

INTRODUCTION OF H. RES. \_\_\_\_\_,  
EXPRESSING SYMPATHY FOR  
AND SOLIDARITY WITH THE PEOP-  
LE OF THE RUSSIAN FEDERA-  
TION FOLLOWING THE BOMBING  
OF THE NEVSKY EXPRESS

**HON. ALCEE L. HASTINGS**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Friday, December 11, 2009*

Mr. HASTINGS of Florida. Madam Speaker, I rise today to introduce a resolution expressing sympathy for and solidarity with the people of the Russian Federation following the bombing of the Nevsky Express. This is a simple measure, but an important one. After our Nation suffered the terrorist attacks of 2001, Russia was among the first to reach out and offer unqualified condolences and support. Madam Speaker, too often when the Russians hear from this body they hear moralistic statements of condemnation and outrage. In the spirit of fairness and mutual respect, now is the time for Russia to hear our genuine sympathy and support. We all face a common enemy in the terrorists and extremists who would murder innocents to advance an ideology. Let us stand together with our Russian neighbors in their moment of sorrow and work together for a safer world. I urge my colleagues to support this resolution.

THE DECEMBER 4TH FIRE IN THE  
CITY OF PERM, RUSSIA

**HON. JAMES R. LANGEVIN**

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

*Friday, December 11, 2009*

Mr. LANGEVIN. Madam Speaker, I rise today to express my deep sorrow over the tragic fire that took the lives of one hundred forty-two people at a nightclub in the city of Perm, Russia, on December 4th.

News of this fire hit close to home for me, and for many of my constituents, as it closely mirrors the devastating 2003 Station Nightclub fire in West Warwick, Rhode Island, which killed 100 people and injured over 200 more. According to early reports, the Perm fire started when performance pyrotechnics ignited the ceiling of the nightclub, sending patrons stampeding for one narrow exit. One hundred forty two people were killed and scores more were injured as patrons tried to escape the flames.

In the United States, fires caused over \$15.5 billion in damages last year, but their most horrific toll were the over 3,400 lives, including 118 firefighters, who were lost as a result. Studies have shown that fire sprinklers can dramatically reduce property damage and, more importantly, save lives. In fact, the National Fire Protection Association has no record of a fire killing more than two people in a public assembly, or an educational, institutional or residential building, with a complete and fully operational automatic fire sprinkler system.

This is why earlier this year I reintroduced the Fire Sprinkler Incentive Act of 2009 that provides tax incentives for property owners to retrofit buildings with automatic fire sprinkler systems. I hope that through this and other measures, we can raise awareness and im-

prove fire safety—not only in this country, but around the world—and ensure that tragedies like those in Russia and Rhode Island are never repeated.

I want to once again extend my sympathy, and that of the people of Rhode Island, for the families of the victims of the Perm fire and to the Russian people. We know all too well the pain and loss you are feeling, and we send our thoughts and prayers to your community in this difficult time.

RECOGNIZING THE ENGAGEMENT  
OF MARC WIRTZ AND AMANDA  
HASLAM

**HON. DANIEL E. LUNGREN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, December 11, 2009*

Mr. DANIEL E. LUNGREN of California. Madam Speaker, I rise today to announce that Marc Wirtz, an intern in my office, proposed to his girlfriend of 4 years, Amanda Haslam, at the top of our Nation's Capitol at sunset. I am pleased to congratulate the new couple and wish them the very best in their future together.

WALL STREET REFORM AND CON-  
SUMER PROTECTION ACT OF 2009

SPEECH OF

**HON. CAROLYN MCCARTHY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, December 9, 2009*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4173) to provide for financial regulatory reform, to protect consumers and investors, to enhance Federal understanding of insurance issues, to regulate the over-the-counter derivatives markets, and for other purposes:

Mrs. MCCARTHY of New York. Madam Chair, I would like to thank Chairman FRANK and his staff for working with me on a clarification included in the Manager's Amendment. The provision addresses how the Financial Services Oversight Council and the Federal Reserve should interact and supervise financial holding companies that do not own banks, but which are subject to stricter standards because the Council has found them to be systemically risky.

The provision requires the Federal Reserve to be flexible when applying the standards to non-bank holding companies, rather than using a bank-centric approach that may not be appropriate for their structure. In addition, the Federal Reserve will have to consult with the Federal Insurance Office when determining how best to supervise insurance companies that are subject to stricter standards. For companies that are also foreign-based, the Federal Reserve and the Oversight Council must take into consideration if the company has comparable home-country supervision and decide how best to coordinate with that supervision. These minor clarifications help to ensure that institutions which are not banks will not be forced to comply with regulations that do not fit their business structure.

The beauty of the U.S. financial system is diversity, both in products and in structure. It is important to preserve that diversity for the purpose of domestic and international competition. I thank Chairman FRANK for his willingness to incorporate these changes into the manager's amendment.

