actually join and implement. Under a responsible treaty which is compatible with U.S. interests, the United States can hold other countries accountable for their promises to address plastic pollution. However, if this treaty includes limits on production and product bans, the countries who produce the most plastic pollution and most urgently need to join a treaty will likely walk away, which will result in a tragic missed opportunity to tackle the important challenge of plastic pollution.

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The world will need U.S. leadership in ending plastic pollution. A treaty that fails to gain the support of two thirds of the Senate will embolden countries like China who leak significant amounts of plastic waste into the environment. An agreement that enjoys the support of the U.S. Senate would also ensure any final treaty is informed by science and remains flexible to incorporate new advances in science, technology, and innovation.

This treaty has the potential to impact nearly every facet of the lives of our citizens. The agreement would commit the United States to make a number of domestic policy changes in order to implement the expected obligations under the treaty, which would create important questions affecting federal and state laws. As such, this agreement must be submitted to the Senate for its advice and consent as an Article II treaty under our Constitution. Any agreement that includes provisions harmful to American manufacturing and jobs, or that unnecessarily drives up the costs to American consumers of food, electronics, vehicles, and other critical products, will not receive Senate ratification.

With the final round of negotiations taking place later this year, we recommend you focus on securing a treaty that the U.S. can actually join, one that will result in a lasting solution to end plastic pollution, and one that would strengthen our innovative economy. To date, the U.S. delegation has proven adept at breaking gridlock and being a reasonable voice which seeks to foster consensus amongst governments. We would encourage you to let the State Department continue the effort to find a workable agreement among the various country factions and not impose ideological mandates from the White House that harm U.S. interests. Only through careful and disciplined diplomacy can we achieve a meaningful global treaty that focuses on eliminating plastic pollution while maintaining U.S. competitiveness.

Sincerely,



JAMES E. RISCH
United States Senator



DAN SULLIVAN
United States Senator



SHELLEY MOORE CAPITO
United States Senator



TED CRUZ
United States Senator



PETE RICKETTS
United States Senator



TODD YOUNG
United States Senator



KEVIN CRAMER
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BILL CASSIDY, M.D.
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United States Senator



MARKWAYNE MULLIN
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JOHN CORNYN
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THOM TILLIS
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ROGER WICKER
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MIKE CRAPO
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JOHN BOOZMAN
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LINDSEY O. GRAHAM
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