

January 3, 2025

**Steve Marshall**  
Alabama Attorney General



For **press** inquiries only, contact:

Amanda Priest (334) 322-5694

William Califf (334) 604-3230

Page 1 of 1

## **Alabama Attorney General Joins Coalition of States and National Home Builders to Challenge Federal Policies Making Housing Less Affordable**

(Montgomery, Ala) – Attorney General Steve Marshall joined a 15-state coalition along with the National Association of Home Builders to challenge radical energy efficiency standards that undercut affordable housing. The filing against the U.S. Department of Housing and Development (HUD) and the U.S. Department of Agriculture (USDA) details how both agencies are harming Americans, particularly low-income and first-time homebuyers. The standards are so costly that the International Code Council (ICC) and the American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE) have already partially rolled them back, a fact that seems lost on the Biden administration.

“Thanks to Biden’s skyrocketing inflation, Americans are feeling the pinch when comes to cost-of-living and housing. Biden’s bureaucrats at HUD and USDA then thought it was wise to impose energy-efficiency requirements that stand to cost low-income homebuyers over \$30,000. That’s ridiculous.” Attorney General Marshall stated. “Over the last four years, Biden and his team have repeatedly undermined the American Dream. Even as Biden hides in his office during the final days of his administration, my colleagues and I will fend off their ill-advised and illegal acts.”

HUD and USDA concede the standards will increase the cost of a covered new home by up to \$8,345. But estimates by industry professionals show the actual costs are far higher--up to \$31,000 per new home. HUD and USDA project that over 161,000 new units of single-family housing and more than 17,000 new units of multi-family housing will be affected every year. The agencies concede the new standards will drive down production of affordable housing at a time when middle-class families are finding homeownership out of reach and homelessness is at an all-time high.

The state attorneys general seek a declaration that Section 109 of the Cranston-Gonzalez Act is unconstitutional to the extent it delegates to the International Code Council or ASHRAE the authority to set energy efficiency standards for covered housing; a declaration that the 2024 Final Declaration is arbitrary, capricious, an abuse of discretion, and contrary to law; and an order enjoining Defendants from applying energy efficiency standards to covered housing where such standards are not consistent with the constitutional provisions of Section 109 of the Cranston-Gonzalez Act.

Joining Alabama and led by Utah and Texas on this lawsuit are the states of Arkansas, Idaho, Indiana, Iowa, Kansas, Louisiana, Missouri, Montana, Nebraska, South Carolina, Tennessee, and West Virginia, as well as the National Association of Home Builders.

To read the challenge, [click here](#).

