

*** Advocates for Environmental Human Rights * Alaska Community Action on Toxics * American Rivers * Beyond Pesticides * Breast Cancer Fund * Center for Environmental Health * Center for Health, Environment and Justice * Center for International Environmental Law * Circumpolar Conservation Union * Citizens' Environmental Coalition * Clean Water Action * Commonweal * Delta Institute * Ecology Center * Environmental Defense * Environmental Health Fund * Environmental Working Group * Greenpeace * Illinois PIRG * Indigenous Environmental Network * Indigenous Women's Network * Institute for Agriculture and Trade Policy * International POPs Elimination Network * League of Conservation Voters * National Environmental Trust * National Wildlife Federation * Natural Resources Defense Council * Oceana * Oregon State Public Interest Research Group * Pesticide Action Network North America * Physicians for Social Responsibility * Public Interest Research Group in Michigan * Sciencecorps.org * Sierra Club * US Public Interest Research Group * Washington Toxics Coalition * World Wildlife Fund ***

September 7, 2005

The Honorable Bill Frist
Senate Majority Leader
509 Hart Senate Office Building
Washington, DC 20510

The Honorable Harry Reid
Senate Minority Leader
528 Hart Senate Office Building
Washington, DC 20510

The Honorable J. Dennis Hastert
Speaker of the House
235 Cannon House Office Building
Washington, DC 20515

The Honorable Nancy Pelosi
House Minority Leader
2371 Rayburn House Office Building
Washington, DC 20515

Essential Elements of U.S. Leadership in Ratifying the Stockholm Convention on Persistent Organic Pollutants (POPs)

We are writing to encourage the Congress to reassert international leadership in addressing the challenge of persistent organic pollutants (POPs). These chemicals pose a global hazard because they persist for years in the environment, travel long distances by wind and water, and accumulate in the food chain. POPs in our bodies can cause cancer, neurological and learning disabilities, and subtle changes to reproductive and immune systems. Children are especially vulnerable to exposures before birth and from breast milk. People living near industrial plants, workers, Arctic communities, and indigenous peoples who rely on traditional foods often bear the greatest burden of chemical contamination. POPs released in the United States can harm people and wildlife thousands of miles away. Americans are exposed to dangerous POPs from within and beyond our borders.

The Stockholm POPs Convention was negotiated with the active participation of the U.S. government and signed by the Bush Administration in May 2001. The treaty enjoys the broad support of businesses, workers, environmental and health experts, and our organizations. It regulates the use of 12 POPs—including dioxins, PCBs and DDT—and establishes a rigorous, science-based process for identifying and eliminating other global POPs. None of the initial “dirty dozen” POPs are intentionally produced in the United States any longer. So how the United States implements the treaty’s provisions for adding POPs will be an important test of U.S. leadership.

Unfortunately, legislative proposals in the 108th Congress failed to demonstrate an adequate commitment to U.S. leadership on POPs. On behalf of the millions of Americans who stand to benefit from U.S. ratification, we urge you to hold this implementing legislation to a higher standard by passing legislation that meets these criteria:

1) Timely U.S. Action

Implementing legislation should provide that the United States promptly decide whether to regulate POPs when they are added to the Stockholm Convention. Because of the treaty's "opt-in" safeguard (which the United States insisted upon), our country can never be compelled against its will to regulate chemicals that are added to the treaty.

2) Respect for State Efforts

Implementing legislation should support, not weaken, state and local laws that safeguard public health and the environment from POPs, such as some recent actions in California, Washington, Maine, Hawaii, Michigan, New York, and elsewhere.

3) Clear Legal Authority

These amendments should facilitate U.S. action on POPs, not hinder it. Once the United States commits to regulating POPs that are added to the treaty, EPA must have the authority to respond quickly and effectively by:

- Utilizing the analysis developed through the Convention's scientific review process, and not requiring EPA to undertake costly, redundant evaluations;
- Reviewing scientific evidence according to existing standards under U.S. law, but not embarking on a fruitless search for scientific certainty before taking action;
- Incorporating the health-based decision-making standard agreed in the Convention, not a controversial "cost-benefit balancing" test that is skewed toward inaction.

At least 106 countries have become parties to the Stockholm Convention, including most of our allies and major trading partners in Europe, Latin America, Africa, Asia and the Pacific. By remaining outside this landmark agreement, the United States loses its ability to affect the success of the Convention and harms its reputation as an international leader in the management of these dangerous pollutants.

