



Manufactured Housing Association for Regulatory Reform

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August 7, 2025

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 Standards and Enforcement Regulations

Dear Secretary Wright:

On February 26, 2025, I wrote to you, on behalf of the members of the Manufactured Housing Association for Regulatory Reform (MHARR), urging you to reject and withdraw all pending (i.e., not yet implemented) Obama/Biden-era manufactured housing “energy conservation” standards and related enforcement procedures published or under consideration by the U.S. Department of Energy (DOE). (See, copy attached as Attachment 1).

Subsequent thereto, at a July 1, 2025 meeting with DOE Principal Deputy Assistant Secretary for Energy Efficiency and Renewable Energy, Mr. Lou Hrkman, MHARR once again reiterated the absolute necessity of totally withdrawing and repudiating these illegitimate “climate change”- based regulations which would, among other things: (1) needlessly undermine the affordability of federally-regulated manufactured homes in direct violation of the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended by the Manufactured Housing Improvement Act of 2000 (42 U.S.C. 5401, et seq.); and (2) further restrict the availability of truly affordable housing at a time when the supply of affordable homes is millions of units below existing demand.

Now, there is yet another compelling basis and policy reason for the withdrawal of the DOE manufactured housing “energy” standards published on May 31, 2022¹ and the proposed enforcement regulations published by DOE on December 26, 2023.² Specifically, on May 5, 2025, the Office of Information and Regulatory Affairs (OIRA) within the Office of Management and Budget (OMB), issued guidance to all Executive Branch agencies, which MHARR has carefully

¹ See, 87 Federal Register, No. 104 “Energy Conservation Standards for Manufactured Housing” (May 31, 2022) at p. 32728, et seq.

² See, 88 Federal Register, No. 246 “Energy Conservation Standards for Manufactured Housing; Enforcement,” (December 26, 2023) at p. 88844, et seq.

analyzed and considered. This guidance addresses the regulatory impacts of President Trump’s rejection and repudiation of the Social Cost of Carbon (SCC) construct pursuant to Executive Order 14154 “Unleashing American Energy” (January 20, 2025). (See, copy attached as Attachment 2).

In relevant part, the OIRA guidance (quoting Executive Order 14154) states: “The calculation of the social cost of carbon is marked by logical deficiencies, a poor basis in empirical science, politicization and the absence of a foundation in legislation.” Accordingly, the guidance states that “the circumstances where agencies will need to engage in monetized greenhouse gas emission analysis will be few to none.” (Emphasis added). It then directs Executive Branch agencies to “review ... existing policies, guidance, regulations and governing statutes to determine whether consideration of greenhouse gas emission is required, and in what manner...” (Emphasis added). If such consideration is “not required by statute but has been established as a decisionmaking factor in ... regulatory or permitting decisions, agencies should, consistent with the policy of EO 14154, modify their regulations ... to reestablish the proper limited role of such emissions in agency decisionmaking.” The guidance further directs agencies to make such changes “as quickly as feasible...”

As MHARR fully documented in multiple rounds of written comments filed with DOE in both the manufactured housing “energy” standards and enforcement regulations dockets,³ there is no direction whatsoever in the relevant statute underlying either such docket,⁴ for DOE to consider the global impacts, or “social costs” of carbon emissions in relation to the cost-benefit of those standards and regulations. However, DOE, in developing the final May 31, 2022 manufactured housing energy conservation standards and in a related Environmental Impact Analysis conducted pursuant to the National Environmental Policy Act (NEPA), specifically relied on the SCC as part of the basis for its supposed finding that the final manufactured housing energy regulations were cost-justified.

Nor is this merely MHARR’s contention. In a February 11, 2022 decision of the United States District Court for the Western District of Louisiana (2:21-cv-01074), DOE’s manufactured housing energy standards rule was cited as a specific “example” of a federal agency rule which relied upon the SCC construct. This was later admitted by DOE and the Biden Administration in a declaration of an OIRA official submitted in that matter,⁵ wherein the OIRA official acknowledged, among other things, that:

“...[B]ecause the manufactured housing standards will have significant economic costs ... and other effects, DOE is required by EO 12866 to quantify the costs and benefits of alternatives in an RIA to accompany publication of the final standards. If DOE cannot continue to use the Interim Estimates [i.e., SCC values] for purposes of its EO 12866 analysis, and in the development of a record to support their rulemaking under DOE’s statutory criteria for setting energy efficiency standards,

³ See, e.g., MHARR written comments filed February 25, 2022 “Draft Environmental Impact Statement for Proposed Energy Conservation Standards for Manufactured Housing.”

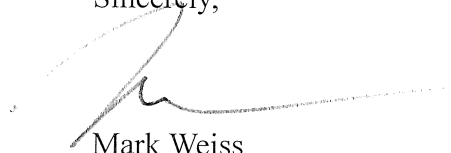
⁴ I.e., 42 U.S.C. 17071.

⁵ See, Declaration of Dominic J. Mancini, attached hereto as Attachment 3, at pp. 9-13.

the development of a new adequate presentation of all the relevant costs and benefits could complicate DOE's ability to satisfy its requirements under EO 12866 and the statute...."
(Emphasis added).

Insofar as DOE's obvious and admitted reliance on SCC data is central to the cost-benefit analysis for the May 31, 2022 manufactured housing energy standards and any enforcement of those standards, whether pursuant to the proposed December 26, 2023 enforcement regulations or otherwise, that reliance is inconsistent with – and in violation of – both Executive Order 14154 and OIRA's May 5, 2025 guidance. Moreover, without the additional costs represented by SCC values, the DOE standards (and related regulations) would not be cost-effective, in violation of both 42 U.S.C. 17071 and other applicable federal law. Accordingly, and pursuant to both the Executive Order and the May 5, 2025 OIRA guidance, both the pending, unimplemented standards and the proposed enforcement regulations must be withdrawn, in toto,

Sincerely,

A handwritten signature in dark ink, appearing to read 'Mark Weiss', with a long horizontal flourish extending to the right.

Mark Weiss
President and CEO

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

Attachments