



# NEWS

Volume 2

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## **VISION: A COMPELLING IMAGE OF AN ACHIEVABLE FUTURE** By: *Barbara C. Higgins, Executive Director*

This is an exciting time for PMI and I am proud to be a part of it. We have started something completely new. We have established a dedicated in-house staff to provide focus to PMI and its issues, as well as keeping control of costs. As a result, we have been able to hold dues for 1999. This is the first time in recent history there has not been a dues increase. I hope you agree that we're on the right track!

We have made quite a bit of progress since April 16th, the day I joined PMI. My activities have centered not only on the work of PMI, but also building a new business from the ground up — including staffing, establishing health plans, securing accounting assistance and liability insurance, purchasing phone and computer systems, and furnishing the office.

At various times I have felt a bit like the guy twirling plates on the Ed Sullivan Show, but it has been very rewarding to see the daily progress.

I spent the first two months working from home, while investigating a number of potential office sites in the Northwest and Southern suburbs of Chicago. Schaumburg, Illinois was the best choice in view of cost-effectiveness, proximity to various business services and convenience to PMI members. It is only about a 20-minute ride from O'Hare airport and I encourage you to visit us if you are passing through Chicago. We have excellent meeting facilities and are situated near a number of major hotels.

I met many of you at the Kitchen and Bath Show in Chicago, on my second day on the job. You will continue to see your PMI staff at industry shows as PMI becomes more active in the industry and the trade press.

On May 1, I started my travels to visit PMI members, beginning with Mario Bortoli at Quality Metal Finishing Co. Since then, I have visited 21 member companies and it has been a most rewarding experience. I appreciate the hospitality extended to me at all sites and especially the time spent detailing the industry and its processes. Having come from a manufacturing background, a great deal of the processes are familiar to me though, of course, a great deal is new.

I have received quite a bit of valuable input from the members I have visited, which I have shared with the Board. I view my job not only as leadership but customer service as well. I encourage you to call me any time with ideas and suggestions. My travels will of course continue and if I haven't been to your location yet...I'm on my way!

In addition, with the Board's approval, I have made a few cosmetic changes to PMI by giving the logo an updated look and a new color scheme to signal the changes in the works. I redesigned our website to be more interactive and easier to navigate around. We have member-links from the site indicated by a line under the member name. If you have a site, but are not linked to PMI's site, please provide us with your URL and we will make sure the link is made.

Our new member directory is complete and was distributed in October. We thank you for responding to the request for information so quickly and completely with your company descriptions. The 1999 edition of the directory is now in the works. We launched our newsletter in September — you hold the second edition in your hands. We appreciate your input. Please contact me.

Sharon Sroka returned to PMI as Association Manager at the end of June and I know you will agree that we are happy to have her back. Sharon takes customer service to a new level and provides us with a sense of historical perceptiveness as we evolve and grow.

I'll never forget the look on Sharon's face on that first day. We had an office but no furniture or computers. Actually, we didn't even have walls... she and I had our first meeting amidst drywall dust and 2 x 4's. We finally retreated to a restaurant to escape the noise of hammers as our office build-out progressed. But within a few days and thanks to Sharon's card table and cell phone, we were under way in the new PMI office.

I continued my travels to member companies throughout June and attended the August Hardware Show in Chicago, where I met a few more PMI members.

By the time Yvonne Thomson joined us as Administrative Assistant later in August, the office was starting to look like an office. I'm sure most of you have met Yvonne. She brings a wonderfully positive attitude and a wealth of association experience. She has already implemented procedures to streamline our day-to-day operations.

Rounding out what I like to call the PMI Dream Team, is our new Technical Director, Dave Viola. With his award-winning outlook and vast technical knowledge, especially in codes and training, he is a great resource for our members and a tremendous asset in helping us achieve the Focus Five objectives...or as Dave calls them, the Fab Five!

I am very proud of our team. Each of us has strengths in completely different areas and the potential of this combination is unlimited. One of the toughest parts of my job in fact, is getting this group to go home at the end of the day. I couldn't ask for a more motivated, dedicated staff.

Based upon the results of last year's Renaissance Survey, input from you as a result of member visits and my own conversations and experience, I have developed a business plan to help us keep an eye on the Focus Five. Highlights of the plan will be featured in the next issue of PMI News.

In conclusion, we are questioning everything — keeping what works and making improvements where needed. We are on a path of continuous improvement. The word vision has been defined as: "A compelling image of an achievable future." We have the vision and we are well on our way to achieving our goals. The big message is that PMI is your organization and as your staff we are working to make it stronger and better. We are listening. Your input is important. On-going dialog is essential. Call me any time. I picked a phone number that is easy to remember — 847/884-9PMI. And I'll be calling you too.

So that's it... the first few months of the new PMI. We're building on a firm foundation of loyal PMI members committed to the industry. We have some challenges ahead but together we can make it happen. We'll keep you posted via newsletter, fax, and the website. Stay tuned... this is only the beginning!





