

be subject to a civil penalty assessed by the Secretary of not more than \$500 for each offense. Each day during which the failure continues shall be considered to be a separate violation of the order.

**(f) Failure to pay penalties**

If a person fails to pay a valid civil penalty imposed under this section by the Secretary, the Secretary shall refer the matter to the Attorney General for recovery of the amount assessed in the district court of the United States for any district in which the person resides or carries on business. In the action, the validity and appropriateness of the order imposing the civil penalty shall not be subject to review.

**(g) Additional remedies**

The remedies provided in this section shall be in addition to, and not exclusive of, other remedies that may be available.

(Pub. L. 103-407, § 8, Oct. 22, 1994, 108 Stat. 4224.)

**§ 7108. Investigations and power to subpoena**

**(a) Investigations**

The Secretary may make such investigations as the Secretary considers necessary—

- (1) for the effective administration of this chapter; or
- (2) to determine whether any person subject to this chapter has engaged, or is about to engage, in any action that constitutes or will constitute a violation of this chapter, or of any order or regulation issued under this chapter.

**(b) Subpoenas, oaths, and affirmations**

For the purpose of any 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 attendance of witnesses and the production of any such records may be required from any place in the United States.

**(c) Aid of courts**

In the 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 the investigation or proceeding is carried on, or where the person resides or carries on business, in order to require the attendance and testimony of the person or the production of records. The court may issue an order requiring the person to appear before the Secretary to produce records or to give testimony regarding the matter under investigation.

**(d) Contempt**

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

**(e) Process**

Process in any case under this section may be served in the judicial district in which the person resides or carries on business or wherever the person may be found.

(Pub. L. 103-407, § 9, Oct. 22, 1994, 108 Stat. 4226.)

**§ 7109. Administrative provisions**

**(a) Construction**

Nothing in this chapter preempts or supercedes any other program relating to sheep promotion, research, or information organized and operated under the laws of the United States or any State.

**(b) Amendments to orders**

The provisions of this chapter applicable to an order shall be applicable to amendments to the order, except that the Secretary is not required to conduct a referendum on a proposed amendment to an order.

(Pub. L. 103-407, § 10, Oct. 22, 1994, 108 Stat. 4226.)

**§ 7110. Regulations**

The Secretary may issue such regulations as are necessary to carry out this chapter.

(Pub. L. 103-407, § 11, Oct. 22, 1994, 108 Stat. 4226.)

**§ 7111. Authorization of appropriations**

**(a) In general**

There are authorized to be appropriated for each fiscal year such sums as are necessary to carry out this chapter.

**(b) Administrative expenses**

Funds appropriated under subsection (a) shall not be available for payment of the expenses or expenditures of the Board in administering any provision of any order issued under this chapter.

(Pub. L. 103-407, § 12, Oct. 22, 1994, 108 Stat. 4226.)

**CHAPTER 100—AGRICULTURAL MARKET TRANSITION**

**SUBCHAPTER I—SHORT TITLE, PURPOSE, AND DEFINITIONS**

- Sec. 7201. Short title and purpose.
- 7202. Definitions.

**SUBCHAPTER II—PRODUCTION FLEXIBILITY CONTRACTS**

- 7211. Authorization for use of production flexibility contracts.
- 7212. Elements of contracts.
- 7213. Amounts available for contract payments.
- 7214. Determination of contract payments under contracts.
- 7215. Applicability of payment limitations.
- 7216. Violations of contract.
- 7217. Transfer or change of interest in lands subject to contract.
- 7218. Planting flexibility.

**SUBCHAPTER III—NONRECOURSE MARKETING ASSISTANCE LOANS AND LOAN DEFICIENCY PAYMENTS**

- 7231. Availability of nonrecourse marketing assistance loans.
- 7232. Loan rates for marketing assistance loans.
- 7233. Term of loans.
- 7234. Repayment of loans.
- 7235. Loan deficiency payments.
- 7236. Special marketing loan provisions for upland cotton.
- 7236a. Special competitive provisions for extra long staple cotton.
- 7237. Availability of recourse loans for high moisture feed grains and seed cotton and other fibers.