

Case No. _____

**UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT**

NATURAL RESOURCES DEFENSE COUNCIL, INC.; and SIERRA CLUB,
Petitioners,

v.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION; and LANA
HURDLE, in her official capacity as Acting Secretary of the United States
Department of Transportation,

Respondents.

**PETITION FOR REVIEW
of a final rule of the National Highway Traffic Safety Administration**

Gabriel Daly
Natural Resources Defense Council
40 West 20th Street, 11th Floor
New York, NY 10011
(212) 727-4671
gdaly@nrdc.org

Thomas Zimpleman
Natural Resources Defense Council
1125 15th St. NW, Suite 300
Washington, D.C. 20005
(202) 513-6244
tzimpleman@nrdc.org

*Counsel for Natural Resources
Defense Council*

Alexander L. Tom
Natural Resources Defense Council
111 Sutter Street, 21st Floor
San Francisco, CA 94104
(415) 875-8202
atom@nrdc.org

*Counsel for Natural Resources
Defense Council*

Vera Pardee
726 Euclid Avenue
Berkeley, CA 94708
(858) 717-1448
pardeelaw@gmail.com

Counsel for Sierra Club

Dated: January 25, 2021

PETITION FOR REVIEW

Pursuant to 49 U.S.C. § 32909, 5 U.S.C. § 702 et seq., and Federal Rule of Appellate Procedure 15, the Natural Resources Defense Council and Sierra Club hereby petition this Court to review and set aside an interim final rule of the National Highway Traffic Safety Administration that partially reverses a 2016 inflation adjustment to the civil penalty for violations of Corporate Average Fuel Economy (CAFE) standards. The rule was published in the Federal Register at 86 Fed. Reg. 3016 (Jan. 14, 2021).

A copy of the challenged final rule is attached to this petition as Exhibit A.

Dated: January 25, 2021

Respectfully submitted,

/s/ Gabriel Daly

Gabriel Daly
Natural Resources Defense Council
40 West 20th Street, 11th Floor
New York, NY 10011
(212) 727-4671
gdaly@nrdc.org

Thomas Zimpleman
Natural Resources Defense Council
1125 15th St. NW, Suite 300
Washington, D.C. 20005
(202) 513-6244
tzimpleman@nrdc.org

Alexander L. Tom
Natural Resources Defense Council
111 Sutter Street, 21st Floor
San Francisco, CA 94104
(415) 875-8202
atom@nrdc.org

Counsel for Natural Resources Defense Council

/s/ Vera Pardee
Vera Pardee
726 Euclid Avenue
Berkeley, CA 94708
(858) 717-1448
pardeelaw@gmail.com

Counsel for Sierra Club

FEDERAL RULE 26.1 CORPORATE DISCLOSURE STATEMENT

Petitioners Natural Resources Defense Council, Inc. (NRDC) and Sierra Club are non-profit organizations with no parent corporation and no outstanding stock shares or other securities in the hands of the public. NRDC and Sierra Club do not have any parent, subsidiary, or affiliate that has issued stock shares or other securities to the public. No publicly held corporation owns any stock in NRDC or Sierra Club.

Dated: January 25, 2021

/s/ Gabriel Daly

Gabriel Daly
Natural Resources Defense Council
40 West 20th Street, 11th Floor
New York, NY 10011
(212) 727-4671
gdaly@nrdc.org

Counsel for Natural Resources Defense Council

/s/ Vera Pardee

Vera Pardee
726 Euclid Avenue
Berkeley, CA 94708
(858) 717-1448
pardeelaw@gmail.com

Counsel for Sierra Club