Manufactured Housing Association for Regulatory Reform

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March 25, 2026

VIA FEDERAL EXPRESS

Hon. Chris Wright
Secretary
U.S. Department of Energy
1000 Independence Avenue, S.W.
Washington, D.C. 20585

Re: Manufactured Housing Energy Conservation Standards
DOE Docket No. EERE-2009-BT-BC-0021

Dear Secretary Wright:

The following supplemental comments are submitted on behalf of the Manufactured Housing Association for Regulatory Reform (MHARR). MHARR is a Washington, D.C.-based national trade association representing the views and interests of producers of manufactured housing regulated by the U.S. Department of Housing and Urban Development (HUD) pursuant to the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401, et seq.) as amended by the Manufactured Housing Improvement Act of 2000 and subject to potential energy-related regulation by the U.S. Department of Energy (DOE) pursuant to section 413 of the Energy Independence and Security Act of 2007 (EISA) (42 U.S.C. 17071). MHARR previously submitted multiple written comments in this docket, including comments on DOE's September 3, 2025 Request for Information (RFI) dated November 24, 2025 and December 1, 2025. MHARR submits the additional comments herein based on a significant new development concerning this rulemaking, which should be expressly addressed by DOE in the official administrative record of this matter.

Specifically, on March 13, 2026, President Trump issued Executive Order 14394 (EO), titled "Removing Regulatory Barriers to Affordable Home Construction."[1] Designed to address the unprecedented national shortage of affordable housing and homeownership, Section 1 of that Executive Order states, in relevant part:

> "Layers of unnecessary regulatory barriers … and onerous mandates at all levels of government have delayed construction, restricted development and driven up the costs of new housing. These constraints have made housing less affordable for

[1] See, 91 Federal Register, No.52 (March 18, 2026) "Removing Regulatory Barriers to Affordable Home Construction" at p. 13207, et seq..

many Americans. It is the policy of my Administration to reduce regulatory barriers to building homes…."
(Emphasis added).

Among the particularly destructive federal regulatory burdens specifically identified and addressed by the EO, are the impending, draconian and unnecessarily costly Biden-era DOE "energy conservation" standards for manufactured homes.[2] In relevant part, Section 2 (c) of EO 14394 states:

> "[T]he Secretary of Housing and Urban Development [and] the Secretary of Energy shall, within their respective authorities, take appropriate action to reform and, where appropriate, eliminate unduly burdensome or costly energy-efficiency … requirements regarding housing, including manufactured housing, to the maximum extent practicable…. Such action shall include reviewing and revising … (i) the Energy Conservation Program's Energy Conservation Standards for Manufactured Housing."

(Emphasis added).

In its prior comments filed in this docket (and consistently since the inception of this matter), MHARR has demonstrated, with specific documented evidence, that the May 31, 2022 DOE manufactured housing energy conservation standards, currently in abeyance,[3] are not designed – or appropriate for – affordable HUD Code manufactured housing,[4] are not needed insofar as energy costs for HUD Code manufactured homes are already lower than those for other types of single-family homes,[5] would result in excessive and unnecessary purchase price increases which would exclude millions of Americans (primarily lower and moderate-income families, newlywed persons and senior citizens) from all the benefits of homeownership,[6] are not and would not be cost-beneficial for purchasers,[7] are based, in substantial part, on cost-benefit metrics derived from or impacted by the federal "Social Cost of Carbon" metric which has since been withdrawn and repudiated by the Trump Administration,[8] are arbitrary and capricious in violation of the federal Administrative Procedure Act (APA) (5 U.S.C. 706),[9] and are otherwise not in accordance with law.

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[2] See, 87 Federal Register No. 104, (May 31, 2022) "Energy Conservation Program: Energy Conservation Standards for Manufactured Homes" at p. 32728, et seq..

[3] See, 90 Federal Register, No. 168, (September 3, 2025) "Public Input on Energy Conservation Standards for Manufactured Housing" at pp. 42545-42546 for a summary of DOE regulatory actions regarding the compliance date for the subject standards.

[4] See, e.g., MHARR October 25, 2021 Comments to DOE on "Energy Conservation Standards for Manufactured Housing" attached hereto as Attachment 1, at pp. 14-18.

[5] See, e.g., Attachment 1 hereto at pp. 5-7.

[6] See, e.g., Attachment 1 hereto at pp. 7-12.

[7] See, e.g., Attachment 1 at pp. 15-24.

[8] See, MHARR November 24, 2025 and December 1, 2025 Comments on "Request for Information – Manufactured Housing Energy Conservation Standards, attached hereto as Attachments 2 and 3 hereto.

[9] See, e.g., Attachment 1 hereto at pp. 28-32.

