

Statement of

International Code Council (ICC)

On

**“Learning from 9/11: Understanding the Collapse of the
World Trade Center”**

Before the

**Committee on Science
U.S. House of Representatives
March 6, 2002**

Submitted by

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March 12, 2002**

The International Code Council (ICC) commends Chairman Boehlert, Ranking Member Hall and Members of the Science Committee for holding the hearing on March 6 on the investigation into the collapse of the World Trade Center Towers.

ICC appreciates the opportunity to submit this written statement addressing the code development process, adoption and enforcement of model building codes in the United States. We respectfully request that this statement be entered as part of the record of the March 6 hearing.

Events of September 11, 2001

The Committee asked the witnesses on March 6 about their role in the investigation of the collapse of the World Trade Center (WTC). Regretfully, ICC was not included as a member of the investigation team to visit the WTC site immediately following the disaster on September 11, 2001. Had ICC been included, we would have brought to the investigation nearly 200 years of experience and expertise on engineering and architectural disciplines, building inspections, building code development and enforcement, and pre-disaster mitigation.

ICC has been actively working in collaboration with other partners. ICC is a signatory on the Partnership Agreement for the Infrastructure Security Partnership (TISP), a dedicated group of public and private organizations who have come together to collaborate on issues related to the security of the nation's built environment. Other TISP members include the American Association of State Highway and Transportation Officials, the US Army Corps of Engineers, Association of State Dam Safety Officials, Veterans Affairs, American Society of Landscape Architects, National Institute of Standards and Technology (NIST), VA Polytech Institute and State University, NASA, National Institute of Building Sciences (NIBS), American Institute of Architects (AIA), Smithsonian, GSA, FEMA, Portland Cement Association and many others. This partnership will work to improve anti-terrorism and asset protection methods and techniques for the built environment; to promote the participation of all interested organizations and to ensure effective communication between all participating entities from the national to the state and local level. And a very important objective for ICC and its membership, is to promote the effective and efficient transfer of infrastructure security knowledge from research to codes, standards, public policy and general practice.

ICC has expressed support for NIST's multi-year project approved by the Secretary of Commerce to initiate and conduct independent and comprehensive research on the progressive collapse of WTC. We will work cooperatively with NIST in this investigation. ICC is specifically interested in the study into new technologies or procedures that may reduce the potential risks of such a collapse, and how those procedures may impact building codes.

ICC was also invited by FEMA to join its WTC/Pentagon Recovery Coalition. However, there has been no activity involving ICC on this proposed project.

Construction in the United States

Construction in the United States is a sophisticated process governed by codes and standards that regulate building, plumbing, gas, mechanical, electrical, energy, fire, accessibility and other specialized aspects of construction. The code development process is a dynamic process involving constant interaction between the private and public sectors of the construction industry, Federal, state and local governments, and individuals involved in codes and standards writing and revision representing labor, management, design professionals, building owners, fire officials, and code enforcers.

The code development process in the United States is a private sector activity. ICC is a fully self-supporting nonprofit organization. The revenues used to develop and publish the codes are donated from its member organizations.

Enforcement of Building Codes

The enforcement of building regulations in the U.S. is the role of state and local government. This enforcement authority is derived from the 10th Amendment of the U.S. Constitution which gives states the right to legislate for the protection of the public health, safety and welfare. Most state and local jurisdictions base their regulations on the model codes developed by ICC and its member organizations.

Model Building Code Organizations

Model building codes used throughout the United States since the early 1900s were developed by three model code organizations: the Building Officials and Code Administrators International (BOCA); the International

Conference of Building Officials (ICBO) and the Southern Building Code Congress International (SBCCI). In the 80's and early 90's the professional community associated with the construction industry: architects, engineers, code officials, builders began demanding uniformity in building regulations.

In 1994 the three model code organizations responded by writing their respective codes in a common code format and at the same time founded the ICC. ICC was charged with the mission to develop a comprehensive and compatible regulatory system for the built environment. This was accomplished with the International Codes published in 2000.