**Dave Viola**

- **Universal Conformity Assessment Task Group Meeting:** The Universal Conformity Assessment Task Group, consisting of Don Glover, Brass Craft Mfg. Co., Sally Remedios, Delta Faucet Company, Shabbir Rawalpindiwala, Kohler Company, Lee Mercer, Moen Incorporated, Pete DeMarco, American Standard Inc., Dave Viola, PMI Staff and Bill Ives, PMI Legal Counsel, met on November 16, 1998 at PMI headquarters. The committee addressed possible paths to achieve one product, one standard, one certification worldwide, consolidating duplicative conformity assessment activities at the Los Angeles Testing Laboratory, and the State of Illinois certification requirements.
- **ICC Standard Guide Published:** The International Code Council (ICC) Industry Advisory Committee (of which PMI is a member) has developed a document titled "A Guide to the Use of Standards" in the ICC International Codes. The purpose of the document is to provide information that will aid in the understanding of ICC referenced standard criteria, and to provide guidance to standards developers on the application and implementation of the ICC referenced standards policy. Parties interested in obtaining a copy of the ICC standards policy or the standards guide should contact PMI staff.
- **One and Two-Family Dwelling Code Moratorium Established:** The ICC has issued a moratorium on code changes to the One and Two-Family Dwelling Code (OTFDC) in 1999. The moratorium is intended to give interested parties the opportunity to focus on the development of the International Residential Code (IRC). The ICC eventually plans to eliminate the OTFDC in favor of the IRC. The IRC differs from the OTFDC in that it is intended to regulate all residential construction (not just one and two-family dwellings), and is intended to be compatible with the complete family of International Codes.
- **Accessibility Standard Available:** The ICC has announced the availability of the 1998 edition of the ICC/ANSI A117.1, Accessible and Usable Buildings and Facilities. It should be noted that CABO, formerly the secretariat of A117.1, was incorporated into the ICC in November of 1997, and ANSI approved A117.1 in February of 1998. To purchase the new standard, contact either BOCA at (708) 799-2300, ICBO at (562) 699-0541 or SBCCI at (205) 591-1853.
- **NSF Standard 60 Now Available.** NSF Standard 60-1997: Drinking Water Treatment Chemicals – Health Effects was approved by ANSI in January 1998, and is now available through NSF Publications Department at (800) 673-6275.
- **ASSE Applies to ANSI for Third Party Certification to ANSI Z34.1.** In March 1998, ASSE submitted an application seeking accreditation as a third party certifier of plumbing products. As a result, ASSE will begin factory audits in January 1999 of all manufacturers having an ASSE seal. It appears ASSE will utilize a third party agency to do ASSE inspections. All costs involved with the factory audits will be the responsibility of the manufacturer.
- **ICBO-ES Applies to ANSI for Third Party Certification to ANSI Z34.1.** ICBO-ES has submitted an application to ANSI for accreditation of its certification program for building-related products. ANSI is soliciting comments on ICBO's application. For further information, contact PMI staff.
- **NSF/IAPMO Agreement.** NSF *International* and IAPMO have entered into an agreement to enable manufacturers to obtain both IAPMO and NSF certifications through a single application to either organization. Under the agreement, IAPMO R & T will accept NSF product testing, evaluations and facility audits. The two groups have stated that this will supposedly result in a consolidation of audits and cost savings for manufacturers which choose to use both IAPMO and NSF Listings for their products. For further information, contact PMI staff.
- **NSF 61 Update.** The NSF Standard 60/61 Joint Committee determined at their September 28, 1998 meeting that they would not support the creation of a standard addressing the material qualifications of plumbing products excluded from NSF 61, Section 9.
- **San Francisco Proposing To Require 1.5 gpm Shower Heads In City-Owned Buildings.** The San Francisco Water Department Public Utilities Commission is apparently considering a proposal to require all shower heads in new and existing city-owned buildings to be a maximum of 1.5 gpm. San Francisco Water Department staff stated that the transition period for existing building would be 7 years. At the time of publication, PMI staff was trying to secure a copy of the proposal and determine when the issue will be discussed. For more information, contact PMI staff.



**MODEL PLUMBING CODE REVISION RECAP** (Complete results can be obtained by contacting PMI staff)

**International Plumbing Code:**

- Plumbing fixtures are no longer required to be listed by a third party certification agency.
- Washout (washdown) and stall urinals are no longer prohibited in public toilet rooms.
- All individual shower valves, without exception, are required to comply with ASSE 1016. Only multiple (gang) showers are permitted to be served by a master thermostatic mixing valve.
- The minimum required flow pressure supplied to flushometer tanks went from 8 psi to 15 psi.
- Commercial dishwasher waste is now permitted to discharge through a grease interceptor or grease trap.

