



# **Manufactured Housing Association for Regulatory Reform**

1331 Pennsylvania Avenue, NW • Suite 512 • Washington, DC 20004 • 202-783-4087 • Fax 202-783-4075 • mharrdg@aol.com

March 20, 2015

## VIA FEDERAL EXPRESS

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

Re: Energy Standards for Manufactured Homes

Dear Secretary Moniz:

I am writing as a follow-up to my previous letter of November 25, 2014 (copy attached) regarding energy standards for manufactured homes pursuant to the Energy Independence and Security Act of 2007 (EISA).

As was detailed in that letter, the pending Department of Energy (DOE) rulemaking concerning these standards has been fundamentally and irretrievably tainted, first by the impermissible disclosure of a draft proposed rule to selected parties in interest, and subsequently by a deficient, contrived “negotiated rulemaking” involving the same parties (including many with interlocking control and/or conflicts of interest) that on its face and in substance fails to comply with a specific directive from the Office of Management and Budget (OMB) - Office of Information and Regulatory Affairs (OIRA) to begin this rulemaking process over from the start. Unfortunately, this tainted process has been allowed to continue and even accelerate since that time, with the threat of even more immediate and more significant negative impacts.

Thus, on March 16, 2015, a group of Manufactured Housing Association for Regulatory Reform (MHARR) officers and staff met with Dr. Kathleen Hogan and other relevant DOE officials to reiterate and further detail MHARR’s procedural and substantive objections to continuation of the present rulemaking, and to provide DOE with specific information demonstrating that the cost of any rule based on the Manufactured Housing Working Group Term Sheet would be far greater than previously estimated, with particularly devastating results for both moderate and lower-income homebuyers and smaller industry businesses. A summary of that information, from MHARR manufacturers, is attached hereto.

While MHARR has provided this information to ensure a complete administrative record regardless of the fatal deficiencies inherent in this rulemaking, and appreciates the time and

consideration offered by Dr. Hogan and her colleagues, its fundamental objections to the continuation of the present rulemaking – in any form – remain.

Accordingly, to prevent any agency action based on a fatally tainted process, while simultaneously clearing the record and establishing much-needed (and thus far, much lacking) transparency for both DOE, Congress and all stakeholders affected by this proceeding, MHARR now asks not only that the present rulemaking be halted, but that the DOE Inspector General initiate a complete internal investigation of this matter, including an opportunity for MHARR to present additional information and materials at an appropriate time.

Again, we hope that you will seriously consider these requests in order to prevent this matter from being subjected to time-consuming litigation.

We thank you in advance for your consideration.

Sincerely,



Mark Weiss  
President

cc: Gregory H. Friedman, DOE Inspector General  
Dr. Kathleen Hogan, Deputy Assistant Secretary for Energy Efficiency  
MHARR Manufacturers

Attachments