



NOTIFICATION

Addendum

The following communication, dated 19 February 2026, is being circulated at the request of the delegation of the United States of America.

Title: Petroleum-Equivalent Fuel Economy Calculation

Reason for Addendum:	
<input type="checkbox"/>	Comment period changed - date:
<input type="checkbox"/>	Notified measure adopted - date:
<input type="checkbox"/>	Notified measure published - date:
<input checked="" type="checkbox"/>	Notified measure enters into force - date: 19 February 2026
<input type="checkbox"/>	Text of final measure available from <sup>1</sup> :
<input type="checkbox"/>	Notified measure withdrawn or revoked - date: Relevant symbol if measure re-notified:
<input checked="" type="checkbox"/>	Content or scope of notified measure changed and text available from <sup>1</sup> : Interim final rule; request for comments <a href="https://members.wto.org/crnattachments/2026/TBT/USA/modification/26_01013_00_e.pdf">https://members.wto.org/crnattachments/2026/TBT/USA/modification/26_01013_00_e.pdf</a> New deadline for comments (if applicable): 23 March 2026
<input type="checkbox"/>	Interpretive guidance issued and text available from <sup>1</sup> :
<input type="checkbox"/>	Other:

Description: The Office of Critical Minerals and Energy Innovation (formerly the Office of Energy Efficiency and Renewable Energy) of the Department of Energy (DOE) has reviewed the petroleum-equivalency factor (PEF) for electric vehicles (EVs) used by the Environmental Protection Agency (EPA) in calculating light-duty vehicle manufacturers' compliance with the Department of Transportation's (DOT) Corporate Average Fuel Economy (CAFE) standards. DOE has determined that revisions to the PEF are necessary. DOE is first publishing a final rule that removes the fuel content factor (FCF) from the calculation of the PEF. Removal of the FCF is consistent with a United States Court of Appeals for the Eighth Circuit decision that held, among other things, that the inclusion of the FCF in the PEF calculation exceeded DOE's authority under the substantive statute. DOE will propose additional revisions to the PEF in a forthcoming notice of proposed rulemaking.

<sup>1</sup> This information can be provided by including a website address, a pdf attachment, or other information on where the text of the final/modified measure and/or interpretive guidance can be obtained.

The effective date of this interim final rule is 19 February 2026. DOE will accept comments, data, and information regarding this interim final rule no later than 23 March 2026.

91 Federal Register (FR) 7810, 19 February 2026; [Title 10 Code of Federal Regulations \(CFR\) Part 474](#):

<https://www.govinfo.gov/content/pkg/FR-2026-02-19/html/2026-03300.htm>

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This interim final rule; request for comments and the technical amendment notified as [G/TBT/N/USA/1983/Add.3](#) are identified by Docket Number EERE-2025-VT-0073. The Docket Folder is available from Regulations.gov at <https://www.regulations.gov/docket/EERE-2025-VT-0073/document> and provides access to primary documents, supporting and related material as well as comments received. Documents are also accessible from [Regulations.gov](#) by searching the Docket Number. WTO Members and their stakeholders are asked to submit comments to the [USA TBT Enquiry Point](#) by or before [4pm Eastern Time](#) on 23 March 2026. Comments received by the USA TBT Enquiry Point from WTO Members and their stakeholders will be shared with DOE and will also be submitted to the [Docket](#) on Regulations.gov if received within the comment period.

Other actions notified under the symbol [G/TBT/N/USA/1983](#) are identified by Docket Number EERE-2021-VT-0033. The Docket Folder is available from Regulations.gov at <https://www.regulations.gov/docket/EERE-2021-VT-0033/document> and provides access to primary documents as well as comments received. Documents are also accessible from [Regulations.gov](#) by searching the Docket Number. See also [EERE-2023-VT-009](#).

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