The family of International Codes includes building, fuel gas, energy conservation, fire, mechanical, plumbing, property maintenance, private sewage disposal, residential construction, zoning, urban-wildland interface, existing buildings, and a performance code. When a community adopts the International Codes it also benefits from the expertise of hundreds of technical staff, as well as established services that support the codes such as training and certification programs.

ICC Code Development Process

The code development process used by ICC is known as a governmental consensus process. It is an open, inclusive, and balanced consensus process with built-in safeguards to prevent domination by any single interest. The model codes are developed to be accepted into local or state laws. They are developed in the same manner as local governments are required to develop laws. No work is done behind closed doors. There must be a guarantee of fairness in the process, of no conflicts of interest, no vested economic interest in the outcome of the final vote. The code officials represent local government agencies and their interest is the safety and well being of the public. This system of code development has ensured the citizens of the US the highest level of building safety in the world.

The process is detailed and transparent. It incorporates a number of checks and balances to ensure the final documents are of the highest quality.

Participation in the ICC code development process is encouraged and it is open to all groups and individuals. Very briefly explained, the code development process cycle is as follows:

- Code changes are submitted by any interested party
- Code changes are printed and distributed

- An open public hearing is held
- Public hearing results are printed and distributed
- Public comments are sought on public hearing results
- Public comments are printed and distributed
- Final action hearing takes place
- A supplement or new edition of code is published
- And the cycle begins again . . . the code revision cycle is 18 months with new or revised codes being published every three years.

Participants in the process include code officials, other government regulatory agencies, academia, building owners, insurance companies, builders, manufacturers, testing laboratories and others.

The next hearings will be in Pittsburgh from April 8 to April 19, 2002. A notice announcing the April hearings appeared in the Federal Register of February 20, 2002 (67 FR 7671).

97% of Jurisdictions Use International Codes

In a study conducted by the Federal Trade Commission (FTC) in 1988, approximately 97% of cities, counties and states that have adopted and are enforcing building and safety codes are using documents developed by the statutory members of ICC. One of the most recent adoptions happened on the day of the Science Committee hearing when the State of New York celebrated its own historic event by adopting the International Codes effective July 2002. For more information on the International Codes adoptions by local jurisdictions or by state, please visit the ICC website at www.intlcode.org.

Benefits of a Unified System

The International Codes unified system provides substantial benefits to stakeholders who can now work with a consistent set of requirements throughout the United States. A unified system enhances economic development through the utilization of state-of-the-art technology in materials research, design and construction practices. A streamlined building regulatory system through a single family of codes brings consistency and compatibility to multiple layers of requirements existing at all levels of government. One system permits manufacturers to put their efforts into research and development, thus advancing innovation through performance based provisions that require consistent and predictable levels

of building performance and safety. A unified system allows the ICC and industry partners to focus resources on training for the code users and enforcers.

Support of the International Codes

The International Codes have the support and endorsement of government and national organizations such as FEMA, U.S. Department of Housing, American Institute of Architects, American Gas Association, American Planning Association, American Seniors Housing Association, American Institute of Building Design, Building Owners and Managers Association, Insurance Building Code Coalition, National Apartment Association, National Association of Home Builders, National Multi Housing Council and more.

ICC's Professional Support for the International Codes

ICC offers technical, educational and informational products and services through its 360 dedicated and professional staff members at 18 offices throughout the United States.

Conclusion

We concur with Dr. Arden Bement, Director of NIST and reiterate support for his concluding remarks before the Committee on March 6, that the private sector is willing to take whatever corrective actions are necessary to ensure the built environment is safe and strong. We add that the code development process serves the public best as a private sector activity, leaving the enforcement of the building and safety codes under the jurisdiction of state and local governments.

Thank you again for the opportunity to submit this statement. ICC would be pleased to provide additional information or to respond in more detail to any questions from the Committee.

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