**Uniform Plumbing Code:**

- Shower doors are now required to maintain a minimum unobstructed opening of 22 inches.
- Proposals to delete the vacuum breaker/vent to atmosphere requirement for faucets with hose attached sprays or pull-out spouts failed.
- Attempt to limit the length of flexible fixture connectors to 30 inches failed.
- Grease traps are required to be equipped with a vented flow control.
- The temperature limitation of 140 degrees F for waste entering a grease trap has been removed.



**Sharon Sroka**

The 1998 PMI FALL MEETING was held September 27-29 at the Willard Inter-Continental Hotel in Washington, D. C. This was the first time the Institute has convened under its fresh-new-meeting-structure while being supported by its in-house, dedicated team of employees! One particularly noteworthy news item approved by the Board and the General Membership is, "there will be no annual increase in the dues structure for 1999". It is anticipated the Institute will see

additional savings in the future as it begins to reap the benefits of maintaining an in-house staff.

The following slate of candidates, reflecting the change in titles for the 1999 Officers and Directors, was unanimously approved by the PMI General Membership:

Frederick Luedke, NEOPERL, Inc. President  
Bruce Smith, Jay R. Smith Mfg. Co., 1st Vice President  
Linda Mayer, Moen Incorporated., 2nd Vice President  
Frank Evans, Zin-Plas Corporation, Treasurer



**Fred Luedke**

New Directors include Ken Martin, Delta Faucet; Jim Westdorp, Kohler Company; Al Walcutt, MPC Plastics; Todd Talbot, Alsons Corporation. Returning for another year of service are Directors Mario Bortoli, Quality Metal Finishing Co. and Ron Cooper, Price Pfister.

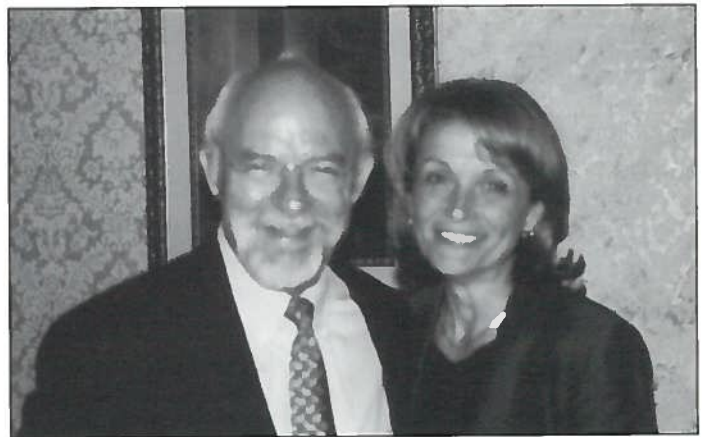
Returning for a second appearance before the Institute's members, Mr. Edward Rollins provided humorous political commentary along with reliable insight into the 1999 congressional elections.

the Standard 61, Section 9.0. With assistance from the Faucet Product Group, the information will be disseminated to code officials throughout the USA in an effort to educate the state/local regulatory communities about the enforcement of Section 9.0.

PMI 1998 Chairman, William B. O'Keeffe of Symmons Industries, Inc., accompanied by several PMI Board members, presented the annual PMI Legislator of the Year Award to Rep. Michael Bilirakis (R-Fl.). Bilirakis is on the House Commerce Committee (where he serves as Chairman of the Subcommittee on Health and Environment) and is a member of the Energy and Power Subcommittee. He also co-authored the Safe Drinking Water Act Amendments.

PMI Executive Director, Barbara C. Higgins, summed up the meeting by saying, "the new issue committees complimented by the in-house staff structure will provide an effective mechanism for managing the industry's business well into the next century."

Additional details were reported in the PMI 1998 Fall Meeting minutes distributed during the first week of November. Additional copies are available to members only by contacting PMI staff at (847) 884-9764.



**Ed Rollins and CeCe Kremer**

Some exciting developments generated by the five new Issue Committee meetings include, but are not limited to:

The **Universal Conformity Assessment Issue Committee** will be taking measures to encourage conformity assessment agencies to seek accreditation to ANSI Z34.1 or an equivalent.

The **Trade Show Consolidation Committee** elected to adopt and affect the visions contained in the 10/4/96 PMI Statement on a Unified North American Building Products Trade Show.

The **Water Conservation Committee** elected to develop a single EPA 92 reporting form that will be acceptable to both DOE and the FTC. The Committee also adopted the following scope and purpose statement: Establish or implement a strategy and plan to lead and influence North American water conservation public policy related to plumbing products and related product legislation, regulation, certification, listing and labeling.

The **Fair Trade Issue Committee** determined that PMI will serve as the vehicle to report non-compliant manufacturers (relative to requirements under the Safe Drinking Water Act and the Energy Policy Act). The Committee decided that PMI will forward compliance criteria to non-compliant manufacturers in addition to reporting violations to the appropriate regulatory authorities. They are requesting your help in identifying and gathering information that can be useful in this effort.

