

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

CENTER FOR BIOLOGICAL )  
DIVERSITY; CHESAPEAKE BAY )  
FOUNDATION, INC.; )  
COMMUNITIES FOR A BETTER )  
ENVIRONMENT; )  
CONSERVATION LAW )  
FOUNDATION; ENVIRONMENT )  
AMERICA; ENVIRONMENTAL )  
DEFENSE FUND; )  
ENVIRONMENTAL LAW & )  
POLICY CENTER; NATURAL )  
RESOURCES DEFENSE )  
COUNCIL, INC.; PUBLIC )  
CITIZEN, INC.; SIERRA CLUB; )  
and UNION OF CONCERNED )  
SCIENTISTS, )

*Petitioners,*

v.

UNITED STATES )  
ENVIRONMENTAL )  
PROTECTION AGENCY and )  
NATIONAL HIGHWAY TRAFFIC )  
SAFETY ADMINISTRATION, )

*Respondents.*

**Petition for Review**

Petitioners Center for Biological Diversity et al. protectively petition for review of final actions of the National Highway Traffic Safety Administration (NHTSA) and U.S. Environmental Protection Agency (EPA) published at 84 Fed. Reg. 51,310 (Sept. 27, 2019), and attached hereto.

Every petitioner in this case is already a petitioner in a consolidated proceeding in which the same agency actions are challenged.\* *Union of Concerned Scientists v. NHTSA*, D.C. Cir. No. 19-1230 (lead case, filed Oct. 28, 2019) (*UCS*). Petitioners plan to raise the same issues here as in *UCS*. This Court has received initial submissions from all parties in *UCS* and entered a briefing order that directs petitioners to file opening briefs by June 26, 2020. *See* ECF No. 1843712.

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\* The present protective petition is based solely on grounds arising from other agency actions (not challenged here) that NHTSA and EPA published on April 30, 2020. *See* NHTSA & EPA, *The Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021–2026 Passenger Cars and Light Trucks*, 85 Fed. Reg. 24,174.

Respectfully submitted,

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Filed: May 28, 2020