

Message

From: Devin Watkins
[Devin.Watkins@cei.org]
Sent: 2/11/2025 5:31:33 PM
To: Amidon, Eric
[Amidon.Eric@epa.gov]
Subject: Fw: 22-1032
Competitive Enterprise
Institute, et al v. EPA
"Response to Motion
Filed" (EPA-86FR74434)

Caution: This email originated from outside EPA, please exercise additional caution when deciding whether to open attachments or click on provided links.

Dear Mr. Amidon,

I represent a party adverse to the EPA. As chief of staff, I thought you might wish to be aware of the below email, if your not already.

Sincerely,

Devin Watkins
Competitive Enterprise Institute
1310 L St. N.W., 7th Floor
Washington, DC 20005
202-331-2278

From: Devin Watkins <Devin.Watkins@cei.org>
Sent: Friday, February 7, 2025 9:38 AM
To: daniel.dertke@usdoj.gov <daniel.dertke@usdoj.gov>; sue.chen@usdoj.gov <sue.chen@usdoj.gov>
Cc: Zeldin.Lee@epa.gov <Zeldin.Lee@epa.gov>
Subject: Re: 22-1032 Competitive Enterprise Institute, et al v. EPA "Response to Motion Filed" (EPA-86FR74434)

Dear Counsel and EPA,

The only opposing petitioners in *Texas v. EPA* (which challenging EPA's auto emission rules) to the motion to hold in abeyance have made clear in their response that they do not oppose abeyance if EPA indicates that it intends to reconsider the lawfulness of EPA issuing fleet-wide average (rather than per-vehicle) automobile emission standards and its authority to allow credit trading. If the government wishes this case to be held in abeyance, you may wish to decide quickly if EPA wishes to reconsider this legal authority in its upcoming auto emission rulemaking process. This, of course, would not determine the outcome of such reconsideration.

Sincerely,

Devin Watkins
Competitive Enterprise Institute
1310 L St. N.W., 7th Floor
Washington, DC 20005
202-331-2278

From: ecfnoticing@cadc.uscourts.gov <ecfnoticing@cadc.uscourts.gov>

Sent: Friday, February 7, 2025 9:23 AM

To: Devin Watkins <Devin.Watkins@cei.org>

Subject: 22-1032 Competitive Enterprise Institute, et al v. EPA "Response to Motion Filed" (EPA-86FR74434)

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United States Court of Appeals for District of Columbia Circuit

Notice of Docket Activity

The following transaction was entered on 02/07/2025 at 9:22:59 AM Eastern Standard Time and filed on 02/07/2025

Case Name: Competitive Enterprise Institute, et al v. EPA

Case Number: 22-1032

Document(s): Document(s)

Docket Text:

RESPONSE IN OPPOSITION [2099362] to motion to hold case in abeyance [2099305-2] filed by Anthony Kreucher, Competitive Enterprise Institute, Domestic Energy Producers Alliance, Marc Scribner, Walter M. Kreucher and James Leedy in 22-1032 [Service Date: 02/07/2025 by CM/ECF NDA] Length Certification: 633 words. [22-1032, 22-1031, 22-1033, 22-1034, 22-1036, 22-1038] (Watkins, Devin)

Notice will be electronically mailed to:

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Jessica Barclay-Strobel, Counsel: Jessica.BarclayStrobel@doj.ca.gov, joyce.aguins@doj.ca.gov (*daily summary*)
Tiffany Bates, Attorney: tiffany@consvoymccarthy.com (*daily summary*)
Tim Duncheon: tduncheon@cov.com (*daily summary*)

Notice will be stored in the notice cart for:

Mr. David Paul Wendelowsk Orlin

The following document(s) are associated with this transaction:

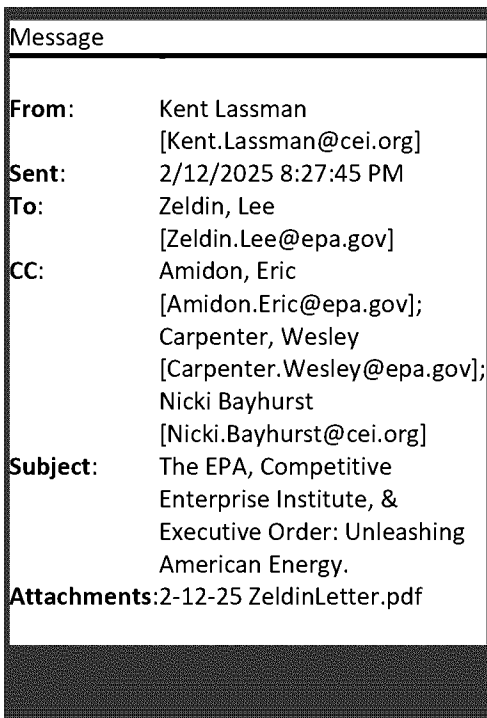
Document Description: Response to Motion Filed

