

**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 Luter, Jr., as the president of the Southern Baptist Convention, acknowledging Reverend Luter’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 Luter, Jr., was born on November 11, 1956, in New Orleans, Louisiana;

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

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

Whereas, under the leadership of Reverend Luter, 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 Luter, 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 Luter to become president of the Southern Baptist Convention;

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

Whereas the election of Reverend Luter 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 Luter, Jr., as the president of the Southern Baptist Convention;

(2) acknowledges Reverend Luter’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.

The resolution (S. Res. 605) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 605

Whereas there are 37 tribal colleges and universities operating on more than 75 campuses in 15 States;

Whereas tribal colleges and universities are tribally or federally chartered institutions of higher education and therefore have a unique relationship with the Federal Government;

Whereas tribal colleges and universities serve students from more than 250 federally recognized Indian tribes;

Whereas tribal colleges and universities offer students access to knowledge and skills grounded in cultural traditions and values, including indigenous languages, which enhance Indian communities and enrich the United States as a whole;

Whereas tribal colleges and universities provide access to high quality higher education opportunities for American Indians/Alaska Natives, and other individuals living in some of the most rural and economically depressed areas in the United States;

Whereas tribal colleges and universities are accredited institutions of higher education that effectively prepare students to succeed in a global and highly competitive workforce;

Whereas tribal colleges and universities have open enrollment policies that have resulted in 17 percent of students at tribal colleges and universities being non-Indians;

Whereas tribal colleges and universities are simply and effectively providing access to quality higher education opportunities to residents of reservation communities and the North Slope;

Whereas the American Indian Higher Education Consortium, the national organization established in 1973 by tribal colleges and universities, will be celebrating its 40th anniversary as the collective spirit and unifying voice of tribal colleges and universities of the United States; and

Whereas the mission and achievements of tribal colleges and universities deserve national recognition: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the week beginning November 26, 2012, as “National Tribal Colleges and Universities Week”; and

(2) calls on the people of the United States and interested groups to observe the week with appropriate ceremonies, activities, and programs to demonstrate support for tribal colleges and universities.

COMMEMORATING THE 200TH ANNIVERSARY OF THE FOUNDING OF THE SISTERS OF CHARITY OF NAZARETH

Mr. LEVIN. Mr. President, I ask unanimous consent that the Senate proceed to consideration of S. Res. 606, which was 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. 606) commemorating the 200th anniversary of the founding of the Sisters of Charity of Nazareth, on December 1, 1812.

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.

The resolution (S. Res. 606) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 606

Whereas 19-year-old Catherine Spalding, born in Charles County, Maryland, and Bishop John Baptist David, born in France, responded to the need for education on the Kentucky frontier by founding the Sisters of Charity of Nazareth (referred to in this preamble as the “Sisters”), on December 1, 1812;

Whereas, after Ellen O’Connell, a gifted teacher from Baltimore, Maryland, and daughter of a college professor, joined the Sisters and prepared Catherine Spalding and Harriet Gardiner for teaching, the 3 Sisters opened their first school, in 1814, at St. Thomas Farm, in Nelson County, Kentucky;

Whereas, after 2 years of teaching, the school serviced both boarding and day students with a total enrollment of 37 girls, including 13 non-Catholic students;

Whereas, in 1822, the Sisters purchased property located 3 miles north of Bardstown, Kentucky and named that property Nazareth;

Whereas, at Nazareth, the Sisters built log houses and a new school, known as Nazareth Academy;

Whereas, in 1825, Henry Clay, Kentucky statesman and orator, gave the first commencement address at Nazareth Academy, where his daughter, granddaughter, and great-granddaughter eventually received an education, along with Sarah Knox Taylor, the daughter of President Zachary Taylor;

Whereas, during the Civil War, the Sisters nursed both Union and Confederate soldiers;

Whereas Dr. J. O. Murray, a physician in the Union Army in Louisville, Kentucky, wrote to Nazareth, “I regret very much to inform you of the death of Sister Catherine Malone on January 31, 1862, at General Hospital No. 1 in this city. She, as well as the other sisters at this hospital, have been untiring and most efficient in nursing the sick soldiers. The military authorities are under the greatest obligation to the sisters of your order.”;

