

111TH CONGRESS  
2D SESSION

# H. R. 5835

To authorize the use of subpoenas by the Office of Healthy Homes and Lead Hazard Control of the Department of Housing and Urban Development in investigations of potential violations of the Residential Lead-Based Paint Hazard Reduction Act of 1992.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 22, 2010

Mr. ELLISON (for himself and Mr. BRADY of Pennsylvania) introduced the following bill; which was referred to the Committee on Financial Services

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## A BILL

To authorize the use of subpoenas by the Office of Healthy Homes and Lead Hazard Control of the Department of Housing and Urban Development in investigations of potential violations of the Residential Lead-Based Paint Hazard Reduction Act of 1992.

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. SHORT TITLE.**

4 This Act may be cited as the “Improving Lead-Based  
5 Paint Investigations Act of 2010”.

1 **SEC. 2. SUBPOENA AUTHORITY FOR THE LEAD DISCLO-**  
2 **SURE RULE.**

3 Subsection (a) of section 1018 of Subtitle A, of Title  
4 X of the Housing and Community Development Act of  
5 1992 (42 U.S.C. 4852d), is amended by adding at the end  
6 the following new paragraph:

7 “(6) AUTHORITY OF SECRETARY.—

8 “(A) INVESTIGATIONS.—The Secretary is  
9 authorized to conduct such investigations as  
10 may be necessary to administer and carry out  
11 the duties of the Secretary under this section.  
12 The Secretary is authorized to administer oaths  
13 and require by subpoena the production of doc-  
14 uments, and the attendance and testimony of  
15 witnesses as the Secretary deems advisable.  
16 Nothing contained in this subparagraph shall  
17 prevent the Administrator of the Environmental  
18 Protection Agency from exercising authority  
19 under the Toxic Substances Control Act or this  
20 Act.

21 “(B) ENFORCEMENT.—Any district court  
22 of the United States within the jurisdiction of  
23 which an inquiry is carried, on application of  
24 the Attorney General, may, in the case of con-  
25 tumacy, failure, or refusal to obey a subpoena  
26 of the Secretary issued under this section, issue

1           an order requiring such entry or such compli-  
2           ance therewith; and any failure to obey such  
3           order of the court may be punished by such  
4           court as a contempt thereof.”.

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