purposes or when disclosure is other-
wise found appropriate in the public in-
terest and permitted by law.

§ 1b.10 By whom conducted.
Formal Commission investigations
are conducted by the Commission or by
an individual(s) designated and author-
ized in the Order of Investigation. In-
vestigating Officers are officers within
the meaning of the statutes adminis-
tered by the Commission and are au-
thorized to perform the duties of their
office in accordance with the laws of
the United States and the regulations
of the Commission. Investigating Offi-
cers shall have such duties as the Com-
mission may specify in an Order of In-
vestigation.

§ 1b.11 Limitation on participation.
There are no parties, as that term is
used in adjudicative proceedings, in an
investigation under this part and no
person may intervene or participate as
a matter of right in any investigation
under this part.

§ 1b.12 Transcripts.
Transcripts, if any, of investigative
testimony shall be recorded solely by
the official reporter, or by any other
person or means designated by the in-
vestigating officer. A witness who has
given testimony in an investigation
shall be entitled, upon written request,
to procure a transcript of the witness'
own testimony on payment of the ap-
propriate fees, except that in a non-
public formal investigation, the office
responsible for the investigation may
for good cause deny such request. In
any event, any witness or his counsel,
on proper identification, shall have
the right to inspect the official tran-
script of the witness’ own testimony.

§ 1b.13 Powers of persons conducting
formal investigations.
Any member of the Commission or
the Investigating Officer, in connection
with any formal investigation ordered
by the Commission, may administer
oaths and affirmations, subpoena wit-
tnesses, compel their attendance, take
evidence, and require the production of
any books, papers, correspondence,
memoranda, contracts, agreements or
other records relevant or material to
the investigation.

§ 1b.14 Subpoenas.
(a) Service of a subpoena upon a per-
son named therein shall be made by the
investigating officer (1) by personal de-

delivery, (2) by certified mail, (3) by leav-
ing a copy thereof at the principle of-

tice or place of business of the person
to be served, (4) or by delivery to any
person designated as agent for service
or the person’s attorney.

(b) At the time for producing docu-
ments subpoenaed in an investigation,
the subspeenaed party shall submit a
statement stating that, if true, such
person has made a diligent search for
the subspeenaed documents and is pro-
ducing all the documents called for by
the subpoena. If any subpoenaed docu-
ment(s) are not produced for any rea-
son, the subspeenaed party shall state
the reason therefor.

(c) If any subpoenaed documents in
an investigation are withheld because
of a claim of the attorney-client privi-

lege, the subspeenaed party shall sub-
mit a list of such documents which
shall, for each document, identify the
attorney involved, the client involved,
the date of the document, the person(s)
shown on the document to have pre-
pared and/or sent the document, and
the person(s) shown on the document
to have received copies of the docu-
ment.

§ 1b.15 Non-compliance with compul-
sory processes.
In cases of failure to comply with
Commission compulsory processes, ap-
propriate action may be initiated by
the Commission or the Attorney Gen-
eral, including but not limited to ac-
tions for enforcement or the imposition
of penalties.