Given the extreme cost impacts of the May 31, 2022 "final" DOE energy standards and the absence of any evidence in the administrative record showing a legitimate need for such extreme, high-cost "standards" within the context of an unprecedented national shortage and shortfall of affordable single-family homes, the May 31, 2022 Biden-era DOE manufactured housing "energy conservation standards, in accordance with EO 14394, should be "eliminated" through the formal withdrawal and repudiation of those standards by DOE, as previously sought by MHARR in written comments filed in the administrative docket herein. Simultaneously, and again in accordance with EO 14394, pending manufactured housing energy standards at HUD must also be withdrawn from consideration and repudiated by that agency, insofar as they represent a needless, discriminatory and unduly burdensome regulatory and cost burden on both the manufactured housing industry and American consumers of affordable manufactured housing.

In summary, the May 31, 2022 DOE standards developed by DOE and rushed into "final" status without proper adherence to APA requirements and without full and proper DOE "consultation" with HUD, as required by the underlying authorizing statute, in order to meet artificial time deadlines resulting from litigation filed by climate activist and extremist groups should be withdrawn and rejected in accordance with EO 14394. Simultaneously, and for the same fundamental reasons, DOE's proposed Biden-era manufactured housing energy conservation standards enforcement rule, published on December 26, 2023,[10] -- and all corresponding manufactured housing energy conservation regulation proposals at HUD -- must also be withdrawn and rejected.

In accordance with the foregoing, we will contact your office soon to schedule a meeting to more fully address this matter. Thank you in advance for your consideration.

Sincerely,

Mark Weiss
President and CEO

cc: Hon. Donald J. Trump
Hon. Scott Turner
Hon. Russell Vought
Hon. Kelly Loeffler
Mr. Lou Hrkman (DOE)
HUD Code Manufactured Housing Industry Members and Consumers

Attachments

[10] See, 88 Federal Register, No. 246 (December 26, 2023) "Energy Conservation Standards for Manufactured Housing: Enforcement" at p. 88844, et seq.

Presidential Documents

Executive Order 14394 of March 13, 2026

Removing Regulatory Barriers to Affordable Home Construction

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered:

Section 1. *Purpose.* The American dream of homeownership depends on a dynamic housing market in which a varied inventory of new homes is built and renovated each year. Layers of unnecessary regulatory barriers, slow permitting processes, and onerous mandates at all levels of government have delayed construction, restricted development, and driven up the costs of new housing. These constraints have made housing less affordable for many Americans.

It is the policy of my Administration to reduce regulatory barriers to building homes and to steward taxpayer dollars in a manner that promotes housing affordability.

Sec. 2. *Targeting Federal Regulatory Barriers to Residential Development.* (a) The Secretary of the Army, acting through the Assistant Secretary of the Army for Civil Works, and the Administrator of the Environmental Protection Agency shall review and revise requirements related to stormwater, wetlands, lakes, rivers, and other bodies of water to reduce housing construction and ownership costs, streamline regulatory and agency decision-making processes, reduce property tax burdens, and increase insurability, as appropriate and consistent with applicable law. Such requirements shall include:

(i) the Construction General Permit for stormwater discharges from construction activity;

(ii) federally issued Total Maximum Daily Loads;

(iii) construction site and post-construction requirements for Municipal Separate Stormwater System permits;

(iv) Federal standards for permits under section 404 of the Clean Water Act (CWA), 33 U.S.C. 1344, for the discharge of dredged and fill material into waters of the United States; and

(v) Federal standards for assumption of dredge and fill permitting by States and tribes under section 404(g) of CWA.

(b) The Secretary of Commerce, the Secretary of Housing and Urban Development, the Secretary of Transportation, and the Director of the Federal Housing Finance Agency (FHFA) shall, within their respective authorities, consider eliminating unduly burdensome rules and reforming programs that constrain residential development and impede housing affordability, especially the construction of affordable single-family homes as well as suburban and exurban neighborhoods, including, as needed:

(i) the Economic Development Administration's guidelines and investment priorities concerning development density;

(ii) the Department of Transportation's Reconnecting Communities Pilot Program;

(iii) the Department of Housing and Urban Development's Pathways to Removing Obstacles to Housing Program; and

(iv) the FHFA's guidelines and regulations regarding chattel lending for manufactured housing and incentivizing low-balance home mortgages.

(c) The Secretary of Agriculture, the Secretary of Housing and Urban Development, the Secretary of Energy, and the Director of FHFA shall, within their respective authorities, take appropriate action to reform and, where appropriate, eliminate unduly burdensome or costly energy-efficiency, water-use, or alternative-energy requirements regarding housing, including manufactured housing, to the maximum extent practicable and consistent with applicable law. Such action shall include reviewing and revising, as needed:

(i) the Energy Conservation Program's Energy Conservation Standards for Manufactured Housing;

(ii) the Adoption of Energy Efficiency Standards for New Construction of HUD- and USDA-Financed Housing;

(iii) residential building energy codes subject to review by the Secretary of Energy; and

(iv) water and energy efficiency improvement standards for FHFA's duty to serve underserved market properties.

