

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

COMPETITIVE ENTERPRISE INSTITUTE,  
ANTHONY KREUCHER, WALTER M.  
KREUCHER, JAMES LEEDY, MARC  
SCRIBNER, and the DOMESTIC ENERGY  
PRODUCERS ALLIANCE,

Petitioners,

v.

ENVIRONMENTAL PROTECTION AGENCY,

Respondent.

Case No. 22-1032  
(Consolidated with 22-1031, 22-  
22-1033, 22-1034, 22-1035, 22-  
1036, and 22-1038)

**PETITIONERS' STATEMENT OF ISSUES TO BE RAISED**

1. Whether the U.S. Environmental Protection Agency has the legal authority under 42 U.S.C. § 7521(a) to issue standards that involve greenhouse gas credit trading—either between manufacturers and/or within a manufacturer's fleet—and that involve bonus credits for electric vehicles, rather than a maximum emission standard for a class or classes of new motor vehicles or new motor vehicle engines.
2. Whether the U.S. Environmental Protection Agency arbitrarily and capriciously failed to consider reasonable alternatives that were less stringent than the California Framework.

Respectfully submitted,

Dated: April 1, 2022

/s/ Devin Watkins  
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