



Department of Energy
Washington, DC 20585

February 25, 2021

ICC Board of Directors
International Code Council (ICC)
500 New Jersey Avenue, NW (6th floor)
Washington, DC 20001

Mr. Dominic Sims and the ICC Board of Directors:

I write today regarding the International Energy Conservation Code (IECC) and out of concern for the potential impact across the country from the Council's proposed change to the IECC code development process.

As you are well aware, model building energy codes have helped, and are expected to continue to help, provide tremendous economic and environmental benefits at the state, local, and national levels. All together, these codes are estimated to reduce energy bills for U.S. homes and businesses by \$126 billion from 2010 to 2040, while avoiding 840 MMT of CO₂ emissions, and with many of these benefits resulting from ongoing improvements to the building energy code in the residential sector.¹ Further, building energy codes play an important role in creating high-quality jobs in building construction and throughout the supply chain.

The Department has a 30-year history of supporting the advancement of the model codes and assisting in their successful implementation by the adopting 49 states, plus local governments. This statutorily required role is important, as residential and commercial buildings account for about 40 percent of our nation's total energy bill, and more than 70 percent of national electricity consumption, with buildings and their uses frequently driving higher energy costs.

The IECC is integral to buildings that are healthy, comfortable, affordable, productive and resilient, and serves as a foundation of the U.S.'s transition to a clean energy economy built on cost-effective energy efficiency. The IECC has made – and can continue to make – possible these benefits through a robust and transparent stakeholder engagement process. Through the IECC process, DOE has provided transparent technical analysis and support by way of our Building Technologies Office and National Laboratories, quantifying energy, economic and environmental impacts, and convening objective technical assistance forums for our shared stakeholders. And, DOE has observed the strong outcomes the IECC's inclusive and transparent process can produce, particularly with the engagement of the state and local representatives who ultimately advance these codes for local benefits.

¹ Pacific Northwest National Laboratory: <https://www.energycodes.gov/about/results>

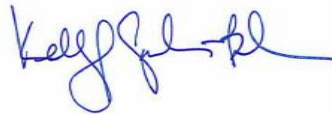
In recent weeks, DOE and many others have voiced concerns with the Council's proposal. Of particular concern is the role of the thousands of state and local public officials who carry responsibility for codes in their jurisdictions. Beyond code adoption, they are also responsible for code implementation and enforcement, and contribute to robust outcomes, as mentioned above.

The need for the proposed changes remains unclear to DOE, and has the potential to significantly constrain stakeholder engagement. We believe this could be detrimental to an appropriate process with appropriate transparency, and could limit the ability of the IECC to keep pace with evolving technologies and construction practices, and the delivery of important economic and environmental benefits at the local level. DOE requests you provide additional explanation as to why these changes are necessary, how the proposed process would function, and how critical governmental partners to date will be effectively engaged to continue to yield updated model energy codes that best serve households and their communities. We also request that you not proceed with these proposed changes until these questions and concerns can be adequately addressed.

Thank you for the opportunity to provide feedback, and steps the Council has taken to solicit public input as it considers this important issue. We value our relationship with the ICC, and request your responses to this letter by March 5, 2021.

Please reach out to David Nemtzw, Director, Building Technologies Office (david.nemtzw@ee.doe.gov) with any questions.

Sincerely,



Kelly Speakes-Backman
Acting Assistant Secretary for Energy
Efficiency & Renewable Energy
U.S. Department of Energy