We encourage you to reassert U.S. leadership by moving deliberately to craft legislation that meets these criteria. We stand ready to work together to achieve our shared objective of protecting the health and well being of Americans and others from persistent organic pollutants.

Sincerely,

Monique Harden & Nathalie Walker
Co-Directors & Attorneys
Advocates for Environmental Human Rights
New Orleans, LA

Jay Feldman
Executive Director
Beyond Pesticides
Washington, DC

Pamela K. Miller
Executive Director
Alaska Community Action on Toxics
Anchorage, AK

Jeanne Rizzo, RN
Executive Director
Breast Cancer Fund
San Francisco, CA

S. Elizabeth Birnbaum
Vice President for Government Affairs
American Rivers
Washington, DC

Joseph H. Guth, JD, PhD
Senior Policy Analyst
Center for Environmental Health
Oakland, CA

Lois Marie Gibbs
Executive Director
Center for Health, Environment and Justice
Falls Church, VA

Glenn Wiser
Senior Attorney
Center for International Environmental Law
Washington, DC

Luisa Boyarski
Executive Director
Circumpolar Conservation Union
Washington, DC

Kathleen Curtis
Executive Director
Citizens' Environmental Coalition
Albany, NY

Lynn Thorp
National Campaigns Coordinator
Clean Water Action
Washington, DC

Sharyle Patton
Co-Director Sustainable Futures Project
Commonweal
Bollinas, CA

Timothy H. Brown
Co-Director
Delta Institute
Chicago, IL

Tracey Easthope, MPH
Director, Environmental Health Project
Ecology Center
Ann Arbor, MI

John Balbus, MD, MPH
Director, Health Program
Environmental Defense
Washington, DC

Jack Weinberg
Northern Co-Chair, IPEN
Environmental Health Fund
Chicago, IL

Richard Wiles
Senior Vice President
Environmental Working Group
Washington, DC

Rick Hind
Legislative Director, Toxics
Greenpeace
Washington, DC

Frances Canonizado
Environmental Advocate
Illinois PIRG
Chicago, IL

Tom Goldtooth
Director
Indigenous Environmental Network
Bemidji, MN

Shelly Vendiola
Board Secretary
Indigenous Women's Network
Bellingham, WA

Kathleen Schuler, MPH
Environmental Scientist
Institute for Agriculture & Trade Policy
Minneapolis, MN

Björn Beeler
International Coordinator
International POPs Elimination Network
Berkeley, CA

Tiernan Sittenfeld
Legislative Director
League of Conservation Voters
Washington, DC

Karen Steuer
Vice President
National Environmental Trust
Washington, DC

Paul Joffe
Senior Director, International Affairs
National Wildlife Federation
Washington, DC

Jennifer Sass, PhD
Senior Scientist, Health and Environment
Natural Resources Defense Council
Washington, DC

Kathleen Burns, PhD
Director
Sciencecorps.org
Lexington, MA

Ted Morton
Federal Policy Director
Oceana
Washington, DC

Michael Gregory
POPs Coordinator
Sierra Club
San Francisco, CA

Rhett Lawrence
Environmental Advocate
Oregon State Public Interest Research Group
Portland, OR

Meghan Purvis
Environmental Health Advocate
US Public Interest Research Group
Washington, DC

Kristin S. Schafer
Program Coordinator
Pesticide Action Network North America
San Francisco, CA

Gregg Small
Executive Director
Washington Toxics Coalition
Seattle, WA

Kyle Kinner
Legislative Director
Physicians for Social Responsibility
Washington, DC

Clifton Curtis
Director, Global Toxics Program
World Wildlife Fund
Washington, DC

Mike Shriberg, PhD
State Director
Public Interest Research Group in Michigan
Ann Arbor, MI

cc: The Honorable James M. Inhofe, The Honorable James F. Jeffords
The Honorable Saxby Chambliss, The Honorable Tom Harkin
The Honorable Richard G. Lugar, The Honorable Joseph R. Biden
The Honorable Joe Barton, The Honorable John D. Dingell
The Honorable Bob Goodlatte, The Honorable Collin Peterson

For more information please contact:

Daryl Ditz, Coordinator
U.S. POPs Watch Campaign
Center for International Environmental Law
tel: +1 (202) 785.8702
email: dditz@ciel.org
<http://www.uspopswatch.org/>