

BYRON DONALDS
19TH DISTRICT, FLORIDA
donalds.house.gov

COMMITTEE ON THE BUDGET
COMMITTEE ON OVERSIGHT AND REFORM
COMMITTEE ON SMALL BUSINESS

Congress of the United States
House of Representatives
Washington, DC 20515-0919

WASHINGTON, DC OFFICE
523 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-2536

COLLIER COUNTY OFFICE
3299 TAMAMI TRAIL EAST, SUITE 105
NAPLES, FL 34112
(239) 252-6225

LEE COUNTY OFFICE
1039 SE 9TH AVENUE, SUITE 308
CAPE CORAL, FL 33990
(239) 599-6033

September 16, 2022

Chairman Rostin Behnam
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, NW
Washington, DC 20581

Dear Chairman Behnam,

We write to you to express concerns over the Commodity Futures Trading Commission's Request for Information on Climate-Related Financial Risk, Document Number 2022-12302. While recognizing this RFI comes in direct response to President Biden's Executive Order 14030 and is in conjunction with the Financial Stability Oversight Council, we fear this is yet another attempt by the current Administration to circumvent the legislative process and further politicize federal agencies to the detriment of the free market.

Although the request is being presented as a neutral fact-finding endeavor designed to reduce risk and ensure financial integrity, the supplemental information subsections suggest the CFTC is seeking justification to expand its jurisdictional scope and take part in the Biden administration's Green New Deal push. For example, the "Disclosure" subsection suggests a desire to follow the SEC's recent regulatory action and impose burdensome and subjective disclosure requirements on market participants. Not only is environmental policy outside the purview of the CFTC's statutory authority, but the proposals alluded to in the RFI will only add to operational costs, create unnecessary barriers, and smother innovation. Nowhere is this more evident than in the digital asset ecosystem.

As digital assets continue to grow in popularity and usage, the resulting market pressures have led to an exploration of alternative energy sources to match demand. For instance, recognizing the increased need for power, cryptocurrency miners have begun collaborating with nuclear power plants to create a mutually beneficial partnership. Since mining is an interruptible load, excess energy can be transferred to the general power grid, and in turn, increase our domestic energy production, lessen our dependence on foreign nations, and lower energy costs for all Americans. This symbiotic relationship perfectly illustrates how the private sector, rather than government intervention, provides the best course of action.

With these concerns in mind, we encourage the CFTC to follow the advice of its two concurring commissioners and confine its regulatory reach to its statutory boundaries.

Further, we caution against substituting political ideology and overly burdensome government involvement for economic realities, especially in this time of great market fluctuation. We respectfully urge the CFTC to reconsider and abandon its efforts to aid the Biden administration's undemocratic implementation of environmental policy. We look forward to your response.

Sincerely,

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Byron Donalds
Member of Congress

A handwritten signature in black ink, appearing to be 'Don Bacon', with a long horizontal line extending to the right.

Don Bacon
Member of Congress