

111TH CONGRESS
2D SESSION

S. 3462

To provide subpoena power to the National Commission on the British Petroleum Oil Spill in the Gulf of Mexico, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 8, 2010

Mrs. SHAHEEN (for herself, Mrs. MURRAY, Mr. MENENDEZ, Mrs. GILLIBRAND, Mr. KERRY, Ms. KLOBUCHAR, Ms. LANDRIEU, Mr. BEGICH, Mr. CASEY, Mr. DORGAN, Mr. BENNET, Mr. SCHUMER, Mr. FRANKEN, Mrs. FEINSTEIN, Mr. KAUFMAN, and Mr. WHITEHOUSE) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To provide subpoena power to the National Commission on the British Petroleum Oil Spill in the Gulf of Mexico, and for other purposes.

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. POWERS OF NATIONAL COMMISSION ON THE**
4 **BRITISH PETROLEUM OIL SPILL IN THE GULF**
5 **OF MEXICO.**

6 (a) HEARINGS.—The National Commission on the
7 British Petroleum Oil Spill in the Gulf of Mexico (referred
8 to in this section as the “Commission”) or, at the direction

1 of the Commission, any subcommittee or member of the
2 Commission, may, for the purpose of carrying out the du-
3 ties of the Commission, as the Commission or the sub-
4 committee or member considers advisable in consultation
5 with the Attorney General—

6 (1) hold such hearings, meet and act at such
7 times and places, take such testimony, receive such
8 evidence, and administer such oaths; and

9 (2) require, by subpoena or otherwise, the at-
10 tendance and testimony of such witnesses and the
11 production of such books, records, correspondence,
12 memoranda, papers, documents, tapes, and mate-
13 rials.

14 (b) ISSUANCE AND ENFORCEMENT OF SUB-
15 POENAS.—

16 (1) ISSUANCE.—A subpoena issued under sub-
17 section (a) shall—

18 (A) bear the signature of a Chairperson of
19 the Commission; and

20 (B) be served by any person or class of
21 persons designated by a Chairperson for that
22 purpose.

23 (2) ENFORCEMENT.—In the case of contumacy
24 or failure to obey a subpoena issued under sub-
25 section (a)(2), the United States district court for

1 the district in which the subpoenaed person resides,
2 is served, or may be found may issue an order re-
3 quiring the person to appear at any designated place
4 to testify or to produce documentary or other evi-
5 dence.

6 (3) NONCOMPLIANCE.—Any failure to obey the
7 order of the court may be punished by the court as
8 a contempt of court.

9 (c) WITNESS ALLOWANCES AND FEES.—

10 (1) IN GENERAL.—Section 1821 of title 28,
11 United States Code, shall apply to a witness re-
12 quested or subpoenaed to appear at a hearing of the
13 Commission.

14 (2) EXPENSES.—The per diem and mileage al-
15 lowances for a witness shall be paid from funds
16 available to pay the expenses of the Commission.

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