HONORING CHEYENNE SPETZLER  
OF HUMBOLDT COUNTY, CALI-  
FORNIA

**HON. MIKE THOMPSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, December 11, 2009*

Mr. THOMPSON of California. Madam Speaker, I rise today to recognize Cheyenne Spetzler, Chief Operations Officer of Open Door Community Health Centers, of Humboldt County, California. Ms. Spetzler has dedicated 30 years to providing quality health care for the people of Humboldt and Del Norte Counties.

Beginning as a volunteer, Cheyenne has worked at all levels of Open Door Community Health Centers, ultimately becoming responsible for daily operations of the clinic system. Under her leadership, the original part-time clinic staffed by volunteers developed into a comprehensive network of nine licensed facilities and mobile medical programs throughout the two counties. Ms. Spetzler led the team responsible for the addition of the Del Norte Community Health Center in 1990, the Eureka Community Health Center in 1991 and the Burre Dental Center in Eureka in 2003.

Today, the Open Door Community Health Centers provide medical, dental and mental health care to more than 40,000 individuals annually and employ a staff of more than 350. The Open Door network provides health care to approximately one-third of the total population from this large rural area the size of Connecticut, and is the largest safety-net provider in Northwestern California.

Ms. Spetzler has served the people of California as a long time board member of the statewide Reproductive Health Association and as a member of numerous state and local associations and committees. She also continues to promote healthy living through her passion for sports, including the development of women's soccer at Humboldt State University, first as a club team and later as a fully intercollegiate women's soccer team.

Cheyenne Spetzler is also a respected Mayan scholar who has taught Mayan Hieroglyphic Decipherment at the University of Texas at Austin and Humboldt State University in Arcata. She served as primary researcher for the NOVA television special "Cracking the Maya Code" released in 2008.

Ms. Spetzler is a respected member of the community, highly regarded for her successful efforts to develop health care facilities, which meet community health care needs through their focus on health education, access to care and prevention.

Madam Speaker, it is appropriate at this time that we recognize Cheyenne Spetzler for her unwavering leadership and dedication to improving the health of California's North Coast communities.

## WALL STREET REFORM AND CONSUMER PROTECTION ACT OF 2009

SPEECH OF

**HON. TODD TIAHRT**

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, December 9, 2009*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4173) to provide for financial regulatory reform, to protect consumers and investors, to enhance Federal understanding of insurance issues, to regulate the over-the-counter derivatives markets, and for other purposes:

Mr. TIAHRT. Madam Chair, on June 30, 2009, the Obama Administration released details of its proposal to establish a Consumer Financial Protection Agency as an independent agency in the executive branch to regulate the provision of financial products and services to consumers. Five months later, Congressman FRANK, Chairman of the House Financial Services Committee, has turned this proposal into a 1,300-page bill that further extends the federal government's hands into more aspects of our economy.

I oppose this legislation for several reasons. One, it will permanently extend the Troubled Assets Relief Program (TARP)—something that I've been actively trying to end. I recently introduced legislation that will effectively end TARP by eliminating the Treasury Secretary's authority to utilize this program. This bill also creates another czar—a Credit Czar. This unelected official is granted the authority to restrict access to credit and impose taxes on consumers and small businesses.

These reforms will continue to perpetuate the bailout mentality that has plagued our Nation and eliminate access to credit for many small businesses and families at a time when they need it most.

One of the most troubling aspects of this bill is the vague, subjective standards that non-financial companies must meet. One such example of the bill's vagueness is found in the definition of businesses that engage in "financial activities" and those that pose a "systematic risk" to the stability of the financial market.

A business that engages in "financial activities," is now subject to increased regulations and fees. Exactly who comes under this definition, however, is not that clear. Maybe this will fall under the new "Credit Czar's" job description. Nonetheless, this bill will drastically affect businesses, specifically non-financial businesses that had no part in the irresponsible decisions that lead to the market collapse in 2008.

Vague definitions expose non-financial businesses that utilize the commodity and derivatives markets to manage risk and plan for the future. These markets, which date from the 1980s, involve hedgers. Hedgers, producers or commercial users of commodities, trade in futures to offset price risk. They use the markets to lock in today's price for transactions that will occur in the future, shielding their businesses from unfavorable price changes.

This bill restricts the use of these practical business tools. These practical tools encourage job creation and provide customized hedges to help businesses like farmers, grocery stores and energy companies to manage price volatility, so that retail prices can remain

low and stable. Yet H.R. 4173 authorizes government regulators to arbitrarily impose capital and margin requirements for "over the counter" (OTC) derivatives, and impose new capital requirements for cleared swaps, which would lead to increased retail prices and make it less likely that corporations could engage in responsible risk management.