Whereas, in 1861, at the request of a commanding officer of the Union Army, 22-year-old Sister Mary Lucy Dosh and the other Sisters at St. Mary’s Academy in Paducah, Kentucky closed their school to nurse Union soldiers and Confederate prisoners of war;

Whereas, while nursing, Sister Mary Lucy Dosh consoled patients and often gave up her own food to provide nourishment for the sick and wounded;

Whereas Sister Mary Lucy Dosh contracted typhoid fever and died on December 29, 1861, resulting in doctors and soldiers from Union and Confederate forces calling a truce to mourn her death and officers from both sides accompanying her body up the Ohio River on the U.S. Gunboat Peacock, for burial at St. Vincent’s Academy, in Union County, Kentucky;

Whereas, on January 17, 1865, President Abraham Lincoln sent the following letter to Nazareth as a precaution against any military intrusion: “Let no depredation be committed upon the property or possessions of the Sisters of Charity at Nazareth Academy, near Bardstown, Kentucky.”;

Whereas, in 1878, a yellow fever epidemic besieged the people of the Mississippi River

Valley, during which time approximately 120,000 cases of yellow fever were reported and 20,000 people died;

Whereas, in Holly Springs, Mississippi, the Sisters closed a local parochial school to nurse the sick, with 6 of the Sisters succumbing to yellow fever between September 22 and October 11, 1878, which prompted the townspeople to erect a monument at the gravesites of the 6 Sisters, honoring their service and sacrifice;

Whereas, in 1918, 29 Sisters, along with sisters from other orders, helped nurse over 10,000 wounded and sick World War I soldiers at Camp Taylor, in Louisville;

Whereas the Sisters, finding the soldiers sleeping on bare mattresses and dressed in uniforms and boots, requested bed linens and hospital clothing for the sick and wounded at Camp Taylor;

Whereas 90 soldiers, many with Spanish Influenza and battle wounds, died during the night that the Sisters first arrived at Camp Taylor;

Whereas deaths at Camp Taylor noticeably declined as the Sisters provided skilled nursing and a commitment to hygiene;

Whereas an officer remarked that he knew when a Sister was in the barracks at Camp Taylor, because the men were especially quiet and well-mannered;

Whereas, by the mid-20th century, the Sisters were located in 10 States, taught in more than 100 elementary schools, 30 secondary schools, 2 colleges, and 6 schools of nursing, and cared for the sick in 12 hospitals and children in 6 orphanages;

Whereas the Sisters opened their first foreign mission in India in 1947, and subsequent foreign missions in Belize in 1975, Nepal in 1979, and Botswana in 2000;

Whereas, in 1986, Nazareth Home, a nursing care facility that the Sisters opened in 1976, in Louisville, became the first long-term care facility in Kentucky to accept HIV/AIDS patients;

Whereas, as of November 2012, the Sisters—

(1) staff an HIV/AIDS hospice and administer 2 preschools in Botswana; and

(2) provided disaster relief and housing assistance in many places, including—

(A) New Orleans, Louisiana;

(B) Joplin, Missouri;

(C) Nelson County, Kentucky;

(D) Appalachia; and

(E) Belize; and

Whereas the Sisters find inspiration and strength for their service in the words of 2 Corinthians 5:14, “Caritas Christi urget nos” (“the charity of Christ urges us”): Now, therefore, be it

*Resolved*, That the Senate—

(1) commemorates the 200th anniversary of the founding of the Sisters of Charity of Nazareth (referred to in this resolution as the “Sisters”), on December 1, 1812;

(2) commends the dedicated service of the Sisters who provided nursing care during the Civil War, World War I, and epidemics of yellow fever, cholera, and smallpox in the South;

(3) recognizes the service of the Sisters in providing health care on the frontier of Kentucky and elsewhere through the establishment of hospitals in Kentucky, 4 other States, the District of Columbia, and abroad;

(4) lauds the role that the Sisters continue to play in providing education, health care, and nursing home care in response to the needs of economically and socially disadvantaged individuals, families, and communities; and

(5) directs the Secretary of the Senate to transmit an enrolled copy of this resolution to the Sisters.