

03-358 DEPARTMENT OF TRANSPORTATION v. PUBLIC CITIZEN

Ruling below: CA 9, 316 F.3d 1002

QUESTION PRESENTED

Whether a presidential foreign-affairs action that is otherwise exempt from environmental-review requirements under the National Environmental Policy Act, 42 U.S.C. 4321 et seq., and Clean Air Act, 42 U.S.C. 7506(c)(1), became subject to those requirements because an executive agency promulgated administrative rules concerning implementation of the President's action.

CERT. GRANTED: 12/15/03