



Mr. Dominic Sims, CEO  
International Code Council  
900 Montclair Road, Suite A  
Birmingham, AL 35213  
Via email: dsims@iccsafe.org

RE: Final Results of the 2019 Online Governmental Consensus Vote

**The American Institute of Architects**

1735 New York Avenue NW  
Washington, DC 20006

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February 25, 2020

Dear Dominic,

I want to belatedly thank you for taking the time to meet with my team in Birmingham in early December about a variety of concerns that AIA has about its role within the ICC. However, a pressing issue is upon us and AIA wanted to register our deep concern about the many problems unfolding regarding the ICC vote validation process.

I am writing to express AIA's disappointment that the ICC is allowing parties not on the Validation Committee to have undue influence over the validation process. In the past, the committee has worked with much-needed autonomy. Any concerns that arose were then brought after the final validated vote was released.

The ICC's allowance of two organizations (or individuals) to stall the validation process sets a dangerous precedent. We urge the ICC to consider how such complaints are handled in future cycles to ensure the Validation Committee's work is not disrupted.

It is of utmost importance that the integrity of the Online Governmental Consensus Vote (OGCV), as an integral part of the code development process, not be undermined. AIA is compelled to write to you before any action (based on the letters from Mr. Zaremba and the Leading Builders of America) is considered.

AIA is very concerned that ICC may consider taking the unprecedented step of setting aside the results of the online vote and declaring the

results of the Public Comment Hearing to be final. This has the potential to offset all of the benefits envisioned by online voting which is vital to involving a much greater number of governmental members in the code development process.

The goal of cdpACCESS, when it was rolled out at the end of 2013, was to provide a superior way to develop codes and increase participation in code development. If online voters are treated as inferior to those attending the Public Comment Hearing, ICC will put at risk the very goal it set for the platform's success.

To address the specific concerns raised by Mr. Zaremba and the LBA, I would first point out that online voting via cdpACCESS has only been in place for two code cycles. The 2019 OGCV is only the second such vote for the IECC. Therefore, their claim that the OGCV overturning the Committee and Hearing decision has violated some precedent is incorrect.

Secondly, I disagree with the Mr. Zaremba's premise that the Public Comment Hearing voters are a body separate from the online voters, when the online vote is in fact an extension of the vote taken at the hearings. This is especially clear, since the electronic votes of those attending the hearings automatically becomes included in the online votes.

Having more voters participating online in 2019 should be cause for celebration and not concern. Increased participation in the process has been the goal of online voting since its inception. Any actions taken by ICC to lessen or mitigate the voice of online voters will have a negative political and policy impact for years to come. The claims by the LBA and Mr. Zaremba are not valid and should be disregarded.

Respectfully,

A handwritten signature in black ink, appearing to read "Robert Ivy". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Robert Ivy, FAIA  
EVP/Chief Executive Officer