

TITLE IX

PREVENTION OF INTIMIDATION IN FAIR HOUSING CASES

SEC. 901. Whoever, whether or not acting under color of law, by force or threat of force willfully injures, intimidates or interferes with, or attempts to injure, intimidate or interfere with—

(a) any person because of his race, color, religion or national origin and because he is or has been selling, purchasing, renting, financing, occupying, or contracting or negotiating for the sale, purchase, rental, financing or occupation of any dwelling, or applying for or participating in any service, organization, or facility relating to the business of selling or renting dwellings; or

(b) any person because he is or has been, or in order to intimidate such person or any other person or any class of persons from—

(1) participating, without discrimination on account of race, color, religion or national origin, in any of the activities, services, organizations or facilities described in subsection 901(a); or

(2) affording another person or class of persons opportunity or protection so to participate; or

(c) any citizen because he is or has been, or in order to discourage such citizen or any other citizen from lawfully aiding or encouraging other persons to participate, without discrimination on account of race, color, religion or national origin, in any of the activities, services, organizations or facilities described in subsection 901(a), or participating lawfully in speech or peaceful assembly opposing any denial of the opportunity to so participate—

Penalty.

shall be fined not more than \$1,000, or imprisoned not more than one year, or both; and if bodily injury results shall be fined not more than \$10,000, or imprisoned not more than ten years, or both; and if death results shall be subject to imprisonment for any term of years or for life.

TITLE X—CIVIL OBEDIENCE

SHORT TITLE

“Civil Obedience Act of 1968.”

SEC. 1001. This title may be cited as the “Civil Obedience Act of 1968”.

CRIMINAL PENALTIES FOR ACTS COMMITTED IN CIVIL DISORDERS

76 Stat. 1119.
18 USC 201-
224.

SEC. 1002. (a) Title 18, United States Code, is amended by inserting after chapter 11 thereof the following new chapter:

“Chapter 12.—CIVIL DISORDERS

“Sec.

“231. Civil disorders.

“232. Definitions.

“233. Preemption.

“§ 231. Civil disorders

“(a) (1) Whoever teaches or demonstrates to any other person the use, application, or making of any firearm or explosive or incendiary device, or technique capable of causing injury or death to persons, knowing or having reason to know or intending that the same will be unlawfully employed for use in, or in furtherance of, a civil disorder which may in any way or degree obstruct, delay, or adversely affect commerce or the movement of any article or commodity in commerce or the conduct or performance of any federally protected function; or

“(2) Whoever transports or manufactures for transportation in commerce any firearm, or explosive or incendiary device, knowing or having reason to know or intending that the same will be used unlawfully in furtherance of a civil disorder; or

“(3) Whoever commits or attempts to commit any act to obstruct, impede, or interfere with any fireman or law enforcement officer lawfully engaged in the lawful performance of his official duties incident to and during the commission of a civil disorder which in any way or degree obstructs, delays, or adversely affects commerce or the move-

ment of any article or commodity in commerce or the conduct or performance of any federally protected function—

“Shall be fined not more than \$10,000 or imprisoned not more than five years, or both.

Penalty.

“(b) Nothing contained in this section shall make unlawful any act of any law enforcement officer which is performed in the lawful performance of his official duties.

“§ 232. Definitions

“For purposes of this chapter:

“(1) The term ‘civil disorder’ means any public disturbance involving acts of violence by assemblages of three or more persons, which causes an immediate danger of or results in damage or injury to the property or person of any other individual.

“(2) The term ‘commerce’ means commerce (A) between any State or the District of Columbia and any place outside thereof; (B) between points within any State or the District of Columbia, but through any place outside thereof; or (C) wholly within the District of Columbia.

“(3) The term ‘federally protected function’ means any function, operation, or action carried out, under the laws of the United States, by any department, agency, or instrumentality of the United States or by an officer or employee thereof; and such term shall specifically include, but not be limited to, the collection and distribution of the United States mails.

