2026 MEMORANDUM OF AGREEMENT ON
THE ENERGY STAR® PROGRAM
BETWEEN
THE U.S. ENVIRONMENTAL PROTECTION AGENCY
AND
THE U.S. DEPARTMENT OF ENERGY

This Memorandum of Agreement ("MOA") is entered into by and between the United States (U.S.) Environmental Protection Agency ("EPA") and the U.S. Department of Energy ("DOE") to assign responsibilities under the voluntary ENERGY STAR® Program authorized by section 131 of the Energy Policy Act of 2005, as amended. 42 U.S.C. § 6294a.

I. Authority

DOE and EPA enter into this MOA under the authority of, among others, section 131 of the Energy Policy Act of 2005, as amended (42 U.S.C. § 6294a), section 646 of the Department of Energy Organization Act (42 U.S.C. § 7256), and section 102(b) of the Clean Air Act (42 U.S.C. § 7402(b)).

II. Background

Section 131 of the Energy Policy Act of 2005 amended the Energy Policy and Conservation Act to establish within the DOE and the EPA a "voluntary program to identify and promote energy-efficient products and buildings in order to reduce energy consumption, improve energy security, and reduce pollution through voluntary labeling of, or other forms of communication about, products and buildings that meet the highest energy conservation standards." 42 U.S.C. § 6294a(a). Section 131 also directed a division of responsibilities with respect to the ENERGY STAR® Program between DOE and EPA "in accordance with the terms of applicable agreements between those agencies." 42 U.S.C. § 6294a(b)).

III. Purpose and Scope

The purpose of this MOA is to document that, henceforth, DOE will be the lead Federal agency for the ENERGY STAR® Program, in consultation with other Federal agencies as needed, including EPA and the Small Business Administration.

DOE and EPA agree to initiate the orderly transition of primary management of ENERGY STAR® activities, including partnership agreements, trademark(s), as well as IT systems and databases, from EPA to DOE. These specific activities and timing will be detailed through a transition plan (hereafter referred to as the 2026 ENERGY STAR® Program Transition Plan) agreed to by the Agencies within 90 days of the approval of this MOA.

EPA and DOE intend to initially fund transition activities with their own respective appropriated funds. As the transition progresses, EPA may enter into separate agreements to transfer funds to DOE pursuant to 31 U.S.C. 1531 *et seq*.

IV. Relationship to Past Agreements

This MOA will be the primary applicable agreement on ENERGY STAR® responsibilities upon its effective date and replaces coordination between the Agencies as outlined in the 1996 EPA and DOE Memorandum of Cooperation on Energy Efficient, Environmentally Beneficial Buildings and the 2009 Memorandum of Understanding on Improving the Energy Efficiency of Products and Buildings Between the U.S. Environmental Protection Agency and the U.S. Department of Energy.

V. Limitations

This MOA is neither a binding document, nor a fiscal or funds obligation document. This MOA shall not be construed to provide a private right or cause of action for or by any person or entity. This document does not create any right or benefit, substantive or procedural, enforceable by law or equity against DOE or EPA, their officers or employees, or any other person. Nor does this MOA direct or apply to any person outside DOE and EPA. This MOA is intended to outline the nonexclusive efforts of the Agencies. All activities and commitments hereunder will be handled in accordance with applicable laws, regulations, and procedures, and are subject to the availability of appropriated funds, resources, and personnel. Any transaction involving transfers of funds between the parties to this MOA will be handled in accordance with applicable laws, regulations, and procedures under separate written agreements.

VI. Commencement, Duration, Modification, Termination

This MOA is to take effect upon Tuesday, March 3, 2026 and remain in effect for a period of 10 years. This MOA may be extended or modified, at any time, through the mutual written consent of the parties. Additionally, a party may terminate its participation in this MOA at any time by providing written notice to the other party, at least 365 days in advance of the desired termination date.

VII. Signatures

U.S. Environmental Protection Agency
Assistant Administrator for the Office of Air and Radiation
Aaron Szabo

U.S. Department of Energy
Assistant Secretary of Energy (EERE)
Critical Minerals and Energy Innovation
Audrey Robertson