



EXECUTIVE ORDER  
14394

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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.