Original Filename: Texas v. EPA Opposition to Abeyance v2.pdf

Electronic Document Stamp:

[STAMP acecfStamp_ID=1109186823 [Date=02/07/2025] [FileNumber=2099362-0]

[01f98cd3ba9bc16a19d5ec2bf246d628ad9c4153c8259421487f7a63c6ca894d757b10adfe862435f04c94cf0bb58071ac0d1e6cf38f1f944f438c5b5ab9841f]]



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Administrator Zeldin –

I look forward to working with you and your team on areas of mutual concern.

Very warm regards,

Kent
@KentatCEI
The Competitive Enterprise Institute
...expanding the boundaries of freedom



February 12, 2025

The Honorable Lee M. Zeldin
Administrator of the U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

VIA EMAIL – Zeldin.Lee@epa.gov

Dear Administrator Zeldin:

Congratulations on your confirmation to serve as the 17th Administrator of the Environmental Protection Agency (EPA). On behalf of the Competitive Enterprise Institute (CEI), its board of directors, and staff, we are eager for you to bring new leadership and sensible policy changes to the nation's environmental policies.

There is no lack of opportunity for you and your team. No doubt, among your objectives is the reversal of many harmful rules promulgated by the Biden administration. This includes eliminating the *de facto* electric vehicle mandate rule and the "Clean Power Plan 2.0."

One of the most important actions you will take has a deadline that is quickly approaching. Under President Donald Trump's "Unleashing American Energy" executive order, you have been directed to make joint recommendations regarding the 2009 endangerment finding. Specifically, the January 20th executive order states:

(f) Within 30 days of the date of this order, the Administrator of the EPA, in collaboration with the heads of any other relevant agencies, shall submit joint recommendations to the Director of OMB on the legality and continuing applicability of the Administrator's findings, "Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act," Final Rule, 74 FR 66496 (December 15, 2009).

Based on responses during your recent Senate confirmation hearings, it is clear you bring a depth of knowledge to your new role and the responsibilities with which you have been charged regarding the endangerment finding. With one week remaining to submit joint recommendations to the Director of OMB, I offer the following points for consideration.

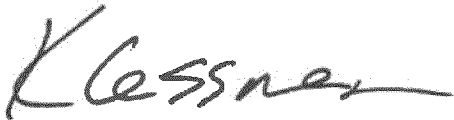
- The 2009 endangerment finding is the linchpin and predicate for all of the agency's greenhouse gas regulations.
- All regulatory decisions by the agency should be informed by the latest and best available science. Nonetheless, the EPA has routinely developed new greenhouse gas regulations based on a finding that fails this test.
- As a result, significant legal, technological, economic, and statistical questions are raised by the continued application of the 2009 endangerment finding.

We appreciate that the prescribed timeline for initial recommendations is a constraint. However, at a minimum, we urge you to convey the general problems of the 2009 endangerment finding. It creates the space necessary for the EPA to address the manifold problems presented and to create durable policy informed by sound analysis.

As you may know, CEI has a significant history and deep expertise with environmental policy, greenhouse gas regulation, and the endangerment finding. I urge you to call upon CEI as a resource on this and other vitally important work of the EPA.

