

January 11, 2021

Mr. Dominic Sims  
Chief Executive Officer  
International Code Council  
500 New Jersey Avenue, NW  
6th Floor  
Washington, DC 20001

RE: The Updated Process for the International Energy Conservation Code

Dear Mr. Sims:

The National Association of Home Builders (NAHB) is one of the International Code Council's (ICC) founding strategic partners and has been an active participant in the ICC Code Development Process since the inception of the Council. Our members are in **strong support** of converting the development process for the International Energy Conservation Code (IECC) from the current Governmental Consensus process to an American National Standards Institute (ANSI) approved standards development process.

NAHB is a Washington, DC-based trade association that is affiliated with more than 700 state and local home builders associations (HBAs) located in all 50 states and Puerto Rico and represents more than 140,000 members, most of whom build their homes using the IECC. NAHB's builder members will construct 80 percent of the new housing units projected for this year and, given the current housing affordability crisis, need to be able to do so in a cost-efficient manner. NAHB's members, who represent all aspects of the housing industry, work in concert to ensure that all Americans have access to safe, decent and affordable housing, whether they choose to buy a home or rent.

NAHB has several reasons for supporting ICC's proposal to modify the IECC development process, among them:

- The energy code is getting more complex, with each iteration of the IECC requiring more discussion and modifications to the proposed changes to ensure the final result meets the intended goals and is workable in the field. An ANSI committee approach allows for more deliberative discussions and exchange of ideas, as well as opportunities to jointly analyze supporting data, ask questions, and develop collaborative solutions, which result in a more balanced and cost-effective code.
- The Group B process clearly showed that the online vote allows for political manipulation of the outcome – an end result that is neither desirable nor appropriate. Changing to an ANSI process eliminates this possibility and better ensures the results are representative of the views held by the broader ICC membership.
- Because the committee will meet more often and have more time to consider and discuss all implications of proposed changes, the committee responsible for developing the IECC via the ANSI process can be more responsive to conceptual changes to the codes as well as resolve

potential conflicts between related changes. This results in codes that are better aligned and easier to implement and enforce.

While NAHB believes the change to an ANSI standard is necessary and the right course of action for ICC, we understand that some stakeholders are not as enthusiastic. Several of the arguments they have forwarded to support their position, however, are inaccurate, as noted below.

- Concern 1: It is not clear how the public will be able to weigh in.  
All approved ANSI processes must allow for public comment. ICC has demonstrated compliance with this requirement in its development of more than 10 standards where it functions as the secretariat.
- Concern 2: ICC has provided no justification for the change.  
A number of appeals were filed challenging the irregular results from the 2019 online vote on the IECC. Additional concerns were expressed by ICC's appeals committee, but they were not able to uphold the appeals because the current process was followed. The questions and concerns raised imply there is an inherent flaw in the current process – a flaw that ICC has committed to address. Changing to a consensus standard is expected to resolve the concerns.
- Concern 3: The ANSI committee will have members with a vested financial interest in the code.  
Like all ANSI committees, it is expected that the committee members will include a diverse group of industry participants that will likely represent code officials, builders, engineers, material suppliers, efficiency advocates and possibly other stakeholders. As evidenced by other products developed via the ANSI process, including those developed by ICC, this breadth of experience will make for a better code.
- Concern 4: Governmental Members will be disenfranchised.  
It is expected that governmental members will be as well represented on the ANSI IECC committee as they are on the committees developing the other ICC standards – comprising up to 1/3 of the committee membership. In addition, the open process allows anyone, including Governmental Members, to participate in the development of the energy code by submitting proposals and commenting to the committee. Further, Governmental Members can continue to participate in the governmental consensus process that ICC follows to develop all of the other building codes.

It is critical that ICC proceed with the development of the 2024 IECC following a process that includes broad representation through a balanced committee of stakeholders. NAHB believes the ANSI consensus process meets this requirement. Therefore, we strongly support converting the development process for the IECC to an ANSI approved standard and believe that it will greatly improve not only the process, but also the practicality and usability of the energy code.

Sincerely,



John C. Fowke  
Chairman of the Board  
National Association of Home Builders