

“(2) SERVICE OF PROCESS.—In an action under this section, process may be served on a defendant in any district in which the defendant resides or is otherwise located.”.

(f) TREATMENT OF APPLIANCES WITHIN BUILDING CODES.—Section 327 of the Energy Policy and Conservation Act (42 U.S.C. 6297) is amended by adding at the end the following:

“(h) RECOGNITION OF ALTERNATIVE REFRIGERANT USES.—With respect to State or local laws (including regulations) prohibiting, limiting, or restricting the use of alternative refrigerants for specific end uses approved by the Administrator of the Environmental Protection Agency pursuant to the Significant New Alternatives Program under section 612 of the Clean Air Act (42 U.S.C. 7671k) for use in a covered product under section 322(a)(1) considered on or after the date of enactment of this subsection, notice shall be provided to the Administrator before or during any State or local public comment period to provide to the Administrator an opportunity to comment.”.

(g) TECHNICAL AMENDMENT.—Section 332(a) of the Energy Policy and Conservation Act (42 U.S.C. 6302(a)) is amended by redesignating the second paragraph (6) as paragraph (7).

#### SECTION BY SECTION SUMMARY OF THE NATIONAL ENERGY EFFICIENCY ENHANCEMENT ACT OF 2010

Sec. 1. Short Title.

Sec. 2. Energy Conservation Standards.

(a) Amends section 321 of EPCA for the definition of “energy efficiency standard” to allow DOE to establish more than one performance standard, and adds definitions for “EER” and “HSPF”.

(b) Amends section 323(b) to establish test procedures for EER and HSPF.

(c) Amends section 325(d) to establish regional and increased energy efficiency standards for central air conditioners and heat pumps, and related equipment, to be effective on or after Jan 1, 2015, and sets forth dates for the consideration of future standards.

(d) Amends section 325(d) to establish definitions for Through-the-Wall air conditioning and heat pump systems, and small-duct, high velocity systems, and directs DOE to set standards for these products to be effective on or after June 30, 2016.

(e) Amends section 325(f) to establish definitions and regional standards for non-weatherized gas and oil furnaces to be effective on or after May, 2013; and for weatherized gas furnaces, to be effective on or after January 1, 2015.

(f) Amends section 327(f) to provide that State building codes may provide for products that have efficiencies that exceed applicable Federal standards, within certain limits and if such State code provides for combinations of energy items to meet the code objectives that includes at least one combination that does not exceed Federal products standards.

Sec. 3. Energy Conservation Standards for Heat Pump Pool Heaters.

Amends sections 321 and 325 to provide definitions and establish efficiency standards for heat pump pool heaters.

Sec. 4. Efficiency Standards for Class A external Power Supplies.

Amends section 325(u) to provide a definition for “security or life safety alarm or surveillance system” and provides an exemption for certain such products from the “no load” portion of the Federal efficiency standards until July 1, 2017.

Sec. 5. Prohibited Acts.

Amends section 332 to clarify that representatives of manufacturers, distributors,

and retailers, just as manufacturers and private labelers currently, are prohibited from the sale and distribution of products that do not meet the Federal minimum efficiency standards.

Sec 6. Outdoor Lighting.

Amends sections 340, 342, 343, 344, and 345 to provide definitions, efficiency standards, rulemaking deadlines and effective dates, test methods, labeling and preemption treatment for pole-mounted outdoor lighting products (e.g. street and parking lot light fixtures, bulbs and controls). Also sets standards for double-ended halogen lamps (high wattage incandescent lamps generally used outdoors) and ends the production of standard mercury vapor lamps, effective 2016, completing the transition to higher efficiency lighting sources begun when inefficient mercury vapor fixtures and ballasts were phased out in EPAct 2005.

Sec. 7. Energy Efficiency Provisions.

(a) Direct Final Rule. Amends section 323 to permit DOE to accelerate the prescription of consensus test procedures and to direct the National Bureau of Standards to assist in developing or amending test procedures.

(b) Criteria for Prescribing New or Amended Standards. Amends section 325(o) to: (A) add “impact on average energy prices” and “impacts due to smart grid” as new criteria for setting efficiency standards, (B) establishes a rebuttable presumption for what DOE determines to be a minimum “technically feasible and economically justified” efficiency standard, and (C) authorizes DOE to include smart grid technologies into product standards, listing credits and other options for including these technologies.

