
United States Court of Appeals for the Second Circuit

STATE OF NEW YORK; STATE OF ARIZONA; STATE OF CALIFORNIA;
STATE OF COLORADO; STATE OF DELAWARE; STATE OF ILLINOIS;
STATE OF MAINE; STATE OF MARYLAND; COMMONWEALTH OF MASSACHUSETTS;
PEOPLE OF THE STATE OF MICHIGAN; STATE OF NEW MEXICO;
STATE OF OREGON; STATE OF RHODE ISLAND; STATE OF WASHINGTON;
STATE OF WISCONSIN; HARRIS COUNTY, TEXAS,

Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION; BRYAN BEDFORD, in his official capacity
as Administrator of the Federal Aviation Administration; UNITED STATES
DEPARTMENT OF TRANSPORTATION; SEAN DUFFY, in his official capacity as
Secretary of the United States Department of Transportation,

Respondents.

PETITION FOR REVIEW

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Dated: September 28, 2026

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PETITION FOR REVIEW

Pursuant to 49 U.S.C. § 46110, 5 U.S.C. § 702, and Federal Rule of Appellate Procedure 15, the State of New York, State of Arizona, State of California, State of Colorado, State of Delaware, State of Illinois, State of Maine, State of Maryland, Commonwealth of Massachusetts, People of the State of Michigan, State of New Mexico, State of Oregon, State of Rhode Island, State of Washington, State of Wisconsin, and Harris County, Texas, hereby petition the Court to review and set aside the Federal Aviation Administration (FAA) and U.S. Department of Transportation's final agency action entitled "Final Programmatic Environmental Assessment, Finding of No Significant Impact, and Record of Decision for Drone Package Delivery Operations in the United States," dated July 28, 2026. On July 30, 2026, the FAA announced the availability of the Final Programmatic Environmental Assessment by publication at 91 Fed. Reg. 48,208 (July 30, 2026). A copy of the Final Programmatic Environmental Assessment (FPEA) is submitted with this petition.

The FAA stated that the Final Programmatic Environmental Assessment "constitutes a final agency action and a final order" subject to exclusive judicial review by the U.S. Courts of Appeals under 49 U.S.C.

§ 46110. FPEA at F-18. This petition is timely under 49 U.S.C. § 46110(a) and Federal Rule of Appellate Procedure 26(a). Venue is proper under 49 U.S.C. § 46110(a) because at least one petitioner resides in New York.

Dated: New York, New York
September 28, 2026

Respectfully submitted,

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ADDENDUM TO PETITION

Petitioners: State of New York; State of Arizona; State of California; State of Colorado; State of Delaware; State of Illinois; State of Maine; State of Maryland; Commonwealth of Massachusetts; People of the State of Michigan; State of New Mexico; State of Oregon; State of Rhode Island; State of Washington; State of Wisconsin; Harris County, Texas.

Respondents: Federal Aviation Administration; Bryan Bedford, in his official capacity as Administrator of the Federal Aviation Administration; United States Department of Transportation; Sean Duffy, in his official capacity as Secretary of the United States Department of Transportation.

The U.S. Department of Justice attorney named below represents the respondents and has consented to accept service of papers on behalf of all respondents.

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