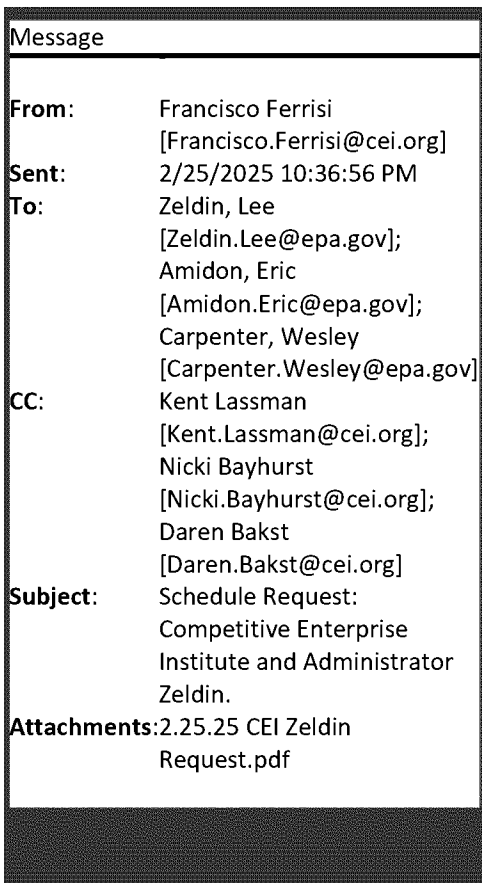
I look forward to discussing the endangerment finding and other issues of mutual interest with you in more detail at your first convenience.

Sincerely and in liberty,



Kent Lassman
President and CEO

CC: Eric Amidon (Amidon.Eric@epa.gov)
Wesley Carpenter (Carpenter.Wesley@epa.gov)



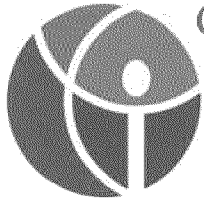
Caution: This email originated from outside EPA, please exercise additional caution when deciding whether to open attachments or click on provided links.

Dear Administrator Zeldin –

Attached for your consideration is a request for a meeting between you, CEI President Kent Lassman, and Director of CEI's Center for Energy and Environment Daren Bakst. CEI would like to discuss our new book-length blueprint for changes at the EPA, *Modernizing the EPA: A Blueprint for Congress*. Please let me know if you have any questions and we look forward to your response.

Best,

Francisco Ferrisi
Government Affairs and Coalitions Associate
Competitive Enterprise Institute
francisco.ferrisi@cei.org
786-630-8447



February 25, 2025

The Honorable Lee M. Zeldin
Administrator of the U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Via Email – Zeldin.Lee@epa.gov

Dear Administrator Zeldin,

We'd like to brief you on the pending release of a new book-length blueprint for changes at the EPA, *Modernizing the EPA: A Blueprint for Congress*. We are confident that these proposals for Congress align with your priorities.

At your convenience, I'd like to discuss the project with you in detail. CEI's director of energy and environmental policy, Daren Bakst, would join.

For decades, CEI has championed free-market energy reforms, pushing back against climate alarmism and restrictive policies that drive up costs and limit supply. We challenge the climate catastrophe narrative, which relies on flawed models that exaggerate emissions and conflict with real-world temperature data. CEI has also led major policy victories, including efforts to block the Kyoto Protocol, defeat the Waxman-Markey cap-and-trade bill, and advocate for U.S. withdrawal from the Paris climate treaty.

Modernizing the EPA presents an opportunity to align sound science and regulatory accountability with your leadership. By eliminating inefficiencies and fostering transparent rulemaking, we can ensure the agency fulfills its mission while promoting economic growth. Our discussion will focus on practical solutions that uphold limited government, data-driven policymaking, and effective environmental stewardship.

My assistant Nicki can work with your team to identify a time of mutual convenience in the coming weeks.

Sincerely and in liberty,

A handwritten signature in black ink, appearing to read "Kent Lassman", with a long horizontal flourish extending to the right.

Kent Lassman
President and CEO

Message

From: Amanda France
[Amanda.France@cei.org]
Sent: 4/1/2025 8:07:15 PM
To: ZeldinScheduling
[ZeldinScheduling@epa.gov];
Brown, Ashley
[Brown.Ashley@epa.gov]
Subject: FW: Invitation to partner
from the Competitive
Enterprise Institute -- June 2,
2025.
Attachments: EPA Event Information
Form_Lee Zeldin to CEI
Summit.docx

Caution: This email originated from outside EPA, please exercise additional caution when deciding whether to open attachments or click on provided links.

Hello,

Attached is the event form requesting Administrator Zeldin to join CEI in Bar Harbor, Maine for our annual policy summit this June.

