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DEPARTMENT OF ENERGY

10 CFR Part 460

[EERE-2009-BT-BC-0021]

RIN 1904-AC11

Energy Conservation Program: Energy Conservation Standards for Manufactured Housing

AGENCY: Office of Critical Minerals and Energy Innovation (formerly Energy Efficiency and Renewable Energy), Department of Energy.

ACTION: Notification of legal effect.

SUMMARY: In this notification, the U.S. Department of Energy (“DOE” or “the Department”) is providing notice that the Department’s Energy Conservation Standards for Manufactured Housing final rule published in the Federal Register on May 31, 2022, has no legal effect in light of the enactment of the 21st Century ROAD to Housing Act (“ROAD Act”).

DATES: The information contained in this notification will be applicable on **[INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER]** and will remain in effect until further notice.

FOR FURTHER INFORMATION CONTACT:

Mr. Jeremy Williams, U.S. Department of Energy, Office of Critical Minerals and Energy Innovation, Building Technologies Office, CM-5B, 1000 Independence Avenue SW, Washington, DC, 20585-0121. Email: *BuildingEnergyCodes@doe.gov*.

Mr. Pete Cochran, U.S. Department of Energy, Office of the General Counsel, GC-33, 1000 Independence Avenue SW, Washington, DC, 20585-0121. Telephone: (202) 586-4798. Email: *Peter.Cochran@hq.doe.gov*.

SUPPLEMENTARY INFORMATION: On May 31, 2022, DOE published in the *Federal Register* a final rule to establish energy conservation standards for manufactured housing pursuant to the Energy Independence and Security Act of 2007. 87 FR 32728. On July 11, 2026, the 21st Century ROAD to Housing Act (Pub. L. 119-101) (“ROAD Act”) was enacted. Section 301(d)(2)(B) of the ROAD Act specifies that “[n]o energy efficiency standards for manufactured homes developed by any Federal agency shall have legal effect unless and until adopted by the Department of Housing and Urban Development pursuant to the consensus standards and regulatory development process described in . . . 42 U.S.C. 5403(a)(2)).” Section 301(d)(2)(C) of the ROAD Act requires the Department of Housing and Urban Development (“HUD”) to “adopt minimum energy efficiency standards for manufactured homes” within one year of enactment, and to update those standards every three years.

As of the date of this notification, no minimum energy efficiency standards meeting the requirements under section 301(d) of the ROAD Act have been adopted by HUD. Therefore, it is DOE’s position that the final rule published in the Federal Register on May 31, 2022, establishing energy conservation standards for manufactured housing has no legal effect pursuant to section 301(d)(2)(B) of the ROAD Act.

The Department intends to initiate a rulemaking to conform DOE’s regulations for manufactured housing to account for the statutory changes adopted by the ROAD Act, and further notes that DOE will not enforce its energy conservation standards for manufactured housing as they have no legal effect under the ROAD Act.

Signing Authority

This document of the Department of Energy was signed on September 16, 2026, by Audrey Robertson, Assistant Secretary (EERE) for Critical Minerals and Energy Innovation, pursuant to delegated authority from the Secretary of Energy. That document

with the original signature and date is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the Federal Register.

Signed in Washington, DC, on September 16, 2026.

AUDREY
ROBERTSON

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Audrey Robertson
Assistant Secretary (EERE)
for Critical Minerals and Energy Innovation
U.S. Department of Energy