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(Original Signature of Member)

111TH CONGRESS
2D SESSION

H. R. _____

To give subpoena power to the National Commission on the BP Deepwater
Horizon Oil Spill and Offshore Drilling.

IN THE HOUSE OF REPRESENTATIVES

Mrs. CAPPS introduced the following bill; which was referred to the Committee
on _____

A BILL

To give subpoena power to the National Commission on
the BP Deepwater Horizon Oil Spill and Offshore Drilling.

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. SUBPOENA POWER OF THE NATIONAL COMMIS-**
4 **SION ON THE BP DEEPWATER HORIZON OIL**
5 **SPILL AND OFFSHORE DRILLING.**

6 (a) SUBPOENA POWER.—The National Commission
7 on the BP Deepwater Horizon Oil Spill and Offshore
8 Drilling established by Executive Order No. 13543 of May
9 21, 2010 (in this section referred to as the “Commis-

1 sion”), may issue subpoenas to compel the attendance and
2 testimony of witnesses and the production of books,
3 records, correspondence, memoranda, and other docu-
4 ments.

5 (b) ISSUANCE.—

6 (1) AUTHORIZATION.—A subpoena may be
7 issued under this section only—

8 (A) by agreement of the Co-Chairs of the
9 Commission; or

10 (B) by the affirmative vote of a majority of
11 the members of the Commission.

12 (2) SIGNATURE AND SERVICE.—A subpoena
13 issued under this section may be issued under the
14 signature of either Co-Chair or any member des-
15 ignated by a majority of the Commission, and may
16 be served by any person designated by the Co-Chairs
17 or a member designated by a majority of the Com-
18 mission.

19 (c) ENFORCEMENT.—

20 (1) REQUIRED PROCEDURES.—In the case of
21 contumacy of any person issued a subpoena under
22 this section or refusal by such person to comply with
23 the subpoena, the Commission shall request the At-
24 torney General to seek enforcement of the subpoena.
25 Upon such request, the Attorney General shall seek

1 enforcement of the subpoena in a court described in
2 paragraph (2). The court in which the Attorney
3 General seeks enforcement of the subpoena shall
4 issue an order requiring the subpoenaed person to
5 appear at any designated place to testify or to
6 produce documentary or other evidence, and may
7 punish any failure to obey the order as a contempt
8 of that court.

9 (2) JURISDICTION FOR ENFORCEMENT.—Any
10 United States district court for a judicial district in
11 which a person issued a subpoena under this section
12 resides, is served, or may be found, or where the
13 subpoena is returnable, shall have jurisdiction to en-
14 force the subpoena as provided in paragraph (1).