Please let me know if I can answer any questions. Thank you,

Amanda France
Vice President of Events
202.331.2764 | 813.785.6521

From: ZeldinScheduling <ZeldinScheduling@epa.gov>
Sent: Monday, March 24, 2025 4:17 PM
To: Kent Lassman <Kent.Lassman@cei.org>; ZeldinScheduling <ZeldinScheduling@epa.gov>
Cc: Nicki Bayhurst <Nicki.Bayhurst@cei.org>
Subject: RE: Invitation to partner from the Competitive Enterprise Institute -- June 2, 2025.

Thank you for your request. We are in the process of reviewing it. Please complete the attached event information form and we will respond as soon as we can.

Administrator Zeldin Scheduling Team
Office of the Administrator
U.S. EPA

From: Kent Lassman <Kent.Lassman@cei.org>
Sent: Friday, March 21, 2025 6:30 PM
To: ZeldinScheduling <ZeldinScheduling@epa.gov>
Cc: Nicki Bayhurst <Nicki.Bayhurst@cei.org>
Subject: Invitation to partner from the Competitive Enterprise Institute -- June 2, 2025.

Caution: This email originated from outside EPA, please exercise additional caution when deciding whether to open attachments or click on provided links.

Administrator Zeldin –

As you know, CEI is devoted to a vision of America and prosperity where all citizens live their own lives, in their own way.

A central obstacle to that goal is the overwhelming burden of harmful regulation. You have set an ambitious and laudable agenda for the Environmental Protection Agency. Attached is an invitation for you to present your vision for the EPA and a freer, healthier, more prosperous America to a select group of CEI's strongest allies.

Please join us in Bar Harbor on June 2. Your participation will be the highlight of the entire policy summit. Please let me know what questions you or your team might have for us.

Warmly,

Kent

Kent Lassman

President & CEO

@KentatCEI

The Competitive Enterprise Institute

...expanding the boundaries of freedom



EPA ADMINISTRATOR EVENT INFORMATION FORM

This form assists in planning participation in events and activities. Please be complete to minimize need for follow up. This is not a confirmation of attendance.

Basic Background

Event official title:	<i>CEI Summit Bar Harbor</i>
Event host(s)/organizer(s):	<i>Competitive Enterprise Institute</i>
Event date (flexible?):	<i>6pm Thursday, June 2 – 10am Thursday, June 5, 2025 Keynote options: June 2, 3, or 4</i>
Time, duration, and time zone of event:	<i>ET time</i>
Deadline for acceptance:	<i>asap</i>
Will you accept a surrogate?	<i>No, thank you</i>
Event location and physical address:	<i>Bar Harbor Club, 111 West St, Bar Harbor, ME 04609</i>
Type of event:	<i>Keynote or fireside chat during dinner</i>
Host(s) relationship to the EPA?	<i>Professional colleagues</i>
Event sponsor(s):	<i>Competitive Enterprise Institute, State Policy Network, TBD</i>

Event Description and Role of the EPA Official

Purpose of event:	<i>The CEI Summit is an annual destination gathering for CEI experts and friends interested in advancing social and economic change.</i>
Brochure/website/invitation/ and/or other event materials:	<i>https://summit.cei.org</i>
Run of show/agenda:	<i>Draft agenda attached</i>
Timing for EPA official's role:	<i>One hour conversation over dinner ~7:30 – 8:30 pm or lunch 12:00 – 1:00 pm</i>
Role of the EPA official at the event:	<i>We invite the Administrator to deliver featured remarks. He is welcome to attend as much of the conference as he's interested and able to participate.</i>
Requested presentation topic (if speaking):	<i>The Deregulatory Remaking of the EPA</i>
Requested presentation format:	<i>Keynote, fireside chat, and audience Q&A</i>
Name and title of person introducing EPA official:	<i>CEI President Kent Lassman</i>
Audience make up?	<i>We expect 75 participants including a diversity of business leaders, policymakers, philanthropists, and nonprofit advocates from across the country.</i>
Event held weekly, monthly, annually?	<i>In a rotating destination annually</i>



EPA ADMINISTRATOR EVENT INFORMATION FORM

This form assists in planning participation in events and activities. Please be complete to minimize need for follow up. This is not a confirmation of attendance.

