(g), and (h), respectively, and new subsecs. (b), (c), and (d) of section 2143 were enacted, by Pub. L. 99–198, title XVII, §1752a(l)(1), (c), Dec. 23, 1985, 99 Stat. 1645, 1647.

AMENDMENTS


§ 2155. Omitted

Editorial Notes

CODIFICATION


§ 2156. Animal fighting venture prohibition

(a) Sponsoring or exhibiting an animal in, attending, or causing an individual who has not attained the age of 16 to attend, an animal fighting venture

(1) Sponsoring or exhibiting

It shall be unlawful for any person to knowingly sponsor or exhibit an animal in an animal fighting venture.

(2) Attending or causing an individual who has not attained the age of 16 to attend

It shall be unlawful for any person to—

(A) knowingly attend an animal fighting venture; or

(B) knowingly cause an individual who has not attained the age of 16 to attend an animal fighting venture.

(b) Buying, selling, delivering, possessing, training, or transporting animals for participation in an animal fighting venture

It shall be unlawful for any person to knowingly buy, possess, train, transport, deliver, or receive any animal for purposes of having the animal participate in an animal fighting venture.

(c) Use of Postal Service or other interstate instrumentality for promoting or furthering an animal fighting venture

It shall be unlawful for any person to knowingly use the mail service of the United States Postal Service or any instrumentality of interstate commerce for commercial speech for purposes of advertising an animal, or an instrument described in subsection (d), for use in an animal fighting venture, promoting2 or in any other manner furthering an animal fighting venture except as performed outside the limits of the States of the United States.

(d) Buying, selling, delivering, or transporting sharp instruments for use in animal fighting venture

It shall be unlawful for any person to knowingly buy, sell, transport, or deliver in interstate or foreign commerce a knife, a gaff, or any other sharp instrument, attached, or designed or intended to be attached, to the leg of a bird for use in an animal fighting venture.

(e) Investigation of violations by Secretary; assistance by other Federal agencies; issuance of search warrant; forfeiture; costs recoverable in forfeiture or civil action

The Secretary or any other person authorized by him shall make such investigations as the Secretary deems necessary to determine whether any person has violated or is violating any provision of this section, and the Secretary may obtain the assistance of the Federal Bureau of Investigation, the Department of the Treasury, or other law enforcement agencies of the United States, and State and local governmental agencies, in the conduct of such investigations, under cooperative agreements with such agencies. A warrant to search for and seize any animal which there is probable cause to believe was involved in any violation of this section may be issued by any judge of the United States or of a State court of record or by a United States magistrate judge within the district wherein the animal sought is located. Any United States marshal or any person authorized under this section to conduct investigations may apply for and execute any such warrant, and any animal seized under such a warrant shall be held by the United States marshal or other authorized person pending disposition thereof by the court in accordance with this subsection. Necessary care including veterinary treatment shall be provided while the animals are so held in custody. Any animal involved in any violation of this section shall be liable to be proceeded against and forfeited to the United States at any time on complaint filed in any United States district court or other court of the United States for any jurisdiction in which the animal is found and upon a judgment of forfeiture shall be disposed of by sale for lawful purposes or by other humane means, as the court may direct. Costs incurred for care of animals seized and forfeited under this section shall be recoverable from the owner of the animals (1) if he appears in such forfeiture proceeding, or (2) in a separate civil action brought in the jurisdiction in which the owner is found, resides, or transacts business.

(f) Definitions

In this section—

(1) the term "animal fighting venture" means any event, in or affecting interstate or foreign commerce, that involves a fight conducted or to be conducted between at least 2 animals for purposes of sport, wagering, or entertainment, except that the term "animal fighting venture" shall not be deemed to include any activity the primary purpose of which involves the use of one or more animals in hunting another animal;

So in original. Probably should be preceded by "or".
(2) the term “instrumentality of interstate commerce” means any written, wire, radio, television or other form of communication in, or using a facility of, interstate commerce;

(3) the term “State” means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States;²

(4) the term “animal” means any live bird, or any live mammal, except man.

(g) **Relationship to other provisions**

The conduct by any person of any activity prohibited by this section shall not render such person subject to the other sections of this chapter as a dealer, exhibitor, or otherwise.

(h) **Conflict with State law**

(1) **In general**

The provisions of this chapter shall not supersede or otherwise invalidate any such State, local, or municipal legislation or ordinance relating to animal fighting ventures except in case of a direct and irreconcilable conflict between any requirements thereunder and this chapter or any rule, regulation, or standard hereunder.

(2) **Omitted**

(i) **Criminal penalties**

The criminal penalties for violations of subsection (a), (b), (c), or (d) are provided in section 49 of title 18.


Subsec. (i). Pub. L. 115–334, § 12616(c), substituted “(d)” for “(e)”.

Subsecs. (d) to (h). Pub. L. 115–334, § 12616(a)(2), (3), redesignated subsecs. (e) to (i) as (d) to (h), respectively, and struck out former subsec. (d). Prior to amendment, text of subsec. (d) read as follows: “Notwithstanding the provisions of subsection (c), the activities prohibited by such subsection shall be unlawful with respect to fighting ventures involving live birds only if the fight is to take place in a State where it would be in violation of the laws thereof.”


2014—Subsec. (a). Pub. L. 113–79, § 12308(b)(1)(A), substituted “Sponsoring or exhibiting an animal in attending, or causing an individual who has not attained the age of 16 to attend,” for “Sponsoring or exhibiting an animal in” in heading.

Subsec. (a)(1). Pub. L. 113–79, § 12308(b)(1)(B), substituted “Sponsoring or exhibiting” for “In general” in heading and “paragraph (3)” for “paragraph (2)” in text.