The **Leachate Issue Committee** will draft a document listing the reasons why certain products are excluded from the scope of

### **1998 PMI LEADERSHIP**

#### **Officers**

Chairman, Bill O'Keeffe, Symmons Industries, Inc.

First Vice Chairman: Fred Luedke, NEOPERL, Inc.

Treasurer: Bruce Smith, Jay R. Smith Mfg. Co.

Immediate Past Chairman: Gary Turner, Teledyne Water Pik

#### **Directors at Large**

Mario Bortoli, Quality Metal Finishing Company

Ron Cooper, Price Pfister

Wilfried Delker, American Standard, Inc.

Frank Evans, Zin-Plas Corporation

Linda Mayer, Moen Incorporated

#### **PMI Staff**

Barbara C. Higgins, Executive Director

David W. Viola, Technical Director

Sharon Sroka, Association Manager

Yvonne Thomson, Administrative Assistant

#### **Legal Counsel**

Bill Ives

Robin Grover

#### **Government Affairs**

CeCe Kremer

## PMI To Publish Technical Bulletin

In addition to the PMI News newsletter, we will begin publishing a technical bulletin called "TechTalk".

"TechTalk" will be available to members only and will include status reports on PMI's various technical initiatives and the activities of our Technical Committee. The bulletin will be published every other week, with special editions being issued as needed.

The format of the bulletin will be quick, easy-to-read, and bulleted where possible. Eventually this information will be available in the "Members Only" section of the PMI website. (We're not quite ready for this step.)

Look for the first issue to be out in December. Your comments and suggestions are always welcome. Forward your ideas to Dave Viola, Technical Director or Sharon Sroka, Association Manager, via fax 847/884-9775 or e-mail (dviola@pmihome.org or ssroka12@aol.com).

Initially, the publication will be sent to all PMI members. If you wish to add or delete names from the "TechTalk" mailing list, please contact Yvonne Thomson. In addition, please let us know in which format you would prefer to receive the bulletin: e-mail, fax, or regular mail.

"TechTalk" is another in a series of value-added benefits of your PMI membership. We look forward to your comments.

## New Members

Representatives from the two newest PMI member companies have already started maximizing the value of their membership by attending our Fall meeting in Washington DC. We were pleased to see Dale Archer of Hansgrohe, Inc. in Cumming, Georgia and Tim Mullally of KWC Faucets in Norcross, Georgia participating in the meeting.

As with any organization, the value of PMI to each member company is proportionate to the level of involvement by that member company! (As "they" say, you get out of it what you put in!) Hansgrohe and KWC are off to a great start. We look forward to working with these new members in the future!

## PMI Presents Updated Membership Plaques

Updated membership plaques are being sent to all PMI member companies in recognition of their continued involvement and support of PMI initiatives. The plaque features a granite face with the new PMI logo and colors.

Look for your company's new plaque which, we hope, is prominently displayed in your lobby!

### PMI MEMBER CATALOGS REQUESTED

We are updating the technical library, and we ask all PMI members to submit the latest editions of your complete product catalogs, specifications, installation instructions and technical information. Also, please include us on your update service.

## LETTERS

Mrs. Dirck Barhydt  
Watertown, CT 06795

Dear Mrs. Baryhydt:

I write as the current chairman of the Plumbing Manufacturers Institute (PMI) to advise you that at our Fall Meeting in Washington DC, just concluded, the Board of Directors adopted and reported to all Members a resolution of remembrance and appreciation of Dirck's long and valued service to PMI and as to our fond memory of his spirit, style, and good fellowship as well.

As the long time representative of WPM, Inc. Dirck served his industry faithfully and well chairing both the Long Range Planning and Government Affairs committees in addition to serving as our Chairman of the Board in 1985. Whether it was a matter of testifying in Washington on water conservation or thinking through an industry problem in the interests of all, Dirck was always there for PMI and understood the concerns of all members.

We shall miss him, but we are all better because we knew him as a good friend and thoughtful colleague.

Sincerely,  
William B. O'Keeffe  
Chairman

September 27, 1998  
To the Members of the Plumbing Manufacturers Institute, What special memories I have of PMI meetings and of the many good friends Dirck and I had in your organization. PMI was a very important part of Dirck's life and one of the most favorite of his volunteer activities.

Thank you, one and all, for your thoughtful contribution to the Waterbury, Connecticut Symphony in memory of Dirck. The first symphony of the season was last night, and there was a wonderful tribute to him.

Sincerely,  
Muffy Barhydt

## THANK YOU

A heartfelt thank you to the PMI Board of Directors, PMI staff and to each of you who expressed your condolences in thought, word, and deed. My mother's passing was quite unexpected and your amazing outpouring of concern has helped my family and me to deal with our tremendous and sudden loss.

I am grateful to be part of this wonderful industry and its trade organization.

