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Honorable Antony J. Blinken
Secretary of State
United States Department of State
2201 C. St. NW
Washington, DC 20520

Honorable Jose W. Fernandez
Under Secretary for Economic Growth, Energy, and the Environment
United States Department of State
2201 C. St. NW
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Dear Secretary Blinken and Under Secretary Fernandez:

President Trump won the 2024 election. Now, after the election, you should not negotiate or enter an international agreement relating to regulating American-made plastics. American chemistries are among the world's safest, cleanest, and most productive. Negotiating or entering this agreement now disrespects the will of the people. There is no rush—and so the State Department should demur until President Trump is able to confirm his appointees to step in to this important work. Depending on the final agreement's language, it likely will impose legal obligations on American manufacturers across the country and in our States.

As the Attorneys General of Iowa, Alabama, Arkansas, Georgia, Indiana, Louisiana, Montana, Nebraska, South Carolina, Texas, Utah, and West Virginia we play an important role in defending our States' duly enacted laws and regulations related to plastic. To the extent this agreement will impose more burdensome obligations, risking harming the industry in our States, it also may create conflicts with State law.

In more detail, the United Nation's Intergovernmental Negotiating Committee on Plastic Pollution will convene in South Korea to continue negotiating an "international legally binding instrument on plastic pollution." That is why we, the undersigned attorneys general of twelve States, respectfully request that the Biden Administration avoid any lame duck international agreements that might constrain or bind President Trump's

administration. This is especially true of agreements that would surrender American authority to unelected global bureaucrats, sacrifice American jobs, and hurt American consumers. America's interests must come first, not the wishes of global elites.

The upcoming negotiations should reflect this week's election results. After all, as someone close to the negotiations recently admitted, "The timing of the whole INC [international negotiating committee] process had something to do with the U.S. elections."¹ The negotiators believe that America's position likely would change after President Trump won the election: "We assume that . . . they will have very different positions in the Trump administration that could play a very disruptive role in the negotiations if we continue."² And so fast action is replacing thoughtful negotiations, to avoid, as one California Democrat hypothesized "going to get nowhere on plastics."³

The American people gave President Trump "an unprecedented and powerful mandate" in the Electoral College and the popular vote.⁴ Yet "despondent Biden administration officials" reportedly want to defy the American people's wishes by attempting to "Trump-proof" America's foreign policy.⁵ To dispel those concerns, the Biden Administration should send a clear message this month to the Intergovernmental Negotiating Committee on Plastic Pollution that America's positions will be determined by incoming 47th President of the United States Donald J. Trump.

¹ Jordan Wolman and Leonie Cater, *Why a Trump victory could doom efforts to end plastic pollution*, POLITICO (Nov. 4, 2024), at <https://www.politico.eu/article/donald-trump-us-election-plastic-treaty-talks-environment-pollution-fossil-fuels/>.

² *Id.*

³ Jordan Wolman, *Plastics talks talk Trump*, POLITICO (Apr. 9, 2024), at <https://www.politico.com/newsletters/the-long-game/2024/04/09/plastics-talks-talk-trump-00151239>.

⁴ Steve Holland *et al.*, *Donald Trump elected US president in stunning comeback*, REUTERS (Nov. 6, 2024), at <https://www.reuters.com/world/us/trump-vs-harris-us-voters-head-polls-turbulent-campaign-concludes-2024-11-05/>.

⁵ Nahal Toosi and Robbie Gramer, *Biden team debates how to 'Trump-proof' foreign policy*, POLITICO (Nov. 6, 2024), at <https://www.politico.com/news/2024/11/06/biden-trump-proofing-foreign-policy-00187875>.

