

106TH CONGRESS  
1ST SESSION

# H. R. 623

To amend the Energy Policy and Conservation Act to eliminate certain regulation of plumbing supplies.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 8, 1999

Mr. KNOLLENBERG (for himself, Mr. BACHUS, Mr. BARTON of Texas, Mr. CALLAHAN, Mr. CALVERT, Mr. CANADY of Florida, Mr. CHAMBLISS, Mr. COX, Ms. DANNER, Mr. DELAY, Mr. DOOLITTLE, Mr. DUNCAN, Mr. ENGLISH, Mr. EHRLICH, Mr. HANSEN, Mr. HASTINGS of Washington, Mr. HERGER, Mr. HOEKSTRA, Mr. HUTCHINSON, Mr. JOHN, Mrs. MYRICK, Mr. NORWOOD, Mr. PAUL, Mr. ROHRABACHER, Mr. SANDLIN, Mr. SESSIONS, Mr. SMITH of Michigan, Mr. SOUDER, Mr. STUMP, Mr. TRAFICANT, and Mr. UPTON) introduced the following bill; which was referred to the Committee on Commerce

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## A BILL

To amend the Energy Policy and Conservation Act to eliminate certain regulation of plumbing supplies.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. AMENDMENTS.**

4       The Energy Policy and Conservation Act is  
5       amended—

6               (1) in section 2 (42 U.S.C. 6201)—

1 (A) by inserting “and” at the end of para-  
2 graph (6);

3 (B) by striking “; and” at the end of para-  
4 graph (7) and inserting in lieu thereof a period;  
5 and

6 (C) by striking paragraph (8);  
7 (2) in section 321 (42 U.S.C. 6291)—

8 (A) by striking “or, with respect to  
9 showerheads, faucets, water closets, and uri-  
10 nals, water” in paragraph (1)(A);

11 (B) by striking “incandescent reflector  
12 lamps, showerheads, faucets, water closets, and  
13 urinals” in paragraph (1) and inserting in lieu  
14 thereof “and incandescent reflector lamps”;

15 (C) by striking “, or, in the case of  
16 showerheads, faucets, water closets, and uri-  
17 nals, water use,” in paragraph (6)(A);

18 (D) by striking “(15), (16), (17),” in para-  
19 graph (6)(B);

20 (E) by striking “325(r)” in paragraph (6)  
21 and inserting in lieu thereof “325(p)”;

22 (F) by striking “, and in the case of  
23 showerheads, faucets, water closets, and uri-  
24 nals, the aggregate retail cost of water and

1 wastewater treatment services likely to be in-  
2 curred annually,” in paragraph (7);

3 (G) by inserting at the end of paragraph  
4 (30) the following new subparagraph:

5 “(T) The term ‘ANSI’ means the Amer-  
6 ican National Standards Institute.”; and

7 (H) by striking paragraph (31);  
8 (3) in section 322(a) (42 U.S.C. 6292(a))—

9 (A) by striking paragraphs (15) through  
10 (18); and

11 (B) by redesignating paragraph (19) as  
12 paragraph (15);

13 (4) in section 323 (42 U.S.C. 6293)—

14 (A) by striking “water use (in the case of  
15 showerheads, faucets, water closets, and uri-  
16 nals),” in subsection (b)(3);

17 (B) by striking “or, in the case of  
18 showerheads, faucets, water closets, or urinals,  
19 water use” in subsection (b)(4);

20 (C) by striking “, or in the case of  
21 showerheads, faucets, water closets, or urinals,  
22 representative average unit costs of water and  
23 wastewater treatment service resulting from the  
24 operation of such products during such cycle”  
25 in subsection (b)(4);

1 (D) by striking “, water, and wastewater  
2 treatment” in subsection (b)(4);

3 (E) by striking paragraphs (7) and (8) of  
4 subsection (b);

5 (F) by striking “or, in the case of  
6 showerheads, faucets, water closets, and uri-  
7 nals, water use” in subsection (c)(1);

8 (G) by striking “or, in the case of  
9 showerheads, faucets, water closets, and uri-  
10 nals, water use” in subsection (c)(2);

11 (H) by striking “, measured energy use, or  
12 measured water use” in subsection (e)(1) and  
13 inserting in lieu thereof “or measured energy  
14 use”; and

15 (I) by striking “, energy use, or water use”  
16 each place it appears in paragraphs (2) and (3)  
17 of subsection (e) and inserting in lieu thereof  
18 “or energy use”;

19 (5) in section 324 (42 U.S.C. 6294)—

20 (A) by striking subparagraphs (D) and (E)  
21 of subsection (a)(2);

22 (B) by striking “(19)” each place it ap-  
23 pears in subsection (a)(3) and subsection (b)  
24 and inserting in lieu thereof “(15)”;

1 (C) by striking “paragraphs (15) through”  
2 in subsection (b)(1)(B) and inserting in lieu  
3 thereof “paragraph”;

4 (D) by striking “(13), (14), (15), (16),  
5 (17), and (18)” in subsection (c)(7) and insert-  
6 ing in lieu thereof “(13) and (14)”; and

7 (E) by striking paragraph (8) of subsection  
8 (c);  
9 (6) in section 325 (42 U.S.C. 6295)—

10 (A) by striking “325(n)(1)” in subsection  
11 (i)(6)(B) and inserting in lieu thereof  
12 “325(l)(1)”;

13 (B) by striking subsections (j) and (k);

14 (C) by redesignating subsections (l)  
15 through (t) as subsections (j) through (r), re-  
16 spectively;

