

to waive compliance with any provision of this chapter or of the rules and regulations of the Secretary shall be void.

(Pub. L. 90-448, title XIV, §1413, Aug. 1, 1968, 82 Stat. 596; Pub. L. 111-203, title X, §1098A(1), July 21, 2010, 124 Stat. 2105.)

#### AMENDMENT OF SECTION

*Pub. L. 111-203, title X, §§1098A(1), 1100H, July 21, 2010, 124 Stat. 2105, 2113, provided that, effective on the designated transfer date, this section is amended by striking "Secretary" each place that term appears and inserting "Director". See Effective Date of 2010 Amendment note below.*

#### EFFECTIVE DATE OF 2010 AMENDMENT

Amendment by Pub. L. 111-203 effective on the designated transfer date, see section 1100H of Pub. L. 111-203, set out as a note under section 552a of Title 5, Government Organization and Employees.

### § 1713. Additional remedies

The rights and remedies provided by this chapter shall be in addition to any and all other rights and remedies that may exist at law or in equity.

(Pub. L. 90-448, title XIV, §1414, Aug. 1, 1968, 82 Stat. 596.)

### § 1714. Investigations, injunctions, and prosecution of offenses

#### (a) Permanent or temporary injunction or restraining order; jurisdiction

Whenever it shall appear to the Secretary that any person is engaged or about to engage in any acts or practices which constitute or will constitute a violation of the provisions of this chapter, or of any rule or regulation prescribed pursuant thereto, he may, in his discretion, bring an action in any district court of the United States, or the United States District Court for the District of Columbia to enjoin such acts or practices, and, upon a proper showing, a permanent or temporary injunction or restraining order shall be granted without bond. The Secretary may transmit such evidence as may be available concerning such acts or practices to the Attorney General who may, in his discretion, institute the appropriate criminal proceedings under this chapter.

#### (b) Investigations; publication of information concerning violations

The Secretary may, in his discretion, make such investigations as he deems necessary to determine whether any person has violated or is about to violate any provision of this chapter or any rule or regulation prescribed pursuant thereto, and may require or permit any person to file with him a statement in writing, under oath or otherwise as the Secretary shall determine, as to all the facts and circumstances concerning the matter to be investigated. The Secretary is authorized, in his discretion, to publish information concerning any such violations, and to investigate any facts, conditions, practices, or matters which he may deem necessary or proper to aid in the enforcement of the provisions of this chapter, in the prescribing of rules

and regulations thereunder, or in securing information to serve as a basis for recommending further legislation concerning the matters to which this chapter relates.

#### (c) Oaths and affirmations; subpoena power

For the purpose of any such investigation, or any other proceeding under this chapter; the Secretary, or any officer designated by him, is empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memorandums, or other records which the Secretary deems relevant or material to the inquiry. Such attendance of witnesses and the production of any such records may be required from any place in the United States or any State at any designated place of hearing.

#### (d) Contempt; court order requiring attendance and testimony of witnesses; jurisdiction

In case of contumacy by, or refusal to obey a subpoena issued to, any person, the Secretary may invoke the aid of any court of the United States within the jurisdiction of which such investigation or proceeding is carried on, or where such person resides or carries on business, in requiring the attendance and testimony of witnesses and the production of books, papers, correspondence, memorandums, and other records and documents. And such court may issue an order requiring such person to appear before the Secretary or any officer designated by the Secretary, there to produce records, if so ordered, or to give testimony touching the matter under investigation or in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof. All process in any such case may be served in the judicial district whereof such person is an inhabitant or wherever he may be found.

(Pub. L. 90-448, title XIV, §1415, Aug. 1, 1968, 82 Stat. 596; Pub. L. 91-452, title II, §220, Oct. 15, 1970, 84 Stat. 929; Pub. L. 111-203, title X, §1098A(1), July 21, 2010, 124 Stat. 2105.)

#### AMENDMENT OF SECTION

*Pub. L. 111-203, title X, §§1098A(1), 1100H, July 21, 2010, 124 Stat. 2105, 2113, provided that, effective on the designated transfer date, this section is amended by striking "Secretary" each place that term appears and inserting "Director". See Effective Date of 2010 Amendment note below.*

#### AMENDMENTS

1970—Subsec. (e). Pub. L. 91-452 struck out subsec. (e) which related to the immunity from prosecution of any individual compelled to testify or produce evidence, documentary or otherwise, after claiming his privilege against self-incrimination.

#### EFFECTIVE DATE OF 2010 AMENDMENT

Amendment by Pub. L. 111-203 effective on the designated transfer date, see section 1100H of Pub. L. 111-203, set out as a note under section 552a of Title 5, Government Organization and Employees.

#### EFFECTIVE DATE OF 1970 AMENDMENT

For effective date of amendment by Pub. L. 91-452, and for amendment not to affect any immunity to which any individual is entitled under this section by