Event Preparation

Other EPA speakers?	<i>n/a</i>
Does EPA need to submit materials prior to event?	<i>Preferred bio and profile picture are helpful</i>
Expected prep and timing for prep calls or meetings:	<i>One 30-minute prep call in May</i>
Registration fee charged? How much?	<i>Tickets to the event cost \$2,500 per person or \$4,500 per couple.</i>
Describe entity hosting EPA official:	<i>The Competitive Enterprise Institute is a 501(c)(3) and international NGO</i>
Is the entity also a Federally Registered Lobbyist?	<i>No</i>
Are you giving a gift, award or anything else of value? Amount?	<i>Waived registration fee, travel, and hotel TBD amount</i>
Are you providing a meal? Amount?	<i>TBD \$100 dinner</i>

At the Event and Other Event Logistics

Is there a private hold room available for the Administrator?	<i>Yes</i>
Open press/closed press?	<i>Closed</i>
Will you be issuing a press release?	<i>No</i>
Person to contact for media purposes:	<i>Amanda France [HYPERLINK "mailto:amanda.france@cei.org"] 202.331.2764 // 813.785.6521</i>
Dress code:	<i>Business casual / business</i>
Room setup:	<i>Podium and microphone on stage</i>
Notable/honorable guests attending (including elected officials):	<i>Invited speakers: DOE Secretary Chris Wright, NTIA Chief Arielle Roth, NCTA Chairman Kyle Hauptman</i>
Are you recording the event? Website URL for recording (if event is recorded and posted):	<i>[HYPERLINK "https://summit.cei.org"] [HYPERLINK "http://www.cei.org"]</i>



EPA ADMINISTRATOR EVENT INFORMATION FORM

This form assists in planning participation in events and activities. Please be complete to minimize need for follow up. This is not a confirmation of attendance.

Security contact:	Ryan Lynch [HYPERLINK "mailto:ryan.lynch@cei.org"] 202.445.6221
Directions to event (include relevant information about parking, the specific building, best entrance to use)	Bar Harbor Club adjoins Harborside Hotel, where CEI has a room block.
Where to meet contact:	In the foyer of Bar Harbor Club

Contact Information

Your name and position:	Amanda France, Vice President of Events
Phone (best & alternate):	Desk 202.331.2764 Cell 813.785.6521
Email address:	[HYPERLINK "mailto:Amanda.france@cei.org"]
Mailing address:	1310 L St NW, 7 th floor, Washington, DC 20005
Are you the point-of-contact at the event? If not, contact details:	yes

Please return this completed form to [[HYPERLINK "mailto:zeldinscheduling@epa.gov"](mailto:zeldinscheduling@epa.gov)], and copy [[HYPERLINK "mailto:brown.ashley@epa.gov"](mailto:brown.ashley@epa.gov)]

Message

From: Amanda France
[Amanda.France@cei.org]
Sent: 4/15/2025 6:05:15 PM
To: Brown, Ashley
[Brown.Ashley@epa.gov]
CC: ZeldinScheduling
[ZeldinScheduling@epa.gov]
Subject: RE: Invitation to partner
from the Competitive
Enterprise Institute -- June
2, 2025.
Attachments: Bar Harbor Agenda.docx

Caution: This email originated from outside EPA, please exercise additional caution when deciding whether to open attachments or click on provided links.

Thank you, Ashley. Our draft agenda is attached. We are in conversations with the invited guest speakers to confirm but do still have a good deal of flexibility. If the Administrator has a preference on timing or scheduling constraints, we can rearrange this draft to accommodate.

Please let me know if I can answer any questions.

Amanda France
202.331.2764 | 813.785.6521

From: Brown, Ashley <Brown.Ashley@epa.gov>
Sent: Friday, April 11, 2025 6:11 PM
To: Amanda France <Amanda.France@cei.org>
Cc: ZeldinScheduling <ZeldinScheduling@epa.gov>
Subject: FW: Invitation to partner from the Competitive Enterprise Institute -- June 2, 2025.

Hi Amanda,

Could you please share an agenda (event if it is a draft)?

Ashley Brown
U.S. Environmental Protection Agency
Director of Scheduling – Office of Administrator

From: Amanda France <Amanda.France@cei.org>
Sent: Tuesday, April 1, 2025 4:07 PM
To: ZeldinScheduling <ZeldinScheduling@epa.gov>; Brown, Ashley <Brown.Ashley@epa.gov>
Subject: FW: Invitation to partner from the Competitive Enterprise Institute -- June 2, 2025.

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Hello,
Attached is the event form requesting Administrator Zeldin to join CEI in Bar Harbor, Maine for our annual policy summit this June.

