

**ORAL ARGUMENT HAS BEEN SCHEDULED FOR JUNE 2, 2016****No. 15-1363 (and consolidated cases)**

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**In the**  
**United States Court of Appeals**  
**for the District of Columbia Circuit**

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**STATE OF WEST VIRGINIA, et al.,**

*Petitioners,*

v.

**ENVIRONMENTAL PROTECTION AGENCY, et al.,**

*Respondents.*

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**NOTICE OF INTENT OF MEMBERS OF CONGRESS**  
**TO FILE BRIEF AS AMICI CURIAE IN SUPPORT OF PETITIONERS**

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**On Petition for Review from the Environmental Protection Agency**

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*Attorneys for Amici Curiae Members of Congress*

**February 23, 2016**

## NOTICE OF INTENT TO FILE BRIEF AS AMICI CURIAE

The 34 Senators and 171 Representatives listed below, in their official capacity as officers of the United States and pursuant to Fed. R. App. P. 29(a) and D.C. Circuit Rule 29(b) and (d), hereby notify the Court of their intention to file a brief as Amici Curiae in support of Petitioners. In light of the issues in this case involving the Clean Air Act, 42 U.S.C. § 7401 et seq., Amici seek to provide new and additional insights for the benefit of the Court as it considers this important matter. Moreover, Amici have strong institutional interests in preserving Congress' role in making law for the nation, including the determination of climate change-related laws and policies.

### List of Amici Curiae

|  |                                     |
|--|-------------------------------------|
| Senator Mitch McConnell of Kentucky                                    | Senator Dan Coats of Indiana        |
| Senator James M. Inhofe of Oklahoma                                    | Senator John Cornyn of Texas        |
| Representative Fred Upton of Michigan,<br>4th Congressional District   | Senator Michael D. Crapo of Idaho   |
| Representative Ed Whitfield of<br>Kentucky, 1st Congressional District | Senator Ted Cruz of Texas           |
| Senator Lamar Alexander of Tennessee                                   | Senator Steve Daines of Montana     |
| Senator John Barrasso of Wyoming                                       | Senator Michael B. Enzi of Wyoming  |
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| Senator John Boozman of Arkansas                                       | Senator Orrin G. Hatch of Utah      |
| Senator Shelly Moore Capito of West<br>Virginia                        | Senator John Hoeven of North Dakota |
| Senator Bill Cassidy of Louisiana                                      | Senator Ron Johnson of Wisconsin    |
|  | Senator James Lankford of Oklahoma  |

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| Senator Joe Manchin of West Virginia  | Representative Lou Barletta of Pennsylvania, 11th Congressional District         |
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| Senator Rand Paul of Kentucky   |  |
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| Representative Cathy McMorris Rodgers of Washington, 5th Congressional District | Representative Susan W. Brooks of Indiana, 5th Congressional District            |
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California, 10th Congressional District

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Representative Renee Ellmers of North  
Carolina, 2nd Congressional District

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Representative Sam Graves of Missouri,  
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Representative Tom Graves of Georgia,  
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Representative Sam Johnson of Texas,  
3rd Congressional District

Representative Walter B. Jones of North  
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Representative Jim Jordan of Ohio, 4th  
Congressional District

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| Representative Mike Kelly of Pennsylvania, 3rd Congressional District        | Representative Tom Marino of Pennsylvania, 10th Congressional District        |
| Representative Trent Kelly of Mississippi, 1st Congressional District        | Representative Thomas Massie of Kentucky, 4th Congressional District          |
| Representative Steve King of Iowa, 4th Congressional District                | Representative Michael T. McCaul of Texas, 10th Congressional District        |
| Representative Adam Kinzinger of Illinois, 16th Congressional District       | Representative Tom McClintock of California, 4th Congressional District       |
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District

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Representative Ted S. Yoho of Florida,  
3rd Congressional District

Representative Don Young of Alaska,  
At-Large Congressional District



Representative Todd C. Young of  
Indiana, 9th Congressional District

Representative Ryan Zinke of Montana,  
At-Large Congressional District

*/s/ Ed. R. Haden*

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**CERTIFICATE OF SERVICE**

Pursuant to D.C. Cir. R. 25(c), I hereby certify that, on this the 23rd day of February, 2016, I caused the foregoing document to be electronically filed with the Clerk of Court via the CM/ECF system, which shall effect service upon all counsel of record who are registered CM/ECF users.

*/s/ Ed R. Haden*

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Counsel for Amici Curiae