Thank you,  
Barb Higgins and family

Companies routinely perform financial audits to identify their assets and liabilities. But has your company performed an intellectual property audit? Valuable assets could be going unnoticed and, more importantly, unprotected. Even if you have identified your intellectual property rights, are they being registered and properly maintained? This article is designed to briefly introduce the reader to general intellectual property issues and concepts.

Copyright law protects any original works of authorship fixed in a tangible medium. While this area of law has traditionally protected literary works and artwork, it protects modern technology as well. Software, including simple HTML code used in web sites, can be copyrighted. Even automated databases, like those used to automatically generate data requests, can also be protected. For a small initial investment, copyright law will protect the work from the moment of creation through the life of the author plus 70 years. If a corporation "created" the material as a "work-for-hire", the work is protected for 95 years from the time it was published or 120 years from the date it was created, whichever is shorter. These extended terms were signed into law by the President on October 27, 1998.

Trademark law protects the goodwill of a business by protecting items that indicate the source of the goods or services. While the law normally protects logos and trade names, its coverage has expanded to include distinctive packaging, original product designs and even sounds. Once a mark is registered, the owner can use Federal law to prevent any other companies from using the mark for as long as the mark is maintained properly.

Patent law is the cornerstone of intellectual property rights. Patent law gives strong protection for new and useful machines, methods and articles of manufacture. In exchange for telling the world how to build something, the inventor is given the exclusive

right to make, use, sell, or practice the invention for 20 years from the patent application filing date. Patents require a greater financial outlay, but the value and strength of a properly drafted patent cannot be overestimated.

Trade secret law is the most amorphous area of intellectual property protection, but it can also be the strongest. Essentially, if information is valuable and kept secret, it can be protected as a trade secret under Federal or State law. However, if a trade secret is disclosed, even accidentally, the law will no longer protect the information. Therefore, implementing specific procedures to define and maintain the secrecy of valuable information is the key to benefiting from trade secret law.

An intellectual property audit allows a company to identify and protect these valuable assets. In addition to cataloging and reviewing a company's patent portfolio and trademark registrations, every organization should routinely search for unidentified intellectual property.

Unprotected patentable inventions should be registered before the statutory window for filing closes and the invention falls into the public domain. Unprotected trademarks and service marks can also be usurped by a competitor or declared to be generic if the marks are not registered. Just like a financial audit, the task of protecting intellectual property rights is less overwhelming if the audits are performed regularly.

Despite the value of intellectual property, some companies are allowing a substantial portion of their company's value to go unmonitored. Even worse, a company may be unknowingly infringing on another entity's intellectual property and may be powerless to defend against the infringement. Regrettably, at that point an audit may be too little, too late.

## **SHABBIR RAWALPINDIWALA WINS BIG!**

### **A Drawing of the 1998 Fall Meeting Survey Participants!**

The big winner is Shabbir Rawalpindiwala of Kohler Company. Shabbir is the lucky recipient of a free meeting registration to the 1999 PMI Spring Meeting, March 7-10, 1999, Marco Island, Florida (formerly known as the Winter Meeting). The PMI Meeting Survey Drawing was set up in an effort to encourage PMI members to complete and return their meeting surveys to the PMI staff. The surveys provide a vital pipeline to the staff, contributing valuable input necessary to construct semiannual meetings that will best serve the members' needs and interests. Congratulations to Shabbir and good luck to all of you in future drawings!



Sharon Sroka assists as Chuck Feltes draws the name of the lucky winner.

## **OUT AND ABOUT WITH PMI**

### **Have You Been Tagged?**

PMI is raising the visibility of the organization and our members at trade shows, through the distribution of burgundy ribbons that our members affix to their exhibitor badges. Ribbons were presented personally to PMI members by Barb Higgins and Dave Viola at the recent NEX Show (Toronto) and ASPE Show (Indianapolis). The trade shows have proven to be a wonderful way for PMI to demonstrate its support and commitment to the industry and to meet with current and prospective members. (Earlier this year, Barb also attended the Kitchen and Bath Show and Hardware Show in Chicago.)

We're now investigating a suggestion to provide PMI logos on easels to be displayed on member's booths. (We've considered having our own booth at the shows, but currently the real value has been having the freedom and flexibility to get out and about—walking the show.)

We're getting the word out...thanks to all of our ribbon-wearing members!



## **An Informal Government Affairs Update – October, 1998 PMI Fall Meeting Notes**

Plumbing Manufacturers Institute Chairman Bill O’Keeffe, accompanied by Gary Turner, Fred Luedke and Chuck Feltes presented Congressman Mike Bilirakis, R-FL, with PMI’s prestigious Legislator of the Year award on Monday, September 28, 1998, in Washington, DC. Congressman Bilirakis, Chairman of the House Commerce Health and the Environment Subcommittee and a senior member of the Energy and Power Subcommittee, has demonstrated exemplary leadership and a commitment to excellence throughout his years of service in Congress. PMI is honored to work closely with the Congressman and his very able staff on such issues of national importance as safe drinking water and water conservation.

