

lawfully carrying out the duties of his office; and no law enforcement officer shall be considered to be in violation of this section for lawfully carrying out the duties of his office or lawfully enforcing ordinances and laws of the United States, the District of Columbia, any of the several States, or any political subdivision of a State. For purposes of the preceding sentence, the term "law enforcement officer" means any officer of the United States, the District of Columbia, a State, or political subdivision of a State, who is empowered by law to conduct investigations of, or make arrests because of, offenses against the United States, the District of Columbia, a State, or a political subdivision of a State.

(d) For purposes of this section, the term "State" includes a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

(Added Pub. L. 90-284, title I, §101(a), Apr. 11, 1968, 82 Stat. 73; amended Pub. L. 100-690, title VII, § 7020(a), Nov. 18, 1988, 102 Stat. 4396; Pub. L. 101-647, title XII, §1205(b), Nov. 29, 1990, 104 Stat. 4830; Pub. L. 103-322, title VI, § 60006(c), title XXXII, §320103(c), title XXXIII, § 330016(1)(H), (L), Sept. 13, 1994, 108 Stat. 1971, 2109, 2147; Pub. L. 104-294, title VI, §604(b)(14)(C), (37), Oct. 11, 1996, 110 Stat. 3507, 3509.)

#### AMENDMENTS

1996—Subsec. (b). Pub. L. 104-294 amended Pub. L. 103-322, §320103(c). See 1994 Amendment notes below.

1994—Subsec. (b). Pub. L. 103-322, §330016(1)(L), substituted "shall be fined under this title" for "shall be fined not more than \$10,000" before ", or imprisoned not more than ten years" in concluding provisions.

Pub. L. 103-322, §330016(1)(H), substituted "shall be fined under this title" for "shall be fined not more than \$1,000" before ", or imprisoned not more than one year" in concluding provisions.

Pub. L. 103-322, §320103(c)(4)-(6), in concluding provisions, inserted "from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill," after "death results" and substituted "shall be fined under this title or imprisoned for any term of years or for life, or both" for "shall be subject to imprisonment for any term of years or for life".

Pub. L. 103-322, §320103(c)(3), which provided for amendment identical to Pub. L. 103-322, §330016(1)(L), above, was repealed by Pub. L. 104-294, §604(b)(14)(C).

Pub. L. 103-322, §320103(c)(2), as amended by Pub. L. 104-294, §604(b)(37), inserted "from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire" after "bodily injury results" in concluding provisions.

Pub. L. 103-322, §320103(c)(1), which provided for amendment identical to Pub. L. 103-322, §330016(1)(H), above, was repealed by Pub. L. 104-294, §604(b)(14)(C).

Pub. L. 103-322, §60006(c), in concluding provisions, inserted ", or may be sentenced to death" before ". As used in this section".

1990—Subsec. (d). Pub. L. 101-647 added subsec. (d).

1988—Subsec. (a)(1). Pub. L. 100-690 substituted ", the Deputy" for "or the Deputy" and inserted ", the Associate Attorney General, or any Assistant Attorney General specially designated by the Attorney General" after "Deputy Attorney General".

#### EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-294 effective Sept. 13, 1994, see section 604(d) of Pub. L. 104-294, set out as a note under section 13 of this title.

#### FAIR HOUSING

Section 101(b) of Pub. L. 90-284 provided that: "Nothing contained in this section [enacting this section] shall apply to or affect activities under title VIII of this Act [sections 3601 to 3619 of Title 42, The Public Health and Welfare]."

RIOTS OR CIVIL DISTURBANCES, SUPPRESSION AND RESTORATION OF LAW AND ORDER; ACTS OR OMISSIONS OF ENFORCEMENT OFFICERS AND MEMBERS OF MILITARY SERVICE NOT SUBJECT TO THIS SECTION

Section 101(c) of Pub. L. 90-284 provided that: "The provisions of this section [enacting this section] shall not apply to acts or omissions on the part of law enforcement officers, 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 the District of Columbia, not covered by such section 101(9), or members of the Armed Forces of the United States, who are engaged in suppressing a riot or civil disturbance or restoring law and order during a riot or civil disturbance."

#### § 246. Deprivation of relief benefits

Whoever directly or indirectly deprives, attempts to deprive, or threatens to deprive any person of any employment, position, work, compensation, or other benefit provided for or made possible in whole or in part by any Act of Congress appropriating funds for work relief or relief purposes, on account of political affiliation, race, color, sex, religion, or national origin, shall be fined under this title, or imprisoned not more than one year, or both.

(Added Pub. L. 94-453, §4(a), Oct. 2, 1976, 90 Stat. 1517; amended Pub. L. 103-322, title XXXIII, §330016(1)(L), Sept. 13, 1994, 108 Stat. 2147.)

#### AMENDMENTS

1994—Pub. L. 103-322 substituted "fined under this title" for "fined not more than \$10,000".

#### § 247. Damage to religious property; obstruction of persons in the free exercise of religious beliefs

(a) Whoever, in any of the circumstances referred to in subsection (b) of this section—

(1) intentionally defaces, damages, or destroys any religious real property, because of the religious character of that property, or attempts to do so; or

(2) intentionally obstructs, by force or threat of force, any person in the enjoyment of that person's free exercise of religious beliefs, or attempts to do so;

shall be punished as provided in subsection (d).

(b) The circumstances referred to in subsection (a) are that the offense is in or affects interstate or foreign commerce.

(c) Whoever intentionally defaces, damages, or destroys any religious real property because of the race, color, or ethnic characteristics of any individual associated with that religious property, or attempts to do so, shall be punished as provided in subsection (d).

(d) The punishment for a violation of subsection (a) of this section shall be—

(1) if death results from acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit