NATIONAL INSTITUTE OF BUILDING SCIENCES

Federal Funding Record, FY2008–FY2026

Antitrust Concerns And ICC Market Allocation Using Federal Funds

About NIBS

The **National Institute of Building Sciences (NIBS**) is a congressionally authorized, independent non-profit created by Congress in 1974 to advance the safety, resilience, and technological standards of the built environment through research, codes, and standards. Its Board of Directors includes up to 21 members, six of whom are appointed by the **President of the United States with the advice and consent of the Senate to represent the public interest.**

Purpose of Report: NIBS Has Received Over $300,000 Million Dollars

This report documents the federal funding **NIBS** has received since Fiscal Year **2008,** as part of a broader effort to show the relationship between the National Institute of Building Sciences (NIBS) and the International Code Council (ICC) — two organizations connected through shared executives and board members. This document establishes the federal funding side of that relationship: who funds NIBS and how much, year by year, based on prime award records reported to USASpending.gov.

Shared Leadership Between NIBS and ICC

NIBS and ICC are connected through overlapping leadership — individuals who simultaneously hold, or have held, senior roles at both organizations:

Individual	ICC Role	NIBS Role
Dominic Sims	Former ICC CEO (2012–2024, counting predecessor roles from 2003)	**NIBS Board of Directors,** 2019–2022; 2025–2028 (Term began October 1, 2025)
John “JC” Hudgison	Chief Building Official, City of Tampa; Chair, ICC Emerging Leaders Membership Council	**NIBS Board of Directors;** founding past chair, NIBS Off-Site Construction Council
Ryan M. Colker	VP, Innovation, ICC; Executive Director, Alliance for National & Community Resilience (ANCR)	**Former VP at NIBS** (Consultative Council, multiple councils); Chair, NIBS Off-Site Construction Council

HUD Used Taxpayer Funds To Fast Track ICC/NIBS/MODX Monopoly

Publications: Offsite Construction for Housing: Research Roadmap (2023) and HUD's Past, Present, and Future Role in Accelerating U.S. Offsite Construction for Housing (2024–2025).

Total Funds: $2,998,999 — HUD's FY23 Offsite Construction and Land Use Reform NOFO, across 10 recipients.

Funds That Went To NIBS: $499,878 (Award H-21760CA), which NIBS subcontracted to MOD X to author both publications.

Concern Raised: Tiny House Alliance USA raises antitrust concerns, arguing the publications route market control of off-site construction to ICC, an already vertically integrated trade group, and that HUD appears to be entertaining ICC's codes to regulate manufactured homes instead of modernizing its own HUD Code.

Two HUD Publications: No ICC Competitors Were Funded, Participated, Or Referenced

The Report Focused On ICC Only

ICC Proprietary Services and Materials	Explanation
ICC Building Codes	Develops model codes for the IRC and IBC, which most U.S. jurisdictions adopt as the basis for local building codes.
ICC/MBI 1200 and 1205 Standards	ANSI standards developed jointly by ICC and the Modular Building Institute, positioned as the compliance standard the HUD-funded reports point toward for offsite construction.
ICC Evaluation Service (ICC-ES)	A subsidiary of the International Code Council in the US that performs technical evaluations of building products to ensure they meet construction codes.
ICC Regulation of the HUD Code with I-Codes	HUD's own manufactured-housing standard is the HUD Code; the HUD-funded reports reportedly point toward regulating manufactured/offsite construction through ICC's I-Codes instead.
ICC As The Regulator	ICC-NTA serves as DAPIA/IPIA (design/inspection approval agency) on HUD manufactured-housing matters, positioning ICC as both code author and code enforcer in the same market.

Overview

Between Fiscal Year 2008 and Fiscal Year 2026 (partial), NIBS received a combined total of $300,182,572 in federal obligations — $281,707,144 through contracts and $18,475,428 through grants — from 14 federal agencies, led by the Department of Defense and the Department of State. Figures are drawn from prime award transaction records on USASpending.gov.

Who Funds NIBS (FY2008–present)

Funding Agency	Total (2008–present)	Contracts	Grants
Department of Defense	$130,633,988	$130,633,988	—
Department of State	$68,229,788	$68,229,788	—
Department of Homeland Security	$37,007,758	$37,007,758	—
Department of Veterans Affairs	$18,674,594	$18,674,594	—
Department of Energy	$18,404,295	$4,404,295	$14,000,000
General Services Administration	$17,603,535	$17,603,535	—
Department of Education	$2,982,530	—	$2,982,530
Department of Transportation	$1,545,414	$1,545,414	—
Housing and Urban Development	$1,541,579	$337,816	$1,203,763
Environmental Protection Agency	$1,024,467	$1,024,467	—
NASA	$910,960	$910,960	—
Department of Commerce	$818,093	$528,958	$289,135
Millennium Challenge Corporation	$774,709	$774,709	—
Department of the Treasury	$30,861	$30,861	—
TOTAL	**$300,182,572**	**$281,707,144**	**$18,475,428**

Funding Timeline, FY2008–FY2026

Fiscal Year	Federal Obligations	Share of Total
FY2008	$10,962,997	3.7%
FY2009	$10,424,236	3.5%
FY2010	$29,732,134	9.9%
FY2011	$19,299,005	6.4%
FY2012	$11,595,708	3.9%
FY2013	$15,586,032	5.2%
FY2014	$11,670,819	3.9%
FY2015	$12,476,460	4.2%
FY2016	$13,041,897	4.3%
FY2017	$14,337,071	4.8%
FY2018	$12,288,270	4.1%
FY2019	$11,213,643	3.7%
FY2020	$14,499,542	4.8%

Fiscal Year	Federal Obligations	Share of Total
FY2021	$13,026,262	4.3%
FY2022	$19,611,163	6.5%
FY2023	$23,208,253	7.7%
FY2024	$24,705,757	8.2%
FY2025	$11,220,838	3.7%
FY2026*	$21,282,485	7.1%
TOTAL, FY2008–FY2026*	**$300,182,572**	**100.0%**

**FY2026 is partial (through July 20, 2026).*

About NIBS — Full Description

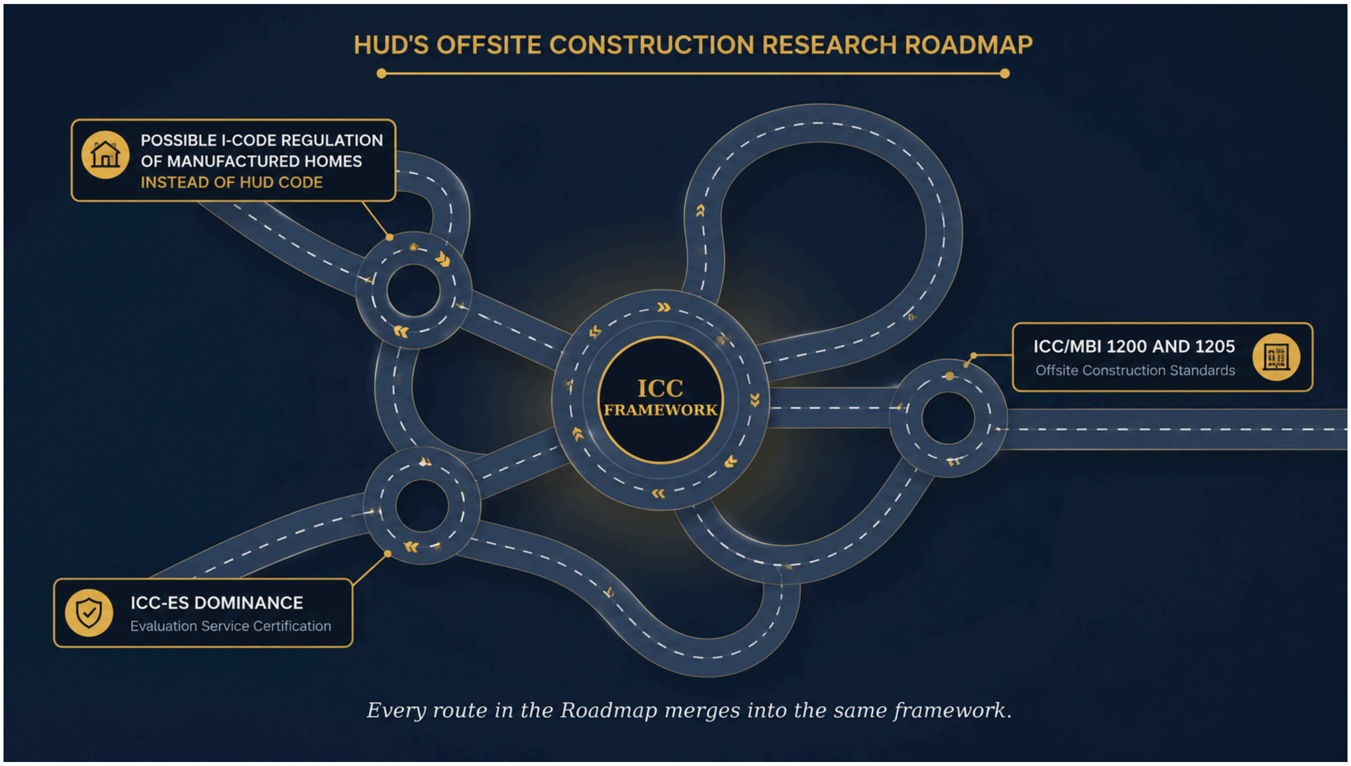
The National Institute of Building Sciences was created by act of Congress in 1974 (Housing and Community Development Act of 1974, P.L. 93-38; 12 U.S.C. §1701j–2) to serve as the nation's authoritative source of findings and recommendations impacting and improving the built environment for the American people.