Many, many thanks to all PMI members who traveled up Pennsylvania Avenue to Capitol Hill to meet with their congressional representatives during our Fall Meeting. Despite the chaos of an early, mid-week recess, the rush to complete work on outstanding appropriations bills by the October 1 deadline (they failed) and election year politics, PMI members managed to have some very successful meetings with both members and their staffs.

Unsung hero awards go to those of you who raced up to the hill to long scheduled meetings only to find the legislators’ oft-revised schedule revised yet again. Thanks for your understanding and your flexibility.

For our members who again met with the Michigan delegation, thanks. And thanks to our members who met with Congressman Sherrod Brown, D-OH. It was so important to cement his support as well as the support of another House Commerce Energy and Power Subcommittee member, Congressman Ed Whitfield, R-KY.

Special thanks to those members who threw caution to the wind and braved a meeting with Congressman Knollenberg’s newly appointed legislative assistant. And to our member who somehow arranged to sit next to Congressman and Mrs. Knollenberg on the flight home later that day – way to go!

And an astonished thanks to Pete DeMarco, who, while unable to personally attend the fall meeting, somehow managed from a distance to convince Congressman Ralph Hall, D-TX, to “come off the bill” and not to continue cosponsoring HR. 859. This doesn’t happen very often, and it was quite a coup.

Thanks also for all of the follow-up information on the substance of the congressional meetings that many of you have already faxed to me, along with the updated location information on your many facilities. All of the feedback I have received so far from both our members and congressional staff indicates that this was the most successful congressional lobbying day – ever – for PMI. For those of you that have not yet transmitted the information, my fax machine is programmed to receive.

Please keep up these efforts at home by contacting your congressman’s district office and inviting your representative to visit your facility – now. PMI Government Affairs stands ready to assist with the visits. Nothing is more effective than a facility visit back in the district. Nothing.

And finally, my thanks to Al Walcutt for undertaking the daunting responsibility of chairing the Government Affairs Committee and keeping me in line. Dare he repeat the feat?

Look What Happened After You Left Town...The 105th Congress adjourned this month with many congressional members still in the dark over the details in the thousands of pages of the omnibus spending bill passed in the final minutes of the session. The measure, which provides funding for the eight unfinished appropriations bills, is so vast and complicated that it easily became a magnet for a multitude of unrelated provisions – something for everyone on which to campaign.

The agreement was reached after eight days of closed-door negotiations with both parties taking advantage of the enormous size of the bill and the secretive process to slip in hundreds of proposals. Virtually no copies of the legislation are available and it will take weeks, if not months, to sift through this massive bill to determine the extent of the damage.

Also in the waning days of the second session of the 105th Congress, Congressman Bill Thomas, R-CA, introduced the Energy Efficiency Affordable Home Act, HR. 4626. The measure, referred to the Committee on Ways and Means, proposes amending the IRS Code of 1986 to provide individuals an income-tax credit for the purchase of a new energy-efficient affordable home and of energy efficiency improvements to an existing home.

Due to time constraints, HR.4626 did not see any action this year, but Congressman Thomas’ bill is very interesting. PMI has been in discussions with his staff on the possibility of the Congressman introducing a similar measure next year.

## **The World According to Knollenberg**

Congressman Knollenberg continues to give every indication that he will introduce his repeal proposal during the opening days of the first session of the 106th Congress – possibly as early as January or February. He is banking on a more conservative, “anti-regulatory” Energy and Power Subcommittee Chairman and a large Republican victory in November.

At the present time, the National Association of Homebuilders is the only major organization supporting the Knollenberg bill. Under the expert guidance of Gerber’s Bill Ficken, PMI continues to work with the Homebuilders’ NCHI to discuss the association’s position. For PMI members who are also members of the NCHI, please contact Bill if you wish to assist in this effort.

During November, PMI continues to meet with all members of the Energy and Power Subcommittee, both to firm-up support from those who oppose the repeal effort and to convince those who cosponsored the bill during the last congress not to cosponsor the bill again. We will also be meeting with new and newly reassigned Committee staff as well as appropriate newly elected members to brief them on the details of the issue.

Retiring Subcommittee Chairman Schaefer has agreed to go on the record with a letter to Commerce Committee Chairman Bliley, R-VA, detailing the reasons why the hearing that Knollenberg requested was cancelled.

PMI has requested an interview with Commerce Committee Chairman Bliley for a future edition of the PMI newsletter. If you are interested in other congressional interviews please let me know.

Lastly, our umbrella coalition supporting water conservation drafted a letter targeting the 75 House of Representatives members who cosponsored HR. 859. In addition to PMI, signers of the letter include organizations such as the American Council for an Energy-Efficient Economy, American Supply Association, Clean Water Action, Friends of the Earth, National Association of Plumbing-Heating-Cooling Contractors, Natural Resources Defense Council and Western Urban Water Coalition. Copies are available upon request.

