

7 USC 6809.

**SEC. 10. INVESTIGATIONS AND POWER TO SUBPOENA.**

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

**(b) SUBPOENAS, OATHS, AND AFFIRMATIONS.**—

(1) **INVESTIGATIONS.**—For the purpose of making an investigation under subsection (a), the Secretary may administer oaths and affirmations, and issue subpoenas to 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 8(a)(2) or 9(c)(3), 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.

7 USC 6810.

**SEC. 11. CONFIDENTIALITY.**

(a) **PROHIBITION.**—No information on how a person voted in a referendum conducted under this Act shall be made public.

(b) **PENALTY.**—Any person who knowingly violates subsection (a) or the confidentiality terms of an order, as described in section 5(j)(2), shall be subject to a fine of not less than \$1,000 nor more than \$10,000 or to imprisonment for not more than 1 year, or both. If the person is an officer or employee of the Department of Agriculture or the PromoFlor Council, the person shall be removed from office.

(c) **ADDITIONAL PROHIBITION.**—No information obtained under this Act may be made available to any agency or officer of the Federal Government for any purpose other than the implementation of this Act or an investigatory or enforcement action necessary for the implementation of this Act.

(d) **WITHHOLDING INFORMATION FROM CONGRESS PROHIBITED.**—Nothing in this Act shall be construed to authorize the withholding of information from Congress.

**SEC. 12. AUTHORITY FOR SECRETARY TO SUSPEND OR TERMINATE ORDER.** 7 USC 6811.

If the Secretary finds that an order, or any provision of the order, obstructs or does not tend to effectuate the policy of this Act specified in section 2(b), the Secretary shall terminate or suspend the operation of the order or provision under such terms as the Secretary determines are appropriate.

**SEC. 13. CONSTRUCTION.** 7 USC 6812.

(a) **TERMINATION OR SUSPENSION NOT AN ORDER.**—The termination or suspension of an order, or a provision of an order, shall not be considered an order under the meaning of this Act.

(b) **PRODUCER RIGHTS.**—This Act—

(1) may not be construed to provide for control of production or otherwise limit the right of individual cut flowers and cut greens producers to produce cut flowers and cut greens; and

(2) shall be construed to treat all persons producing cut flowers and cut greens fairly and to implement any order in an equitable manner.

(c) **OTHER PROGRAMS.**—Nothing in this Act may be construed to preempt or supersede any other program relating to cut flowers or cut greens promotion and consumer information organized and operated under the laws of the United States or a State.

**SEC. 14. REGULATIONS.** 7 USC 6813.

The Secretary may issue such regulations as are necessary to carry out this Act and the powers vested in the Secretary by this Act, including regulations relating to the assessment of late payment charges and interest.

**SEC. 15. AUTHORIZATION OF APPROPRIATIONS.** 7 USC 6814.

(a) **IN GENERAL.**—There are authorized to be appropriated for each fiscal year such sums as are necessary to carry out this Act.

(b) **ADMINISTRATIVE EXPENSES.**—Funds appropriated under subsection (a) may not be used for the payment of the expenses or