The American people have repeatedly elected President Trump in part because of his opposition to international agreements that harm Americans and empower global elites. In his successful 2016 and 2024 campaigns, President Trump promised to withdraw from the disastrous Paris Climate Accord.⁶ Keeping his campaign promises during his first term, President Trump withdrew America from the Paris agreement,⁷ the Trans-Pacific Partnership,⁸ and the Iran nuclear deal.⁹ President Trump understands that Americans want to be governed by elected officials in the United States, not unelected bureaucrats in foreign countries.

Americans particularly detest international agreements that impose harmful policy outside of the U.S. Senate's constitutional advice and consent responsibility. After the Kyoto climate treaty failed more than a quarter-century ago,¹⁰ global elites have designed agreements to impact American policy without submitting them to the U.S. Senate for approval, where they would need the support of two-thirds of senators.¹¹ In its waning days, the

⁶ Ben Lefebvre and Zack Colman, *Trump would withdraw US from Paris climate treaty again, campaign says*, POLITICO (June 28, 2024), at <https://www.politico.com/news/2024/06/28/trump-paris-climate-treaty-withdrawal-again-00165903>; Benjy Sarlin, *Donald Trump Pledges to Rip Up Paris Climate Agreement in Energy Speech*, NBC NEWS (May 26, 2016), at <https://www.nbcnews.com/politics/2016-election/donald-trump-pledges-rip-paris-climate-agreement-energy-speech-n581236>.

⁷ *President Trump Announces U.S. Withdrawal From the Paris Climate Accord*, THE WHITE HOUSE (June 1, 2017), at <https://trumpwhitehouse.archives.gov/articles/president-trump-announces-u-s-withdrawal-paris-climate-accord/>.

⁸ *The United States Officially Withdraws from the Trans-Pacific Partnership*, Office of the United States Trade Representative (

⁹ *President Donald J. Trump is Ending United States Participation in an Unacceptable Iran Deal*, THE WHITE HOUSE (May 8, 2018), at <https://trumpwhitehouse.archives.gov/briefings-statements/president-donald-j-trump-ending-united-states-participation-unacceptable-iran-deal/>.

¹⁰ Christie Aschwanden, *A Lesson from Kyoto's Failure: Don't Let Congress Touch A Climate Deal*, FIVETHIRTYEIGHT (Dec. 4, 2015), at <https://fivethirtyeight.com/features/a-lesson-from-kyotos-failure-dont-let-congress-touch-a-climate-deal/>.

¹¹ See, e.g., Stephen Collinson, *Iran deal: A treaty or not a treaty, that is the question*, CNN (Mar. 12, 2015), at <https://www.cnn.com/2015/03/12/politics/iran-nuclear-deal-treaty-obama-administration/index.html>.

Biden Administration should not negotiate any agreements calculated to evade the new Republican Senate majority.

Americans will suffer if the Biden Administration fails to respect the election results and the rule of law. According to the Plastics Industry Association, the plastics industry is America's eighth-largest manufacturing sector, supporting more than one million jobs.¹² Imposing limitations on American plastic manufacturing will cost American jobs and increase prices that Americans must pay at the grocery store. A lame duck administration should not endanger American jobs or family income.

America must not surrender its authority to unelected global bureaucrats, nor should it sacrifice American jobs to satisfy global elites. Americans overwhelmingly voted for President Trump to put America First. The Biden Administration should respect the wishes of the American people and refuse to enter any last-minute international agreements.

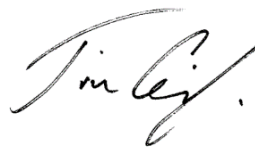
Sincerely,



Brenna Bird
Attorney General of Iowa

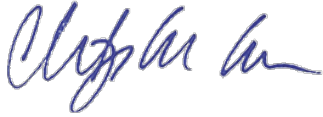


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¹² Matt Seaholm, *Op-ed: Limiting plastic production leads us backwards*, MANUFACTURING DIVE (Oct. 21, 2024), at <https://www.manufacturingdive.com/news/op-ed-plastic-industry-association-ceo-matt-seaholm/729563/>.



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