“(4) The term ‘firearm’ means any weapon which is designed to or may readily be converted to expel any projectile by the action of an explosive; or the frame or receiver of any such weapon.

“(5) The term ‘explosive or incendiary device’ means (A) dynamite and all other forms of high explosives, (B) any explosive bomb, grenade, missile, or similar device, and (C) any incendiary bomb or grenade, fire bomb, or similar device, including any device which (i) consists of or includes a breakable container including a flammable liquid or compound, and a wick composed of any material which, when ignited, is capable of igniting such flammable liquid or compound, and (ii) can be carried or thrown by one individual acting alone.

“(6) The term ‘fireman’ means any member of a fire department (including a volunteer fire department) of any State, any political subdivision of a State, or the District of Columbia.

“(7) The term ‘law enforcement officer’ means any officer or employee of the United States, any State, any political subdivision of a State, or the District of Columbia, while engaged in the enforcement or prosecution of any of the criminal laws of the United States, a State, any political subdivision of a State, or the District of Columbia; and such term shall specifically include, but shall not be limited to, members of the National Guard, as defined in section 101(9) of title 10, United States Code, members of the organized militia of any State, or territory of the United States, the Commonwealth of Puerto Rico, or the District of Columbia, not included within the definition of National Guard as defined by such section 101(9), and members of the Armed Forces of the United States, while engaged in suppressing acts of violence or restoring law and order during a civil disorder.

70A Stat. 4.

“§ 233. Preemption

“Nothing contained in this chapter shall be construed as indicating an intent on the part of Congress to occupy the field in which any provisions of the chapter operate to the exclusion of State or local laws on

the same subject matter, nor shall any provision of this chapter be construed to invalidate any provision of State law unless such provision is inconsistent with any of the purposes of this chapter or any provision thereof."

62 Stat. 683.

(b) The table of contents to "PART I.—CRIMES" of title 18, United States Code, is amended by inserting after

"11. Bribery and graft..... 211"

a new chapter reference as follows:

"12. Civil disorders..... 231".

Approved April 11, 1968.

Public Law 90-285

JOINT RESOLUTION

April 12, 1968
[H. J. Res. 1223]

To continue for a temporary period the 7 percent excise tax rate on automobiles and the 10 percent excise tax rate on communication services.

Excise taxes,
extension.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the following provisions of the Internal Revenue Code of 1954 are each amended by striking out "March 31, 1968" and inserting in lieu thereof "April 30, 1968", and by striking out "April 1, 1968" and inserting in lieu thereof "May 1, 1968":

80 Stat. 65.
26 USC 4061.

(1) Section 4061(a)(2) (relating to tax on passenger automobiles);

(2) Section 6412(a)(1) (relating to floor stocks refunds on passenger automobiles); and

(3) Subsections (a)(2) and (c) of section 4251 (relating to tax on certain communications services).

Subsection (c) of such section 4251 is amended by striking out "February 1, 1968" and inserting in lieu thereof "March 1, 1968", and by striking out "January 31, 1968" and inserting in lieu thereof "February 29, 1968".

Effective date.

(b) The amendments made by subsection (a) shall take effect as of March 31, 1968.

Approved April 12, 1968.

Public Law 90-286

JOINT RESOLUTION

April 12, 1968
[H. J. Res. 1229]

Making a supplemental appropriation for the fiscal year ending June 30, 1968, and for other purposes.

Urgent supplemental appropriation,
1968.

Resolved by the Senate and House of Representatives of the United States of America in Congress Assembled, That the following sum is appropriated out of any money in the Treasury not otherwise appropriated, to supply a supplemental appropriation for the fiscal year ending June 30, 1968, and for other purposes, namely:

DEPARTMENT OF LABOR

BUREAU OF EMPLOYMENT SECURITY

For an additional amount for "unemployment compensation for Federal employees and ex-servicemen", \$28,000,000.

Approved April 12, 1968.