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JOINT COMMITTEE ON TAXATION

August 5, 2020

The Honorable William Barr
Attorney General
U.S. Department of Justice
Washington, D.C. 20530

The Honorable Chad Wolf
Acting Secretary
Department of Homeland Security
Washington, D.C. 20528

Dear Attorney General Barr and Acting Secretary Wolf:

I write to express concern about your agencies' sustained use of tear gas in Portland, Oregon and its negative impact on human health and physiology-especially during a respiratory pandemic. I am particularly alarmed to read reports that a number of Oregonians have reported irregularities in their menstrual cycles after being tear gassed.

Your agencies deployed a number of federal agents to Portland last month. They weren't invited, they weren't needed, and their presence fomented the very violence you claim they were there to prevent. The agents responded to largely peaceful demonstrations by firing "less-lethal" rounds at protestors and by using tear gas on them night after night. Residents of downtown Portland, including the houseless community, were exposed to these dangerous chemicals regardless of whether they took part in the protests. This response would be disturbing under any circumstances but it is completely unacceptable in the middle of a global respiratory pandemic.

The acute impacts of tear gas have been well-documented: exposure can lead to pained and blurry vision, coughing, choking, and difficulty breathing, particularly in people with asthma or other respiratory conditions. The Centers for Disease Control (CDC) says that high doses can cause chemical burns and respiratory failure leading to death. I understand the medical community continues to explore the longer-term effects of tear gas and researchers, including those at the Kaiser Permanente Center for Health Research, continue to look at potential links to respiratory conditions and reproductive complications.

At least two dozen women who were exposed to tear gas in Oregon have reported significant abnormalities in their menstrual cycles, which they believe is connected. These reports are deeply disturbing and raise serious questions about the federal government's sustained use of tear gas during the occupation of Portland and during a global respiratory pandemic. To help me understand your actions, please respond to the following questions:

911 NE 11TH AVENUE
SUITE 630
PORTLAND, OR 97232
(503) 326-7525

405 EAST 8TH AVE
SUITE 2020
EUGENE, OR 97401
(541) 431-0229

SAC ANNEX BUILDING
105 FIR ST
SUITE 201
LA GRANDE, OR 97850
(541) 962-7691

U.S. COURTHOUSE
310 WEST 6TH ST
ROOM 118
MEDFORD, OR 97501
(541) 858-5122

THE JAMISON BUILDING
131 NW HAWTHORNE AVE
SUITE 107
BEND, OR 97701
(541) 330-9142

707 13TH ST. SE
SUITE 285
SALEM, OR 97301
(503) 589-4555

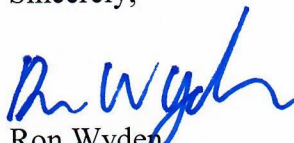
[HTTPS://WYDEN.SENATE.GOV](https://wyden.senate.gov)

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- What chemical agents have Department of Justice (DOJ) and Department of Homeland Security (DHS) agents used in Portland? Please list all chemical irritants and riot control agents.
- What processes do your agencies and their subcomponents follow when determining whether to use tear gas or riot control agents? Are DOJ and DHS officials required to indicate that they have exhausted all other options before using tear gas or riot control agents?
- How did your agencies assess the risk of using tear gas on protestors during this respiratory pandemic? Did you agencies consider the impact that tear gas would have on protestors who may be infected and asymptomatic?
- Has either of your agencies ever conducted an examination of the impact that tear gas or riot control agents has on human physiology? If so, what were the conclusions? If not, why not?
- Has either of your agencies asked other federal agencies to examine the impact tear gas or riot control agents has on human physiology? If so, which agencies? If not, why not?
- Has either of your agencies consulted with outside medical experts on the impact tear gas or riot control agents has on human physiology? If not, why not?
- Press reports and photo evidence indicate that some of the tear gas may have come from expired cans. Did either of your agencies or any of their subcomponents use expired canisters of tear gas or riot control agents in Portland?
- Do your agencies have processes in place to ensure that all tear gas canisters and riot control agents have not yet expired? If so, please describe that process. If not, will you create such a process?

I look forward to your response by August 31.

Sincerely,



Ron Wyden
United States Senator