## **An Interesting First Tuesday in November**

The next newsletter will provide coverage of the congressional elections, profile of some of your newly elected representatives and look at how the election results will affect future legislation. Or at least we’ll try.

## **NATIONAL HISTORIC LANDMARK TO BE RESTORED**

The National Park Service seeks participation from PMI members in a unique program to restore one of New Jersey’s architectural treasures. A brochure, available from the National Park Service, outlines an opportunity offered by the Gateway National Recreation Area to develop historic Fort Hancock. Located at the tip of the Sandy Hook Peninsula, this century-old fort is listed as a National Historic Landmark.

The National Park Service is inviting businesses, non-profit, and educational groups to consider becoming part of the Fort Hancock community. Long-term lease agreements will be offered to qualified groups in exchange for the development, rehabilitation and maintenance of one or more properties on the ground of the fort. Forty structures are currently available under this arrangement, including waterfront homes, stately barracks buildings and a nineteenth century mansion.

To investigate the possibilities offered by this program and/or to request a brochure, contact Gateway’s Business Management Office at Floyd Bennett Field, Park Headquarters, Building 69; Brooklyn, New York 11234 or call 718/338-4540 (New York) or 732/872-5916 (New Jersey). The Park Service staff will provide detailed information on leasing opportunities and will be happy to arrange a comprehensive tour of Fort Hancock at your convenience.



Congress of the United States  
House of Representatives  
Washington, D.C.

November 3, 1998

The Honorable Thomas Bliley, Jr.  
2409 Rayburn Building  
Washington, D.C. 20515-0005

Dear Tom:

Before Congress adjourns for the year, I wanted to ensure that the committee on Congress had a complete record on the disposition of one hearing that was scheduled to have taken place in early August, 1998.

As you will recall, Congressman Joe Knollenberg had requested a hearing on H.R. 859, his legislation to repeal federal water efficiency standards for certain fixtures. Those standards were adopted as part of the Energy Policy Act of 1992. At his request, you graciously offered to Congressman Knollenberg to hold a hearing on his bill.

Committee staff in coordination with and my staff worked with Congressman Knollenberg's office to arrange the details for the hearing. Although it is the prerogative of the Committee to determine who will testify at hearings, when the hearing will be held, and how individual Members not on the Committee who have an interest in the subject matter will be accommodated, the Committee record should reflect that pains were taken to accommodate Congressman Knollenberg's interests.

For example, the hearing was scheduled at a time that would ensure the availability of witnesses requested by Congressman Knollenberg. Congressman Knollenberg was extended an invitation to testify. Furthermore, the Committee and I sought to accommodate his request to have electronic media tape the hearing, as well as his request to play a recorded videotape during the hearing. In perhaps the most gracious of the Committee's accommodations, the Committee offered to allow Congressman Knollenberg to choose witnesses to present testimony on behalf of his bill. To my knowledge, no precedent in the annals of this Committee exists for such a practice. I think this fact alone demonstrates how far we were willing to go to extend a welcome to our colleague.

It should be clear that the hearing was cancelled at Congressman Knollenberg's request. According to his office, Congressman Knollenberg felt that the number of witnesses he was allowed to choose was insufficient, and that the issue would not be fully discussed given the witnesses he and the Committee intended to invite. I can assure you that in my opinion, there is no question that the Committee would have received a very full and fair discussion of this issue.

Hopefully, no questions will arise about the circumstances under which this hearing was canceled, and this letter will not be needed in the record. However, I was disappointed by Congressman Knollenberg's comments to the press following the cancellation of the hearing that suggested the Committee had not tried to fairly accommodate his interests. The Committee not only sought to accommodate his interests, but it went beyond established protocol to do so.

**Finally, as Chairman of the Subcommittee on Energy and Power, I would be remiss in my duties if I did not bring to your attention the enormous amount of interest generated by Mr. Knollenberg's legislation. Since its introduction in 1997, my office has received hundreds of letters from plumbing manufacturers, contractors, state regulators, state and locally elected officials, environmental groups, water utilities and many of our colleagues here in the House—all expressing their opposition to this legislation.**

**While proponents of Mr. Knollenberg's legislation tend to portray it as a simple solution to needless government intervention, the Committee would be wise to maintain its deliberative approach to issues as complex as this.**

Sincerely,

DAN SCHAEFER  
Member of Congress

## 1999 PMI SPRING MEETING

Final Draft Schedule

Marriott Resort and Golf Club, Marco Island, Florida

Does the following schedule meet your needs? PMI wants to know!