Subsec. (a)(2), (3). Pub. L. 113–79, § 12308(b)(1)(B)(ii), (iv), added par. (2) and redesignated former par. (2) as (3).

2008—Subsec. (a)(1). Pub. L. 110–246, § 12407(a)(1)(A), struck out “. if any animal in the venture was moved in interstate or foreign commerce’ before period at end.

Subsec. (a)(2). Pub. L. 110–246, § 12407(a)(1)(B), which directed amendment of par. (2) by substituting “State” for “state” in heading, was executed by making the substitution for “states” in heading, to reflect the probable intent of Congress.

Subsec. (b). Pub. L. 110–246, § 12407(a)(2), inserted heading and substituted “possess, transport, deliver, or receive any animal for purposes of protecting, preserving, or conserving wild animals and is conducted for purposes of sport, wagering, or entertainment” for “transport, deliver, or receive any animal for purposes of sport, wagering, or entertainment”.

Subsec. (c). Pub. L. 110–246, § 12407(a)(3), inserted heading and inserted “advertising an animal, or an instrument described in subsection (e), for use in an animal fighting venture,” after “for purposes of”.


Subsec. (f). Pub. L. 110–246, § 12407(a)(6), inserted heading and, in last sentence, struck out “by the United States” after “Costs incurred”, inserted “(1)” after “owner of the animals”, and substituted “proceeding, or (2) in” for “proceeding or in”.

Subsec. (g). Pub. L. 110–246, § 12407(a)(7), inserted subheading in introductory provisions, substituted “In this section” for “For purposes of this section”, in par. (1), substituted “any event, in or affecting interstate or foreign commerce, that involves a fight conducted or to be conducted between at least two animals for purposes of sport, wagering, or entertainment,” for “any event which involves a fight between at least two animals and is conducted for purposes of sport, wagering, or entertainment”, redesignated pars. (2) to (5) as (3) to (7) respectively, in par. (4), substituted “mammal” for “dog or other mammal” and period for “; and” at end, and struck out former par. (2) which read as follows: “the term ‘interstate or foreign commerce’ means—

“(A) any movement between any place in a State to any place in another State or between places in the same State through another State; or

(B) any movement from a foreign country into any State or from any State into any foreign country;”.


²So in original. The word “and” probably should appear.

**Editorial Notes**

**Codification**


Section is comprised of section 26 of Pub. L. 89–544, as added by Pub. L. 94–279. Subsec. (h)(2) of section 26 of Pub. L. 89–544, as added by Pub. L. 94–279, amended section 3001(a) of Title 39, Postal Service.

**Amendments**

2018—Subsec. (a)(1). Pub. L. 115–334, § 12616(a)(1)(A), substituted “It” for “‘Except as provided in paragraph (3), it’.”

Subsec. (a)(3). Pub. L. 115–334, § 12616(a)(1)(B), struck out par. (3). Text read as follows: “With respect to fighting ventures involving live birds in a State where it would not be in violation of the law, it shall be unlawful under this subsection for a person to sponsor or exhibit a bird in the fighting venture only if the person knew that any bird in the fighting venture was knowingly bought, sold, delivered, transported, or received in interstate or foreign commerce for the purpose of participation in the fighting venture.”
Statutory Notes and Related Subsidiaries

CHANGE OF NAME

"United States magistrate judge" substituted for "United States magistrate" in subsec. (e) pursuant to section 321 of Pub. L. 103-350, set out as a note under section 3611 of Title 28, Judiciary and Judicial Procedure.

EFFECTIVE DATE OF 2018 AMENDMENT


EFFECTIVE DATE OF 2008 AMENDMENT


EFFECTIVE DATE OF 2002 AMENDMENT

Pub. L. 107-171, title X, §10302(a), May 13, 2002, 116 Stat. 492, provided that: "The amendments made by this section [amending this section] take effect 1 year after the date of enactment of this Act [May 13, 2002]."

§ 2157. Release of trade secrets

(a) Release of confidential information prohibited

It shall be unlawful for any member of an Institutional Animal Committee to release any confidential information of the research facility including any information that concerns or relates to—

(1) the trade secrets, processes, operations, style of work, or apparatus; or

(2) the identity, confidential statistical data, amount or source of any income, profits, losses, or expenditures, of the research facility.

(b) Wrongful use of confidential information prohibited

It shall be unlawful for any member of such Committee—

(1) to use or attempt to use to his advantages; or

(2) to reveal to any other person, any information which is entitled to protection as confidential information under subsection (a).

(c) Penalties

A violation of subsection (a) or (b) is punishable by—

(1) removal from such Committee; and

(2) a fine of not more than $1,000 and imprisonment of not more than one year; or

(B) if such violation is willful, a fine of not more than $10,000 and imprisonment of not more than three years.

(d) Recovery of damages by injured person; costs; attorney's fee

Any person, including any research facility, injured in its business or property by reason of a violation of this section may recover all actual and consequential damages sustained by such person and the cost of the suit including a reasonable attorney's fee.

(e) Other rights and remedies

Nothing in this section shall be construed to affect any other rights of a person injured in its business or property by reason of a violation of this section. Subsection (d) shall not be construed to limit the exercise of any such rights arising out of or relating to a violation of subsections (a) and (b).


Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective one year after Dec. 23, 1985, see section 1759 of Pub. L. 99-198, set out as an Effective Date of 1985 Amendment note under section 2131 of this title.

§ 2158. Protection of pets

(a) Holding period

(1) Requirement

In the case of each dog or cat acquired by an entity described in paragraph (2), such entity