

Subsection (c) is added because, under section 502(a)(2) of the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, as enacted by the Act of March 24, 1976 (Public Law 94-241, 90 Stat. 263), and proclaimed to be in effect by the President on January 9, 1978 (Proc. No. 4534, Oct. 24, 1977, 42 F.R. 56593, 48 U.S.C. 1681 (note)), the Commonwealth was given the same authority as Guam when a law applies to Guam and the States of the United States generally.

In subsection (d), the word “Secretary” is substituted for “by such officers, agents, or other persons as may be authorized or designated for that purpose by the Secretary of the Treasury” because of subsection (a)(1) of this section. The words “or the Governor of Guam or of the Northern Mariana Islands as provided in subsections (b) and (c) of this section” are added because under 49 App.:789 the Governor of Guam enforces 49 App.:ch. 11 in Guam and because of section 502(a)(2) of the Covenant referred to in the revision note for subsection (c) of this section. The words “the customs laws” are substituted for “That such duties as are imposed upon the collector of customs or any other person with respect to the seizure and forfeiture of vessels and vehicles under the customs laws” because of the re-statement and to eliminate unnecessary words.

#### AMENDMENTS

2002—Subsec. (a). Pub. L. 107-296, §1112(r)(1), substituted “(b), (c), and (d)” for “(b) and (c)” in introductory provisions.

Subsecs. (d), (e). Pub. L. 107-296, §1112(r)(2), (3), added subsec. (d) and redesignated former subsec. (d) as (e).

#### EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-296 effective 60 days after Nov. 25, 2002, see section 4 of Pub. L. 107-296, set out as an Effective Date note under section 101 of Title 6, Domestic Security.

### § 80305. Availability of certain appropriations

Appropriations for enforcing customs, narcotics, counterfeiting, or internal revenue laws are available to carry out this chapter.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1355.)

#### HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80305 .....	49 App.:785.	Aug. 9, 1939, ch. 618, §5, 53 Stat. 1292.

The words “which has been or shall hereafter be made” and “for the defraying of expenses of” are omitted as surplus. The National Firearms Act referred to in the source provision has been repealed and replaced by chapter 53 of the Internal Revenue Code of 1986 (26 U.S.C. 5801 et seq.). A specific reference to chapter 53 is unnecessary because of the reference to the internal revenue laws.

### § 80306. Relationship to other laws

(a) CHAPTER AS ADDITIONAL LAW.—This chapter is in addition to another law—

(1) imposing, or authorizing the compromise of, fines, penalties, or forfeitures; or

(2) providing for seizure, condemnation, or disposition of forfeited property, or the proceeds from the property.

(b) LAWS APPLICABLE TO SEIZURES AND FORFEITURES.—To the extent applicable and consistent with this chapter, the following apply to a seizure or forfeiture under this chapter:

(1) provisions of law related to the seizure, forfeiture, and condemnation of vehicles and vessels violating the customs laws.

(2) provisions of law related to the disposition of those vehicles or vessels or the proceeds from the sale of those vehicles or vessels.

(3) provisions of law related to the compromise of those forfeitures or claims related to those forfeitures.

(4) provisions of law related to the award of compensation to an informer about those forfeitures.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1355.)

#### HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80306(a) .....	49 App.:786.	Aug. 9, 1939, ch. 618, §§4 (less proviso), 6, 53 Stat. 1292.
80306(b) .....	49 App.:784 (less proviso).	

In subsections (a)(1) and (b)(3), the word “compromise” is substituted for “remission or mitigation” for consistency in the revised title.

In subsection (a), before clause (1), the words “in addition to another law” are substituted for “shall be construed to be supplemental to, and not to impair in any way, existing provisions of law” to eliminate unnecessary words.

In subsection (b), before clause (1), the words “under this chapter” are substituted for “incurred, or alleged to have been incurred, under the provisions of this chapter” to eliminate unnecessary words. In clause (1), the word “forfeiture” is substituted for “summary and judicial forfeiture” to eliminate unnecessary words.

### CHAPTER 805—MISCELLANEOUS

#### Sec.

80501.	Damage to transported property.
80502.	Transportation of animals.
80503.	Payments for inspection and quarantine services.
80504.	Medals of honor.

### § 80501. Damage to transported property

(a) CRIMINAL PENALTY.—A person willfully damaging, or attempting to damage, property in the possession of an air carrier, motor carrier, or rail carrier and being transported in interstate or foreign commerce, shall be fined under title 18, imprisoned for not more than 10 years, or both. In a criminal proceeding under this section, a shipping document for the property is prima facie evidence of the places to which and from which the property was being transported.

(b) PROHIBITION AGAINST MULTIPLE PROSECUTIONS FOR SAME ACT.—A person may not be prosecuted for an act under this section when the person has been convicted or acquitted on the merits for the same act under the laws of a State, the District of Columbia, or a territory or possession of the United States.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1356.)

#### HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80501(a) .....	15:1281.	Sept. 13, 1961, Pub. L. 87-221, 75 Stat. 494.

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80501(b) .....	15:1282.	

