

## 18 U.S.C.A. § 43 (2002 version)

### (a) Offense.--Whoever--

(1) travels in interstate or foreign commerce, or uses or causes to be used the mail or any facility in interstate or foreign commerce for the purpose of causing physical disruption to the functioning of an animal enterprise; and

(2) intentionally damages or causes the loss of any property (including animals or records) used by the animal enterprise, or conspires to do so,  
shall be punished as provided for in subsection (b).

### (b) Penalties.--

(1) Economic damage.--Any person who, in the course of a violation of subsection (a), causes economic damage not exceeding \$10,000 to an animal enterprise shall be fined under this title or imprisoned not more than 6 months, or both.

(2) Major economic damage.--Any person who, in the course of a violation of subsection (a), causes economic damage exceeding \$10,000 to an animal enterprise shall be fined under this title or imprisoned not more than 3 years, or both.

(3) Serious bodily injury.--Any person who, in the course of a violation of subsection (a), causes serious bodily injury to another individual shall be fined under this title or imprisoned not more than 20 years, or both.

(4) Death.--Any person who, in the course of a violation of subsection (a), causes the death of an individual shall be fined under this title and imprisoned for life or for any term of years.

### (c) Restitution.--An order of restitution under section 3663 or 3663A of this title with respect to a violation of this section may also include restitution--

(1) for the reasonable cost of repeating any experimentation that was interrupted or invalidated as a result of the offense;

(2) the loss of food production or farm income reasonably attributable to the offense; and

(3) for any other economic damage resulting from the offense.

### (d) Definitions.--As used in this section--

(1) the term "animal enterprise" means--

(A) a commercial or academic enterprise that uses animals for food or fiber production, agriculture, research, or testing;

(B) a zoo, aquarium, circus, rodeo, or lawful competitive animal event; or

(C) any fair or similar event intended to advance agricultural arts and sciences;

(2) the term "physical disruption" does not include any lawful disruption that results from lawful public, governmental, or animal enterprise employee reaction to the disclosure of information about an animal enterprise;

(3) the term "economic damage" means the replacement costs of lost or damaged property or records, the costs of repeating an interrupted or invalidated experiment, or the loss of profits; and

(4) the term "serious bodily injury" has the meaning given that term in section 1365 of this title.

### (e) Non-preemption.--Nothing in this section preempts any State law.