17 (D) by striking “(19)” in paragraphs (1)  
18 and (2) of subsection (j), as so redesignated by  
19 subparagraph (C) of this paragraph, and insert-  
20 ing in lieu thereof “(15)”;

21 (E) by striking “(o) and (p)” in subsection  
22 (j)(1), as so redesignated by subparagraph (C)  
23 of this paragraph, and inserting in lieu thereof  
24 “(m) and (n)”;

1 (F) by striking “(o) and (p)” in subsection  
2 (j)(3), as so redesignated by subparagraph (C)  
3 of this paragraph, and inserting in lieu thereof  
4 “(m) and (n)”;

5 (G) by striking “(o)(2)(B)(i)(II)” in sub-  
6 section (l)(2)(C), as so redesignated by sub-  
7 paragraph (C) of this paragraph, and inserting  
8 in lieu thereof “(m)(2)(B)(i)(II)”;

9 (H) by striking “or, in the case of  
10 showerheads, faucets, water closets, or urinals,  
11 water use,” in subsection (m)(1), as so redesign-  
12 ated by subparagraph (C) of this paragraph;

13 (I) by striking “, or, in the case of  
14 showerheads, faucets, water closets, or urinals,  
15 water efficiency,” in subsection (m)(2)(A), as so  
16 redesignated by subparagraph (C) of this para-  
17 graph;

18 (J) by striking “, or as applicable, water,”  
19 in subsection (m)(2)(B)(i)(III), as so redesign-  
20 ated by subparagraph (C) of this paragraph;

21 (K) by striking “and water” in subsection  
22 (m)(2)(B)(i)(VI), as so redesignated by sub-  
23 paragraph (C) of this paragraph;

24 (L) by striking “, and as applicable,  
25 water,” in subsection (m)(2)(B)(iii), as so re-

1 designated by subparagraph (C) of this para-  
2 graph;

3 (M) by striking “, in the case of  
4 showerheads, faucets, water closets, or urinals,  
5 water, or” in subsection (m)(3)(B), as so redes-  
6 ignated by subparagraph (C) of this paragraph;  
7 and

8 (N) by striking “(o)” both places it ap-  
9 pears in subsection (n)(3)(A), as so redesign-  
10 ated by subparagraph (C) of this paragraph,  
11 and inserting in lieu thereof “(m)”;  
12 (7) in section 326 (42 U.S.C. 6296)—

13 (A) by striking “or water use” in sub-  
14 section (b)(4); and

15 (B) by striking “, energy use, or, in the  
16 case of showerheads, faucets, water closets, and  
17 urinals, water use” in subsection (d)(1) and in-  
18 serting in lieu thereof “or energy use”;  
19 (8) in section 327 (42 U.S.C. 6297)—

20 (A) by striking “consumption or water  
21 use” in subsection (a)(1) and inserting in lieu  
22 thereof “consumption”;

23 (B) by striking “, water use,” in sub-  
24 section (a)(1)(A);

1 (C) by striking “, energy efficiency, or  
2 water use” each place it appears in subsection  
3 (a)(1)(B), subsection (b), subsection (c), and  
4 subsection (d)(1)(A), and inserting in lieu  
5 thereof “or energy efficiency”;

6 (D) by amending paragraph (2) of sub-  
7 section (a) to read as follows:

8 “(2) For purposes of this section, the term ‘State reg-  
9 ulation’ means a law, regulation, or other requirement of  
10 a State or its political subdivisions.”;

11 (E) by striking “flow rate requirements for  
12 showerheads or faucets, or water use require-  
13 ments for water closets or urinals,” in sub-  
14 section (b)(1);

15 (F) by striking “, or is a regulation (or  
16 portion thereof) regulating showerheads” and  
17 all that follows through “325(k) is applicable”  
18 in subsection (b)(4);

19 (G) by inserting “or” at the end of para-  
20 graph (5) of subsection (b);

21 (H) by striking “; or” at the end of para-  
22 graph (6) of subsection (b) and inserting in lieu  
23 thereof a period;

24 (I) by striking paragraph (7) of subsection  
25 (b);



1           (J) by striking “subparagraphs (B) and  
2           (C) of section 325(j)(3), and subparagraphs (B)  
3           and (C) of section 325(k)(3)” in subsection (c);

4           (K) by inserting “or” at the end of para-  
5           graph (2) of subsection (c);

6           (L) by striking the semicolon at the end of  
7           paragraph (3) of subsection (c) and inserting in  
8           lieu thereof a period;

9           (M) by striking paragraphs (4), (5), and  
10          (6) of subsection (c);

11          (N) by striking “or river basin commis-  
12          sion” each place it appears in subsection  
13          (d)(1)(A) and (B);

14          (O) by striking “or water” each place it  
15          appears in subsection (d)(1)(B) and (C);

16          (P) by striking “, and, with respect to a  
17          State” and all that follows through “water sup-  
18          ply development” in subsection (d)(1)(C);

19          (Q) by striking “or, if the State” and all  
20          that follows through “emergency condition,” in  
21          subsection (d)(5)(B)(i);

22          (R) by striking “or, in the case of a water  
23          emergency condition, water or wastewater treat-  
24          ment,” in subsection (d)(5)(B)(i)(I); and

1                   (S) by striking “or, in the case of a water  
2                   emergency condition, by the importation of  
3                   water,” in subsection (d)(5)(B)(i)(II);  
4                   (9) in section 336(c)(2) (42 U.S.C. 6306(c)(2)),  
5                   by striking “325(n)” and inserting in lieu thereof  
6                   “325(l)”; and  
7                   (10) in section 337 (42 U.S.C. 6307)—  
8                   (A) by striking “(a) IN GENERAL.—”; and  
9                   (B) by striking subsection (b).

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