

Congress of the United States
Washington, DC 20515

August 13, 2020

Andrew Wheeler
Environmental Protection Agency
Office of the Administrator
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Mr. Wheeler,

We write to express concern about the environmental impacts of sustained tear gas use by Federal Officers from the Department of Justice and the Department of Homeland Security in Portland, Oregon. Our constituents, some of whom were exercising their right to peacefully protest and others, who happen to live nearby, were exposed to tear gas that threatens their health and the environment. As members of Congress whose duties demand oversight of federal agencies, we demand the Environmental Protection Agency (EPA) immediately investigate the impacts of sustained tear gas use on people, air, land and bodies of water.

Over the course of several weeks, federal agents deployed tear gas and other crowd control munitions in response to peaceful protests near the Mark O. Hatfield Courthouse in downtown Portland. The use of tear gas was indiscriminate and often spread through surrounding areas on a nightly basis. While Portland has not had significant rainfall in July, cleaning efforts on and around the courthouse have included washing off debris and possible chemicals on streets and sidewalks into sewer drains, potentially contaminating the nearby Willamette River and groundwater.

Some short-term and long-term health impacts of tear gas usage are well-documented. The Centers for Disease Control and Prevention (CDC) has found that short-term impacts of tear gas exposure can include blurred vision, difficulty swallowing, chest tightness, coughing, choking sensation, shortness of breath, nausea and vomiting. Long-term impacts can include blindness, glaucoma, and death due to chemical burns in the throat and lungs and respiratory failure. There have also been disturbing reports in Oregon of disruptions in menstrual cycles caused by tear gas exposure. The use of tear gas on peaceful protesters is unconscionable during usual times, and especially dangerous during a respiratory pandemic.

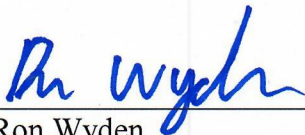
In addition to the direct health impacts on our constituents, we are also deeply concerned about the impact tear gas has had on Oregon's environment. State and local environmental and health agencies are investigating its impacts, and it is also the duty of the Federal Government to provide information that will help further these studies and make information about the environmental impacts of tear gas usage readily available to the American public.

Therefore, we ask the EPA to open an investigation into the environmental impact of the use of tear gas in response to Portland protests. We request you respond to the following questions no later than August 31:

- 1) Will the EPA support testing of soil, vegetation, air, groundwater and other bodies of water in the Downtown Portland area for exposure to tear gas?
- 2) Does the EPA have studies that show immediate and long-term impact that tear gas has on trees and other natural spaces, such as parks? If so, can you provide that information?
- 3) EPA publishes the Acute Exposure Guideline Levels for airborne chemicals to describe the human health effects from once-in-a-lifetime, or rare, exposure to airborne chemicals. Will the EPA use the AEGL study to investigate the impact of sustained use of tear gas on peaceful protesters by federal agents in Portland?
- 4) How does the EPA plan to study environmental and human health impacts of exposure to tear gas on Black, Indigenous and Communities of Color in Oregon and nationwide?
- 5) Can tear gas linger in air, soil and water after sustained use in a specific area? Can chemicals settle on surfaces and remain for extended periods of time?
- 6) Please provide any additional information or study available that demonstrates how sustained use of tear gas can pollute air, land and water and its impact on humans and wildlife.
- 7) To your knowledge, has the Food and Drug Administration approved the use of tear gas for human consumption or inhalation?

We look forward to your prompt response.

Sincerely,



Ron Wyden
United States Senator



Jeffrey A. Merkley
United States Senator



Earl Blumenauer
Member of Congress



Suzanne Bonamici
Member of Congress