

(Pub. L. 115–254, div. E, §1309, Oct. 5, 2018, 132 Stat. 3481.)

§ 8709. Investigation and power to subpoena

(a) Investigations

The Secretary may conduct such investigations as the Secretary considers necessary for the effective administration of this chapter, or to determine whether any person has engaged or is engaging in any act that constitutes a violation of this chapter or any order or regulation issued under this chapter.

(b) Subpoenas, oaths, and affirmations

(1) Investigations

For the purpose of conducting an investigation under subsection (a), the Secretary may administer oaths and affirmations, subpoena witnesses, compel the attendance of witnesses, take evidence, and require the production of any records that are relevant to the inquiry. The production of the records may be required from any place in the United States.

(2) Administrative hearings

For the purpose of an administrative hearing held under section 8707(a)(2) of this title or section 8708(c)(4) of this title, the presiding officer may administer oaths and affirmations, subpoena witnesses, compel the attendance of witnesses, take evidence, and require the production of any records that are relevant to the inquiry. The attendance of witnesses and the production of the records may be required from any place in the United States.

(c) Aid of courts

(1) In general

In the case of contumacy by, or refusal to obey a subpoena issued under subsection (b) to, any person, the Secretary may invoke the aid of any court of the United States within the jurisdiction of which the investigation or proceeding is conducted, or where the person resides or conducts business, in order to enforce a subpoena issued under subsection (b).

(2) Order

The court may issue an order requiring the person referred to in paragraph (1) to comply with a subpoena referred to in paragraph (1).

(3) Failure to obey

Any failure to obey the order of the court may be punished by the court as a contempt of court.

(4) Process

Process in any proceeding under this subsection may be served in the United States judicial district in which the person being proceeded against resides or conducts business, or wherever the person may be found.

(Pub. L. 115–254, div. E, §1310, Oct. 5, 2018, 132 Stat. 3482.)

§ 8710. Suspension or termination

(a) Mandatory suspension or termination

The Secretary shall suspend or terminate an order or a provision of an order if the Secretary finds that an order or provision of an order ob-

structs or does not tend to effectuate the purpose of this chapter, or if the Secretary determines that the order or a provision of an order is not favored by a majority of all votes cast in the referendum as provided in section 8706(a)(2) of this title.

(b) Implementation of suspension or termination

If, as a result of a referendum conducted under section 8706 of this title, the Secretary determines that the order is not approved, the Secretary shall—

(1) not later than 180 days after making the determination, suspend or terminate, as the case may be, collection of assessments under the order; and

(2) as soon as practicable, suspend or terminate, as the case may be, activities under the order in an orderly manner.

(Pub. L. 115–254, div. E, §1311, Oct. 5, 2018, 132 Stat. 3482.)

§ 8711. Amendments to orders

The provisions of this chapter applicable to the order shall be applicable to any amendment to the order, except that section 8707 of this title shall not apply to an amendment.

(Pub. L. 115–254, div. E, §1312, Oct. 5, 2018, 132 Stat. 3483.)

§ 8712. Effect on other laws

This chapter shall not affect or preempt any other Federal or State law authorizing research, education, and promotion relating to concrete masonry products.

(Pub. L. 115–254, div. E, §1313, Oct. 5, 2018, 132 Stat. 3483.)

§ 8713. Regulations

The Secretary may issue such regulations as may be necessary to carry out this chapter and the power vested in the Secretary under this chapter.

(Pub. L. 115–254, div. E, §1314, Oct. 5, 2018, 132 Stat. 3483.)

§ 8714. Limitation on expenditures for administrative expenses

Funds appropriated to carry out this chapter may not be used for the payment of the expenses or expenditures of the Board in administering the order.

(Pub. L. 115–254, div. E, §1315, Oct. 5, 2018, 132 Stat. 3483.)

§ 8715. Limitations on obligation of funds

(a) In general

In each fiscal year of the covered period, the Board may not obligate an amount greater than the sum of—

(1) 73 percent of the amount of assessments estimated to be collected under section 8705 of this title in such fiscal year;

(2) 73 percent of the amount of assessments actually collected under section 8705 of this title in the most recent fiscal year for which an audit report has been submitted under sec-