# ICC Public Comments to NIST NCST Advisory Committee

My name is Richard Kuchnicki and I am speaking on behalf of the International Code Council (ICC). The ICC, a membership association dedicated to building safety and fire prevention, develops the codes used to construct residential and commercial buildings, including homes and schools. Most U.S. cities, counties and states that adopt codes choose the ICC.

The ICC appreciates the opportunity to provide comments to the NCST Advisory Committee on the June 2004 *Progress Report on the Federal Building and Fire Safety Investigation of the World Trade Center and* commends NIST for the outstanding job they have done in sorting through the technical issues and placing them in proper perspective.

The NIST Progress Report states that NIST will recommend appropriate improvements in the way buildings are designed, constructed and used, in the final draft of the report to be published in December 2004. The NIST Progress Report further states that it will be important for those recommendations to be thoroughly and promptly considered by the many organizations responsible for building and fire safety. ICC agrees that this is of utmost importance. All of us in both the private and public sector, working together, must promptly find the most effective way to assure we can fully consider the work that has been done by NIST and effectively implement that work at the national, state and local levels, as well as internationally, to the full benefit of everyone impacted by building safety.

In order to accomplish this objective, as it relates to the recommendations for improvement of national building and fire codes and standards, it will be necessary for someone in the public and/or private sector to prepare and submit changes to the relevant building and fire codes and standards. Rather than doing this at the Federal, state and local levels of government, adoption and

implementation of the recommendations can most effectively occur through their consideration in model building and fire codes and related standards. This is a logical extension of the process for developing the recommendations and will ensure that they are carried forward in an appropriate, timely, uniform and proactive manner.

In order to ensure that proposed changes to the codes and standards are adopted and can be implemented we believe that NIST must be an active participant in the code development process. The optimum approach would be for NIST to develop, submit and support the adoption of such changes to model building codes and standards. This activity is supported by the National Technology Transfer Advancement Act that authorizes and directs federal agencies to become more involved in the development of voluntary sector developed model codes and standards. Because model codes and standards developers will not automatically take the recommendations provided by NIST and automatically integrate them into the update and maintenance process associated with their documents someone has to take such action. As noted above, ICC believes NIST should lead such an initiative. If NIST does not submit these recommendations to the national codes and standards bodies they are less likely to be adopted and implemented. In addition, by not taking the lead, others are likely to adapt the NIST work to fit their particular and unique interests and the end result may not be what was intended in the report.

With respect to the ICC International Codes, which are used as a basis for a vast majority of Federal, state and local building regulations, ICC strongly encourages NIST, in cooperation with public and private sector affected interests, to participate in the ICC code development process. This will ensure that changes to the codes that can address any deficiencies identified pursuant to the WTC investigation can be adopted and implemented. The ICC will be pleased to assist NIST in participating in this process and to Work closely with NIST towards the development, adoption and implementation of recommendations from the report

affecting building codes and standards, code enforcement, and the safety of the built environment.

In addition, securing conformance with codes and standards is of equal importance. The ICC develops and offers numerous educational and support programs for federal, state and local government that facilitate their application and use of the ICC International Codes. Subsequent to inclusion of the recommendations in the report into the ICC International Codes by NIST, the ICC would take the lead in preparing and disseminating such support materials and at that time would welcome NIST's involvement in their development. This will further ensure that the recommendations included in the report are actually put in practice in building design, construction and operation.

Thank you for the opportunity to provide comments. When we can be of further assistance, please contact us.