### Saturday, March 6

8:00 a.m. – 5:00 p.m. Ad Hoc Committee Meetings

### Sunday, March 7

7:30 a.m. – 12:30 p.m. Golf Tournament  
 1:00 p.m. – 5:00 p.m. Registration  
 1:30 p.m. – 5:00 p.m. First Board of Directors Meeting  
 5:00 p.m. – 5:30 p.m. Committee & Product Group  
 Chair Briefing  
 6:30 p.m. Kick Off Reception/Dinner

### Monday, March 8

7:00 a.m. – 9:00 a.m. Registration Continues  
 7:00 a.m. – 7:30 a.m. General Membership Networking  
 Breakfast Buffet  
 7:45 a.m. – 8:45 a.m. Technical Director Code  
 Comparison Presentation  
 ISSUE COMMITTEE MEETINGS:  
 9:00 a.m. – 10:45 a.m. Universal Conformity Assessment  
 11:00 a.m. – 12:45 p.m. Trade Show Consolidation  
 1:00 p.m. – 1:45 p.m. Networking Luncheon  
 ISSUE COMMITTEE MEETINGS:  
 2:00 p.m. – 3:45 p.m. Water Conservation  
 4:00 p.m. – 5:45 p.m. Fair Trade  
 (Dinner on your own)

### Tuesday, March 9

7:00 a.m. – 7:30 a.m. General Membership Networking  
 Breakfast Buffet  
 7:30 a.m. – 9:15 a.m. Leachates  
 9:30 a.m. – 10:15 a.m. Technical Committee Meeting  
 10:15 a.m. – 11:15 a.m. Government Affairs  
 11:30 a.m. – 12:30 p.m. General Membership Luncheon  
 Program: Dr. William Dunkelberg,  
 economist/comic  
 12:45 p.m. – 1:15 p.m. PRODUCT GROUP MEETINGS:  
 a) Faucet Product Group &  
 Shower/Tub-Shower Fittings  
 Product Group Combination Meeting  
 b) Drainage Product Group  
 1:30 p.m. – 2:15 p.m. a) Flushing Devices/Fixture  
 Product Groups  
 b) Specialty Finishing  
 Product Group

2:30 p.m. – 5:30 p.m. AD HOC COMMITTEE MEETINGS  
 6:00 p.m. – 7:00 p.m. Reception  
 7:00 p.m. – 9:00 p.m. Awards Dinner

### Wednesday, March 10

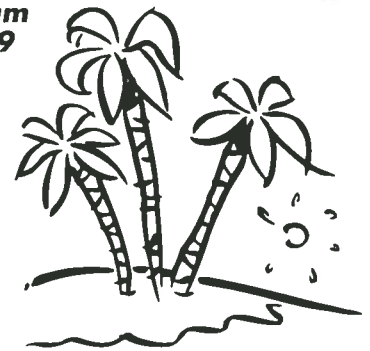
7:00 a.m. – 7:30 a.m. General Membership Networking  
 Breakfast Buffet  
 7:30 a.m. – 8:30 a.m. Marketing Committee  
 8:45 a.m. – 10:00 a.m. General Membership Meeting  
 10:15 a.m. – Noon Final Board of Directors Meeting

## Agendas and Program to be Set for the 1999 PMI Spring Meeting

(formerly known as the Winter Meeting)

Now is the time to tell the PMI staff the issues you want to have addressed at the 1999 PMI Spring Meeting! What issue would you like to bring forward to the industry for discussion, resolution or other action?

The time is ripe for jotting down that idea and submitting it to the PMI staff! For your convenience, we accept electronic-mail, snail-mail, telephonic and facsimile transmissions. Time's a wastin! Get those cards, letters and e-mails in — we are clearing the lines and waiting to hear from you!



## NOW AVAILABLE:

### PMI Membership Directory

The premier issue of our new PMI Member Directory is now available. The directory is offered at no charge to members only. The directory lists the PMI Board of Directors, staff and the all-important "Focus Five" industry issues which PMI continues to address.

To request your copy (or copies) or to make changes, additions, or corrections to your listing, call Yvonne Thomson at PMI headquarters 847/884-9764 or send an e-mail to: [ythomson@pmihome.org](mailto:ythomson@pmihome.org).

The 1999 edition of the Membership Directory is currently in-the-works, and will feature the new slate of directors, as well as logos from each of our member companies.



## 1998 Membership Directory

Plumbing Manufacturers Institute  
 1340 Remington Road, Suite A  
 Schaumburg, IL 60173  
 Phone: 847.884.9764  
 Fax: 847.884.9775  
[www.pmihome.org](http://www.pmihome.org)



Yvonne Thomson

## PMI TO BE FEATURED IN "PM MAGAZINE"

PMI will be featured in the March 1999 supplement of "PM Magazine". The series of articles making up the issue will focus on our organization, officers, committee chairman, members and staff. It is a wonderful opportunity to spread the good word about PMI. Be sure not to miss this issue!

Visit the PMI website ([www.pmihome.org](http://www.pmihome.org)) or call "PM Magazine" editor Jim Olszynski for additional information at 847/297-3714.

**And...don't miss the Newsmaker feature about PMI on page 22 in the November issue!**