Companies that utilize these markets to shield themselves from future risk and uncertainty in the energy markets should not be penalized for planning ahead. Unless the definition of "financial activities" and others like it are changed, companies who have not contributed to the market collapse will be required to shell out large sums of money as security for increased regulations. This will no doubt drive up operational costs and increase the price of energy.

In the midst of continuing economic turmoil, this bill increases the size of government, expands its reach in the marketplace, jeopardizes the safety and soundness of many of America's financial companies and non-financial companies, and significantly increases the cost of credit for all consumers at a time when consumers can least afford it.

For the above reasons, I am opposed to this bill. I encourage my colleagues to vote no.

## CLIMATEGATE: THE DESTROYED DOCUMENTS

**HON. JOE BARTON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Friday, December 11, 2009*

Mr. BARTON of Texas. Madam Speaker, I submit the executive summary document concerning the suppressed comments on the EPA endangerment finding for inclusion in the RECORD. The entire document, 'Comments on Draft Technical Support Document for Endangerment Analysis for Greenhouse Gas Emissions under the Clean Air Act,' will be available on the Energy and Commerce Committee website.

COMMENTS ON DRAFT TECHNICAL SUPPORT DOCUMENT FOR ENDANGERMENT ANALYSIS FOR GREENHOUSE GAS EMISSIONS UNDER THE CLEAN AIR ACT

(By Alan Carlin, NCEE/OPEI)

Based on TSD Draft of March 9, 2009

March 16, 2009

We have become increasingly concerned that EPA has itself paid too little attention to the science of global warming. EPA and others have tended to accept the findings reached by outside groups, particularly the IPCC and the CCSP, as being correct without a careful and critical examination of their conclusions and documentation. If they should be found to be incorrect at a later date, however, and EPA is found not to have made a really careful independent review of them before reaching its decisions on endangerment, it appears likely that it is EPA rather than these other groups that may be blamed for any errors. Restricting the source of inputs into the process to these two sources may make EPA's current task easier but it may come with enormous costs later if they should result in policies that may not be scientifically supportable.

We do not maintain that we or anyone else have all the answers needed to take action now. Some of the conclusions reached in these comments may well be shown to be in-

correct by future research. Our conclusions do represent the best science in the sense of most closely corresponding to available observations that we currently know of, however, and are sufficiently at variance with those of the IPCC, CCSP, and the Draft TSD that we believe they support our increasing concern that EPA has not critically reviewed the findings by these other groups.

As discussed in these comments, we believe our concerns and reservations are sufficiently important to warrant a serious review of the science by EPA before any attempt is made to reach conclusions on the subject of endangerment from GHGs. We believe that this review should start immediately and be a continuing effort as long as there is a serious possibility that EPA may be called upon to implement regulations designed to reduce global warming. The science has and undoubtedly will continue to change and EPA must have the capability to keep abreast of these changes if it is to successfully discharge its responsibilities. The Draft TSD suggests to us that we do not yet have that capability or that we have not used what we have.

We would be happy to work with and assist anyone who might want to undertake such a serious review of the science and hope that these comments will at least illustrate the scope of what we believe is needed.

We hope that the reader will excuse the many unintentional errors that are undoubtedly in these comments. Our only excuse is that we had less than four days to draft these very lengthy and complex comments. It has not been possible to fully adhere to our usual very high standards of accuracy as a result. If there should be questions, we will be happy to try to correct any errors that anyone may find, however.

It is of great importance that the Agency recognize the difference between an effort that has consumed tens of billions of dollars by the IPCC, the CCSP, and some additional European, particularly British, funding over a period of at least 15 years with what two EPA staff members have been able to pull together in less than a week. Obviously the number of peer reviewed papers that exist and the polish of the summary reports cannot be compared. What is actually noteworthy about this effort is not the relative apparent scientific shine of the two sides but rather the relative ease with which major holes have been found in the GHG/CO<sub>2</sub>/AGW argument. In many cases the most important arguments are based not on multi-million dollar research efforts but by simple observation of available data which has surprisingly received so little scrutiny. The best example of this is the MSU satellite data on global temperatures. Simple scrutiny of this data yields what to us are stunning observations. Yet this has received surprisingly little study or at least publicity. In the end it must be emphasized that the issue is not which side has spent the most money or published the most peer-reviewed papers, or been supported by more scientific organizations. The issue is rather whether the GHG/CO<sub>2</sub>/AGW hypothesis meets the ultimate scientific test—conformance with real world data. What these comments show is that it is this ultimate test that the hypothesis fails; this is why EPA needs to carefully reexamine the science behind global warming before proposing an endangerment finding. This will take more than four days but is the most important thing we can do right now and in the coming weeks and months and possibly even years.

## EXECUTIVE SUMMARY

These comments are based on the draft Technical Support Document for Endangerment Analysis for Greenhouse Gas