NIBS connects research, policy, and practical application to advance innovation in the built environment. Its stated mission is to create a safer, more resilient, and technologically advanced infrastructure that serves American communities and strengthens the nation's future — from shaping industry standards to guiding digital transformation, empowering building professionals, policymakers, and owners to make informed decisions on sustainability, efficiency, and resilience.

Through initiatives such as the Digital Technology Council (DTC) and the Facility Management & Operations Council (FMOC), NIBS develops and refines standards including NBIMS, NCS, and ANSI/ASHRAE/NIBS SPC 224, supporting industry-wide adoption of data-centric approaches and emerging technologies. NIBS is also steward of the Whole Building Design Guide and the SF Tool, resources it keeps freely available to the public.

Governance: NIBS's Board of Directors is comprised of up to 21 members. The President of the United States, with the advice and consent of the Senate, appoints six members to represent the public interest. The remaining 15 members are elected from the nation's building community and include both public interest representatives and industry voices; a majority of Board members are required by the authorizing legislation to be in the public interest category.

As an independent non-profit, NIBS does not receive a flat annual appropriation from Congress. Instead, it generates revenue by securing and executing federal contracts, agency service agreements, and research grants — a structure Congress explicitly enabled by granting NIBS sole-source contracting authority under 12 U.S.C. §1701j–2(g)(3). This report tracks that federal funding stream as recorded on USASpending.gov; it does not capture NIBS's non-federal revenue (membership dues, private-sector contracts, event/conference revenue, and support from entities such as Fannie Mae and Freddie Mac), which does not appear in federal spending databases.



Antitrust Concerns

The U.S. government is not exempt from antitrust laws. Yet federal agencies have directed over $300 million in taxpayer funds to the National Institute of Building Sciences (NIBS) since FY2008. Through deep leadership overlaps with the International Code Council (ICC), this funding has actively propelled an already vertically integrated trade association toward dominant market control.

ICC writes the codes, develops the standards (including ICC/MBI 1200/1205), runs the evaluation services (ICC-ES), and increasingly acts as enforcer. Sustained government contracts and grants—across HUD, DoD, DHS, State, and other agencies—have helped position ICC's ecosystem as the de facto national framework for building regulation, offsite construction, and manufactured housing.

This is not neutral support. It is preferential funding that accelerates market allocation, crowds out competitors, and eliminates meaningful alternatives. Federal procurement rules and antitrust statutes demand competition and neutrality. By bankrolling NIBS and, by extension, ICC's expansion, the government is complicit in distorting these markets with public dollars.

The NIBS/ICC funding pattern detailed in this report raises serious antitrust concerns. Public money should not be used to crown a single vertically integrated private entity as the gatekeeper of America's built environment.

Sources

HUD Funds Fast Track ICC/NIBS/MODX Monopoly

Taxpayer Funds Used By HUD For ICC-ES Dominance

Offsite Construction for Housing: Research Roadmap. U.S. Department of Housing and Urban Development, Office of Policy Development and Research, 2023

HUD's Past, Present, and Future Role in Accelerating U.S. Offsite Construction for Housing: A Comparative Study and Action Plan. U.S. Department of Housing and Urban Development, Office of Policy Development and Research, 2024–2025.

What Is A ICC-ES Evaluation Report?

HUD Archives: News Release: :February 23, 2024

HUD Archives: News Release: June 21, 2023

USASpending.gov

Janet Thome President
Tiny House Alliance USA
janet@tinyhouseallianceusa.org