Sec. 3. *Streamlining Federal Permitting Requirements for Residential Development.* (a) The Chairman of the Council on Environmental Quality shall provide guidance to executive departments and agencies (agencies) on implementing the National Environmental Policy Act of 1969, including through the establishment, adoption, or application of categorical exclusions, in a manner that maximally exempts or reduces burdens on housing construction, preservation, adaptive re-use, and infrastructure that facilitates housing construction, such as roads, water, sewer, and other projects.

(b) The Chairman of the Advisory Council on Historic Preservation shall develop guidance on maximally exempting, or reducing burdens on, housing construction and infrastructure that facilitates housing construction, such as roads, water, sewer, and other projects under section 106 of the National Historic Preservation Act so that reporting requirements are no more burdensome than necessary.

Sec. 4. *Boosting Housing Affordability Through State and Local Regulatory Best Practices.* (a) Within 60 days of the date of this order, the Secretary of Housing and Urban Development, in coordination with the Assistant to the President for Domestic Policy, shall develop and promulgate a series of regulatory best practices for State and local governments to promote housing construction and affordability, including:

(i) streamlining permitting processes for housing developments by, for example, capping permitting timelines and fees; allowing by-right development for single-family homes; limiting retroactive application of new or changed building codes; allowing third-party inspections and appropriate builder choice on certified entities for inspections and studies; and ensuring swift dispute resolution with government agencies and private parties regarding construction matters;

(ii) curtailing mandates that increase housing construction costs, such as green-energy building requirements or other energy-choice restrictions, non-evidence-based building codes, and unreasonable building-code-adoption timelines;

(iii) re-examining restrictions on the use of manufactured or modular housing on the basis of the construction method rather than objective standards for building and safety, aesthetic requirements, or prohibitions on construction when comparable site-built housing is permitted; and

(iv) removing arbitrary limitations on residential housing development beyond urban centers, such as urban growth boundaries, growth moratoria, and commuting penalties.

(b) The Secretary of Agriculture, the Secretary of Housing and Urban Development, the Secretary of Transportation, and the Administrator of the Environmental Protection Agency shall, within their respective authorities, take steps to revise, as appropriate and consistent with applicable law, regulations, guidance, grant applications and requirements, technical assistance, and other relevant agency documents or practices to advance the best practices issued pursuant to subsection (a) of this section.

Sec. 5. *Facilitating New Residential Construction in Opportunity Zones.* (a) The Secretary of the Treasury and the Secretary of Housing and Urban Development shall jointly evaluate Administration actions to better align programs and incentives with the Opportunity Zone tax incentives to expand investment in single-family home construction, including considering lawful mechanisms to link grants, financing tools, or other incentives with new or increased investment in Qualified Opportunity Funds engaged in the development and sale of single-family homes.

(b) The Secretary of the Treasury and the Secretary of Housing and Urban Development shall also assess opportunities to coordinate the Opportunity Zone incentives described in subsection (a) of this section with the New Markets Tax Credit under 26 U.S.C. 45D to promote single-family home construction in census tracts that qualify both as Qualified Opportunity Zones and as low-income communities for the purposes of the New Markets Tax Credit.

Sec. 6. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

(d) If any provision of this order, or the application of any provision or circumstance, is held to be invalid, the remainder of this order and the application of its provisions to any other persons or circumstances shall not be affected thereby.

(e) The costs for publication of this order shall be borne by the Department of Housing and Urban Development.

THE WHITE HOUSE,
March 13, 2026.

[FR Doc. 2026–05388
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Billing code 4210–67–P

Manufactured Housing Association for Regulatory Reform

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July 8, 2026

VIA FEDERAL EXPRESS

Hon. Chris Wright
Secretary
U.S. Department of Energy
1000 Independence Avenue, S.W.
Washington, D.C. 20585

Re: Manufactured Housing Energy Conservation Standards
DOE Docket No. EERE-2009-BT-BC-0021

Dear Secretary Wright:

I write once again to ask that the U.S. Department of Energy (DOE) formally withdraw its "energy conservation" standards for manufactured homes final rule, published May 31, 2022,[1] but not yet implemented.[2]

As MHARR has demonstrated in multiple rounds of written comments submitted during the DOE rulemaking process, the DOE standards – contrary to baseless assertions set forth by disingenuous DOE staff in support of the "final" rule – would needlessly add thousands of dollars to the purchase price of a new manufactured home, with minimal or no corresponding benefits or, *at most*, benefits that would take years or decades to be realized. According to price sensitivity metrics provided by MHARR, such purchase price increases would exclude millions of Americans from homeownership and all of the benefits of homeownership, at a time of unprecedented demand and need for affordable housing.

