

SEC. 3. APPLICABILITY OF PROVISIONS RELATING TO STATE AND LOCAL EMPLOYEES.

(a) *STATE OR LOCAL AGENCY*.—Section 1501(2) of title 5, United States Code, is amended by inserting “, or the executive branch of the District of Columbia, or an agency or department thereof” before the semicolon.

(b) *STATE OR LOCAL OFFICER OR EMPLOYEE*.—Section 1501(4) of title 5, United States Code, is amended by striking subparagraph (B) and inserting the following:

“(B) an individual employed by an educational or research institution, establishment, agency, or system which is supported in whole or in part by—

“(i) a State or political subdivision thereof;

“(ii) the District of Columbia; or

“(iii) a recognized religious, philanthropic, or cultural organization.”.

(c) *EXCEPTION OF CERTAIN OFFICERS*.—Section 1502(c)(3) of title 5, United States Code, is amended—

(1) by striking “‘or municipality’” and inserting “, municipality, or the District of Columbia’”; and

(2) by striking “‘or municipal’” and inserting “, municipal, or the District of Columbia’”.

(d) *MERIT SYSTEMS PROTECTION BOARD ORDERS*.—Section 1506(a)(2) of title 5, United States Code, is amended by inserting “(or in the case of the District of Columbia, in the District of Columbia)” after “the same State”.

(e) *PROVISIONS RELATING TO FEDERAL EMPLOYEES MADE INAPPLICABLE*.—Section 7322(1) of title 5, United States Code, is amended—

(1) in subparagraph (A), by adding “or” at the end;

(2) in subparagraph (B), by striking “or” at the end;

(3) by striking subparagraph (C); and

(4) by striking “services;” and inserting “services or an individual employed or holding office in the government of the District of Columbia;”.

(f) *EMPLOYEES RESIDING IN CERTAIN MUNICIPALITIES*.—Section 7325(1) of title 5, United States Code, is amended to read as follows:

“(1) the municipality or political subdivision is—

“(A) the District of Columbia;

“(B) in Maryland or Virginia and in the immediate vicinity of the District of Columbia; or

“(C) a municipality in which the majority of voters are employed by the Government of the United States; and”.

SEC. 4. HATCH ACT PENALTIES FOR FEDERAL EMPLOYEES.

Chapter 73 of title 5, United States Code, is amended by striking section 7326 and inserting the following:

“§ 7326. Penalties

“An employee or individual who violates section 7323 or 7324 shall be subject to removal, reduction in grade, debarment from Federal employment for a period not to exceed 5 years, suspension, reprimand, or an assessment of a civil penalty not to exceed \$1,000.”.

SEC. 5. EFFECTIVE DATE.

(a) *IN GENERAL*.—This Act and the amendments made by this Act shall take effect 30 days after the date of enactment of this Act.

(b) *APPLICABILITY RULE*.—

(1) *IN GENERAL*.—Except as provided in paragraph (2), the amendment made by section 4 shall apply with respect to any violation occurring before, on, or after the effective date of this Act.

(2) *EXCEPTION*.—The amendment made by section 4 shall not apply with respect to an alleged violation if, before the effective date of this Act—

(A) the Special Counsel has presented a complaint for disciplinary action, under section 1215 of title 5, United States Code, with respect to the alleged violation; or

(B) the employee alleged to have committed the violation has entered into a signed settle-

ment agreement with the Special Counsel with respect to the alleged violation.

Mr. LEVIN. I ask unanimous consent that the committee-reported substitute amendment be agreed to; the bill, as amended, be read a third time and passed; the committee-reported title amendment be agreed to with no intervening action or debate; and that any related statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment in the nature of a substitute was agreed to.

The bill (S. 2170), as amended, was ordered to be engrossed for a third reading, was read the third, and passed.

The title amendment was agreed to, as follows:

Amend the title so as to read: “A bill to amend the provisions of title 5, United States Code, which are commonly referred to as the ‘Hatch Act’, to scale back the provision forbidding certain State and local employees from seeking elective office, clarify the application of certain provisions to the District of Columbia, and modify the penalties which may be imposed for certain violations under subchapter III of chapter 73 of that title.”.

CONGRATULATING THE SOUTHERN BAPTIST CONVENTION FOR ELECTING REVEREND FRED LUTER, JR., AS PRESIDENT

Mr. LEVIN. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from consideration of S. Res. 518 and that the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 518) congratulating the Southern Baptist Convention for electing Reverend Fred Luther, Jr., as the president of the Southern Baptist Convention, acknowledging Reverend Luther's unique role as the first African-American leader of the Southern Baptist Convention, and honoring the commitment of the Southern Baptist Convention to an inclusive faith-based community and society.

There being no objection, the Senate proceeded to consider the resolution.

Mr. LEVIN. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements related to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 518) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 518

Whereas the Southern Baptist Convention formed in 1845 in Augusta, Georgia, in opposition to the abolition of slavery;

Whereas the Southern Baptist Convention supported racial segregation for much of the twentieth century;

Whereas the Southern Baptist Convention issued a resolution stating that the Convention sought to purge itself and society of all racism in 1978;

Whereas the Southern Baptist Convention issued a resolution denouncing racism as a deplorable sin in 1995;

Whereas, in 2012, the Southern Baptist Convention is a cooperative of more than 45,000 churches that seek diligently to bring about greater racial and ethnic representation at every level of Southern Baptist institutional life;

Whereas Reverend Fred Luther, Jr., was born on November 11, 1956, in New Orleans, Louisiana;

Whereas Reverend Luther preached his first church sermon in 1983 at the Law Street Baptist Church in New Orleans, Louisiana;

Whereas Reverend Luther became the pastor of Franklin Avenue Baptist Church in 1986;

Whereas, under the leadership of Reverend Luther, the Franklin Avenue Baptist Church community grew from 65 members in 1986 to more than 7,000 members in 2005;

Whereas the Franklin Avenue Baptist Church was destroyed in 2005 by Hurricane Katrina and lost approximately 2,000 members;

Whereas Reverend Luther, in cooperation with Reverend David Crosby, found a temporary home for Franklin Avenue Baptist Church during the aftermath of Hurricane Katrina;

Whereas, continuing that spirit of cooperation, Reverend Crosby nominated Reverend Luther to become president of the Southern Baptist Convention;

Whereas Reverend Luther was elected to be the first African-American president of the Southern Baptist Convention on June 19, 2012; and

Whereas the election of Reverend Luther brings great pride and honor to the membership of the Southern Baptist Convention: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Southern Baptist Convention for electing Reverend Fred Luther, Jr., as the president of the Southern Baptist Convention;

(2) acknowledges Reverend Luther's unique role as the first African-American leader of the Southern Baptist Convention; and

(3) honors the commitment of the Southern Baptist Convention to an inclusive faith-based community and society.

NATIONAL TRIBAL COLLEGES AND UNIVERSITIES WEEK

Mr. LEVIN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 605, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 605) designating the week beginning November 26, 2012 as National Tribal Colleges and Universities Week.

There being no objection, the Senate proceeded to consider the resolution.

Mr. LEVIN. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any related statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.