(c) Obtainment of Appliance Information from Manufacturers. Amends section 326 to direct DOE to require manufacturers to submit specific product information to DOE such as compliance, annual shipments, and energy use and efficiency, and to coordinate information gathering activities with State agencies.

(d) Waiver of Federal Preemption. Amends section 327(d) to clarify that DOE may not reject a State waiver petition for failure of the State to produce information that is confidentially maintained by any manufacturer or others and from whom the State has requested, but not received, the information.

(e) Permitting States to Seek Injunctive Enforcement. Amends section 334 to authorize and prescribe the procedures by which a State may seek an injunction to restrain certain violations of the DOE efficiency program.

#### SUBMITTED RESOLUTIONS

##### SENATE RESOLUTION 429—MAKING MINORITY PARTY APPOINTMENTS FOR CERTAIN COMMITTEES FOR THE 111TH CONGRESS

Mr. MCCONNELL submitted the following resolution; which was considered and agreed to:

S. RES. 429

*Resolved*, That the following be the minority membership on the following committees for the remainder of the 111th Congress, or until their successors are appointed:

COMMITTEE ON ARMED SERVICES: Mr. McCain, Mr. Inhofe, Mr. Sessions, Mr. Chambliss, Mr. Graham, Mr. Thune, Mr. Wicker, Mr. LeMieux, Mr. Brown, Mr. Burr, Mr. Vitter, and Ms. Collins.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS: Ms. Collins, Mr. Coburn, Mr. Brown, Mr. McCain, Mr. Voinovich, Mr. Ensign, and Mr. Graham.

COMMITTEE ON VETERANS’ AFFAIRS: Mr. Burr, Mr. Isakson, Mr. Wicker, Mr. Johanns, Mr. Brown, and Mr. Graham.

##### SENATE CONCURRENT RESOLUTION 52—EXPRESSING SUPPORT FOR THE DESIGNATION OF MARCH 20 AS A NATIONAL DAY OF RECOGNITION FOR LONG-TERM CARE PHYSICIANS

Mr. CHAMBLISS submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 52

Whereas a National Day of Recognition for Long-Term Care Physicians is designed to honor and recognize physicians who care for an ever-growing elderly population in different settings, including skilled nursing facilities, assisted living, hospice, continuing care retirement communities, post-acute care, home care, and private offices;

Whereas the average long-term care physician has nearly 20 years of practice experience and dedicates themselves to 1 or 2 facilities with nearly 100 residents and patients;

Whereas the American Medical Directors Association is the professional association of medical directors, attending physicians, and others practicing in the long-term continuum and is dedicated to excellence in patient care and provides education, advocacy, information, and professional development to promote the delivery of quality long-term care medicine; and

Whereas the American Medical Directors Association would like to honor founder and long-term care physician William A. Dodd, M.D., C.M.D., who was born on March 20, 1921: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring)*, That the Congress expresses support for—

(1) the designation of March 20 as a National Day of Recognition for Long-Term Care Physicians; and

(2) the goals and ideals of a National Day of Recognition for Long-Term Care Physicians.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 3346. Mr. LEAHY (for himself and Mr. SESSIONS) submitted an amendment intended to be proposed to amendment SA 3336 proposed by Mr. BAUCUS to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table.

SA 3347. Mr. MERKLEY (for himself and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 3336 proposed by Mr. BAUCUS to the bill H.R. 4213, supra; which was ordered to lie on the table.

SA 3348. Mr. BROWN of Massachusetts submitted an amendment intended to be proposed to amendment SA 3336 proposed by Mr. BAUCUS to the bill H.R. 4213, supra; which was ordered to lie on the table.

SA 3349. Mr. DODD submitted an amendment intended to be proposed to amendment SA 3336 proposed by Mr. BAUCUS to the bill H.R. 4213, supra; which was ordered to lie on the table.

SA 3350. Ms. STABENOW (for herself, Mr. HATCH, and Mr. SCHUMER) submitted an amendment intended to be proposed to amendment SA 3336 proposed by Mr. BAUCUS to the bill H.R. 4213, supra; which was ordered to lie on the table.