Further, as you are aware, the DOE manufactured housing energy standards are based on – and were developed in accordance with – the International Energy Conservation Code (IECC) maintained and sponsored by the International Code Council (ICC).[3] It is thus highly relevant that,

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[1] See, 87 Federal Register, No. 104, (May 31, 2022) "Energy Conservation Program: Energy Conservation Standards for Manufactured Homes," at p. 32728, et seq.

[2] See, 90 Federal Register, No. 168 (September 3, 2025) "Public Input on Energy Conservation Standards for Manufactured Housing," at pp. 42545-425546 for a summary of DOE regulatory actions regarding the compliance date for the subject standards.

[3] The May 31, 2022 DOE "final" manufactured housing standards were based on the 2021 iteration of the IECC. While the 2021 IECC is not *identical* to the 2024 IECC addressed by DOE's June 26, 2026 News Release and supporting materials, it is very similar and is characterized by the same type of high-cost/zero (or minimal) benefit mandates that are contained in the 2024 IECC.

as in a News Release issued on June 26, 2026,[4] DOE, in accordance with Executive Order 14394, "Removing Regulatory Barriers to Affordable Home Construction,"[5] specifically repudiated the 2024 IECC Code and the ICC development process for the IECC, stating:

> "[T]he 2024 IECC would increase residential housing costs by more than $9.2 billion annually compared to 2006 code levels, adding more than $127 billion in cumulative costs nationwide."

Pursuant to these findings, you concluded and stated:

> "American families should not be forced to pay more for a home because nonsensical energy-related mandates. *** For too long, climate activists have pushed regulations that increase housing costs, reduce consumer choice, and make it harder for Americans to build and own a home. Thankfully President Trump will continue fighting for the American people so they can enjoy affordable energy access and the ability to buy the home they desire with the features they choose."

(Emphasis added).

The exact same reasoning and rationale applies with equal – if not greater force – to the May 31, 2022 "final" DOE manufactured housing "energy conservation" standards. Those IECC-derived standards, as MHARR and other commenters have consistently demonstrated, would needlessly undermine the inherent affordability of manufactured homes, contrary to the express mandate of federal manufactured housing law and would deny safe, decent and affordable housing and homeownership to millions of lower and moderate-income American families that have historically relied on the unparalleled affordability of manufactured housing to become homeowners. Indeed, DOE's reliance on the IECC as the basis for manufactured housing energy standards is even more egregious and unfounded than the example cited in the above-referenced News Release, insofar as the IECC was never developed for, or specifically adapted to, manufactured housing, and is totally inconsistent with the unique engineering, designs and construction of HUD Code manufactured homes.

Furthermore, the manufactured housing energy mandate and May 31, 2022 DOE standards are legally, economically and practically indistinguishable from the DOE home appliance and equipment energy conservation mandates that DOE announced, on July 2, 2026, would be "permanently end[ed]." In that News Release, you again stated that:

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[4] See, copy attached.

[5] In a prior March 25, 2026 communication to you, MHARR *specifically* called for the withdrawal and repudiation of the May 31, 2022 DOE manufactured housing energy standards pursuant to section 2(c) of EO 14394, which states, in relevant part: " The Secretary of [HUD] [and] the Secretary of Energy shall, within their respective authorities, take appropriate action to reform and where appropriate, eliminate unduly burdensome or costly energy-efficiency … requirements regarding housing, to the maximum extent practicable.... Such action shall include reviewing and revising … (i) the Energy Conservation Program's Energy Conservation Standards for Manufactured Housing." See, copy attached.

"For too long, the American people [have] paid a price for [energy] mandates that restricted consumer choice and drove up costs. President Trump promised to end this nonsense and that is exactly what we are doing. The proposed rule will preserve the American people's ability to choose home appliances and equipment that actually work – at prices they can afford. It's called common sense."

And once again, the same logic and rationale support – <u>and demand</u> – that DOE formally and finally withdraw its overblown, overdone, industry and home affordability-killing "energy conservation" standards for manufactured housing in order to eliminate and repudiate such unnecessary and destructive mandates pushed by the same cadre of "climate" radicals. <u>The time has come to remove this extreme threat against the nation's most affordable type of housing and the American consumers who rely on its purchase-price and operational affordability</u>.

We thank you – and President Trump – for your affordability agenda, and again ask that you act to repeal the egregious May 31, 2022 DOE manufactured home "energy conservation" regulations <u>and</u> their underlying basis.

Sincerely,

Mark Weiss
President and CEO

cc: Hon. Donald J. Trump
Hon. Scott Bessent
Hon. Scott Turner
Hon. Russell Vought
HUD Code Manufactured Housing Industry Members