In subsection (a), the words “A person . . . shall be fined under title 18” are substituted for “It shall be unlawful for any person” and “Whoever violates any provision of subsection (a) of this section shall be fined not more than \$5,000” to eliminate unnecessary words and for consistency with title 18. The word “damaging” is substituted for “destroy or injure” because it is inclusive. The words “air carrier, motor carrier, or rail carrier” are substituted for “common or contract carrier by railroad, motor vehicle, or aircraft”, and the words “being transported” are substituted for “moving”, for consistency in the revised title. The words “In a criminal proceeding under this section” are substituted for “To establish the interstate or foreign commerce character of any property involved in any prosecution under this section” to eliminate unnecessary words. The words “shipping document” are substituted for “waybill or similar shipping document” because they are inclusive.

In subsection (b), the words “A person may not be prosecuted for an act under this section when the person has been convicted or acquitted on the merits for the same act” are substituted for “A judgment of conviction or acquittal on the merits . . . shall be a bar to any prosecution under this chapter for the same act or acts” for clarity. The word “territory” is added for consistency in the revised title and with other titles of the United States Code. The words “or the Commonwealth of Puerto Rico” are omitted as unnecessary because of 48:734.

**§ 80502. Transportation of animals**

(a) CONFINEMENT.—(1) Except as provided in this section, a rail carrier, express carrier, or common carrier (except by air or water), a receiver, trustee, or lessee of one of those carriers, or an owner or master of a vessel transporting animals from a place in a State, the District of Columbia, or a territory or possession of the United States through or to a place in another State, the District of Columbia, or a territory or possession, may not confine animals in a vehicle or vessel for more than 28 consecutive hours without unloading the animals for feeding, water, and rest.

(2) Sheep may be confined for an additional 8 consecutive hours without being unloaded when the 28-hour period of confinement ends at night. Animals may be confined for—

(A) more than 28 hours when the animals cannot be unloaded because of accidental or unavoidable causes that could not have been anticipated or avoided when being careful; and

(B) 36 consecutive hours when the owner or person having custody of animals being transported requests, in writing and separate from a bill of lading or other rail form, that the 28-hour period be extended to 36 hours.

(3) Time spent in loading and unloading animals is not included as part of a period of confinement under this subsection.

(b) UNLOADING, FEEDING, WATERING, AND REST.—Animals being transported shall be unloaded in a humane way into pens equipped for feeding, water, and rest for at least 5 consecutive hours. The owner or person having custody of the animals shall feed and water the animals. When the animals are not fed and watered by

the owner or person having custody, the rail carrier, express carrier, or common carrier (except by air or water), the receiver, trustee, or lessee of one of those carriers, or the owner or master of a vessel transporting the animals—

(1) shall feed and water the animals at the reasonable expense of the owner or person having custody, except that the owner or shipper may provide food;

(2) has a lien on the animals for providing food, care, and custody that may be collected at the destination in the same way that a transportation charge is collected; and

(3) is not liable for detaining the animals for a reasonable period to comply with subsection (a) of this section.

(c) NONAPPLICATION.—This section does not apply when animals are transported in a vehicle or vessel in which the animals have food, water, space, and an opportunity for rest.

(d) CIVIL PENALTY.—A rail carrier, express carrier, or common carrier (except by air or water), a receiver, trustee, or lessee of one of those carriers, or an owner or master of a vessel that knowingly and willfully violates this section is liable to the United States Government for a civil penalty of at least \$100 but not more than \$500 for each violation. On learning of a violation, the Attorney General shall bring a civil action to collect the penalty in the district court of the United States for the judicial district in which the violation occurred or the defendant resides or does business.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1356.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80502(a) .....	45:71 (less 1st sentence 132d-153d words).	June 29, 1906, ch. 3594, §§1-4, 34 Stat. 607.
80502(b) .....	45:71 (1st sentence 132d-153d words). 45:72.	
80502(c) .....	45:73 (proviso).	
80502(d) .....	45:73 (less proviso). 45:74.	

In this section, the words “rail carrier, express carrier” are substituted for “railroad, express company, car company” for consistency in the revised title. The word “air” is included in the exception because when the source provision was enacted air carriers did not exist. The words “a vehicle or vessel” are substituted for “cars, boats, or vessels of any description”, and the word “vessel” is substituted for “steam, sailing, or other vessels”, for consistency in the revised title and with other titles of the United States Code.

In subsection (a)(1), the words “transporting animals” are substituted for “whose road forms any part of a line of road over which cattle, sheep, swine, or other animals shall be conveyed” and “carrying or transporting cattle, sheep, swine, or other animals” to eliminate unnecessary words. The word “possession” is added for consistency in the revised title and with other titles of the Code. The words “for feeding, water, and rest” are added because of the restatement.

In subsection (a)(2), before clause (A), the words “Sheep may be confined for an additional 8 consecutive hours without being unloaded when the 28-hour period of confinement ends at night” are substituted for 45:71 (last proviso) for clarity. The words “Animals may be confined for” are added because of the restatement. In clause (A), the words “more than 28 hours when the animals cannot be unloaded because of” are substituted