Please let me know if I can answer any questions. Thank you,


Amanda France
Vice President of Events
202.331.2764 | 813.785.6521

From: ZeldinScheduling <ZeldinScheduling@epa.gov>
Sent: Monday, March 24, 2025 4:17 PM
To: Kent Lassman <Kent.Lassman@cei.org>; ZeldinScheduling <ZeldinScheduling@epa.gov>
Cc: Nicki Bayhurst <Nicki.Bayhurst@cei.org>
Subject: RE: Invitation to partner from the Competitive Enterprise Institute -- June 2, 2025.

Thank you for your request. We are in the process of reviewing it. Please complete the attached event information form and we will respond as soon as we can.

Administrator Zeldin Scheduling Team
Office of the Administrator
U.S. EPA

From: Kent Lassman <Kent.Lassman@cei.org>
Sent: Friday, March 21, 2025 6:30 PM
To: ZeldinScheduling <ZeldinScheduling@epa.gov>
Cc: Nicki Bayhurst <Nicki.Bayhurst@cei.org>
Subject: Invitation to partner from the Competitive Enterprise Institute -- June 2, 2025.

 **Caution:** This email originated from outside EPA, please exercise additional caution when deciding whether to open attachments or click on provided links.

Administrator Zeldin –

As you know, CEI is devoted to a vision of America and prosperity where all citizens live their own lives, in their own way.

A central obstacle to that goal is the overwhelming burden of harmful regulation. You have set an ambitious and laudable agenda for the Environmental Protection Agency. Attached is an invitation for you to present your vision for the EPA and a freer, healthier, more prosperous America to a select group of CEI's strongest allies.

Please join us in Bar Harbor on June 2. Your participation will be the highlight of the entire policy summit. Please let me know what questions you or your team might have for us.

Warmly,

Kent

Kent Lassman
President & CEO
@KentatCEI
The Competitive Enterprise Institute
...expanding the boundaries of freedom

**CEI Summit Bar Harbor
June 2 – 5, 2025**

Monday, June 2		
6:00 – 7:00 pm	Welcome Reception	Bar Harbor Club Patio
7:00 – 10:00 pm	Dinner – A Capitalist’s Reflections feat. Leonard Leo*	Stotesbury Ballroom, Bar Harbor Club
Tuesday, June 3		
7:30 – 8:30 am	Breakfast buffet	Club Dining Room, Harborside
9:00 – 10:00 am	Trade War Saga feat. Kent Lassman, Ryan Young	Stotesbury Ballroom, Bar Harbor Club
10:00 – 11:00 am	Overthrow the Regulatory State feat. Wayne Crews, Alex Reinauer, Ryan Young	Stotesbury Ballroom, Bar Harbor Club
11:00 – 12:00 pm	DOGE Days feat. Wayne Crews, Kent Lassman, Kevin D. Williamson	Stotesbury Ballroom, Bar Harbor Club
12:00 – 1:00 pm	Lunch – Financing the Future feat. Kyle Hauptman*	Bar Harbor Club Patio
2:00 – 5:00 pm	<i>Optional Whale Watch Excursion</i>	Friendship IV Catamaran
7:00 – 10:00 pm	Dinner – Blueprint for Reform with EPA Administrator Lee Zeldin*	
Wednesday, June 4		
7:30 – 8:30 am	Breakfast buffet	Club Dining Room, Harborside
9:00 – 10:00 am	Powering AI Innovation feat. Steve DelBianco*, Paige Lambermont, Alex Reinauer	Stotesbury Ballroom, Bar Harbor Club
10:00 – 11:00 am	Clearing the Air for Private Enterprise: The Future of Spectrum feat. Ajit Pai*, Michael K. Powell*, Brian Rankin	Stotesbury Ballroom, Bar Harbor Club
11:00 – 12:00 pm	<i>How the World Works</i> Live Podcast	Stotesbury Ballroom, Bar Harbor Club
12:00 – 1:00 pm	Lunch – Policy Foundations for Castles in the Air with Administrator Arielle Roth*	Bar Harbor Club Patio
4:00 – 6:00 pm	<i>Optional Excursion</i>	Acadia by Carriage
6:00 – 9:00 pm	Dinner – Golden Era of Energy with Energy Secretary Chris Wright*	Jordan Pond House, Acadia
Thursday, June 5		
7:30 – 8:30 am	Breakfast buffet	Club Dining Room, Harborside

*Invited