

110TH CONGRESS
2D SESSION

S. 3533

To establish the Daniel Webster Congressional Clerkship Program.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 22 (legislative day, SEPTEMBER 17), 2008

Mr. SCHUMER (for himself and Mrs. CLINTON) introduced the following bill;
which was read twice and referred to the Committee on Rules and Administration

A BILL

To establish the Daniel Webster Congressional Clerkship
Program.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Daniel Webster Con-
5 gressional Clerkship Act of 2008”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Each year, many of the most talented law
9 school graduates in the country begin their legal ca-
10 reers as judicial law clerks.

1 (2) The judicial clerkship program has given
2 the judiciary access to a pool of exceptional young
3 lawyers at a relatively low cost.

4 (3) These same lawyers then go on to become
5 leaders of their profession, where they serve a crit-
6 ical role in helping to educate the public about the
7 judiciary and the judicial process.

8 (4) The White House, the administrative agen-
9 cies of the Executive Branch, the Administrative Of-
10 fice of the United States Courts, the Federal Judi-
11 cial Center, and the United States Sentencing Com-
12 mission, all operate analogous programs for talented
13 young professionals at the outset of their careers.

14 (5) The Congress is without a similar program.

15 (6) At a time when our Nation faces consider-
16 able challenges, the Congress and the public would
17 benefit immeasurably from a program, modeled after
18 the judicial clerkship program, that engages the
19 brightest young lawyers in the Nation in the legisla-
20 tive process.

21 (7) Accordingly, the Congress herein creates the
22 Daniel Webster Congressional Clerkship Program,
23 named after one of the most admired and distin-
24 guished lawyer-legislators ever to serve in the Con-

1 gress, to improve the business of the Congress and
2 increase the understanding of its work by the public.

3 **SEC. 3. DANIEL WEBSTER CONGRESSIONAL CLERKSHIP**
4 **PROGRAM.**

5 (a) SELECTION COMMITTEES.—As used in this Act,
6 the term “Selection Committees” means—

7 (1) the Committee on Rules and Administration
8 of the Senate; and

9 (2) the Committee on House Administration of
10 the House of Representatives.

11 (b) ESTABLISHMENT OF PROGRAM.—There is hereby
12 established the Daniel Webster Congressional Clerkship
13 Program for the appointment of individuals who are grad-
14 uates of accredited law schools to serve as Congressional
15 Clerks in the Senate or House of Representatives.

16 (c) SELECTION OF CLERKS.—Subject to the avail-
17 ability of appropriations, the Selection Committees shall
18 select Congressional Clerks in the following manner:

19 (1) The Committee on Rules and Administra-
20 tion of the Senate shall select not less than 6 Con-
21 gressional Clerks each year to serve as employees of
22 the Senate for a 1-year period.

23 (2) The Committee on House Administration of
24 the House of Representatives shall select not less
25 than 6 Congressional Clerks each year to serve as

1 employees of the House of Representatives for a 1-
2 year period.

3 (d) SELECTION CRITERIA.—In carrying out sub-
4 section (c), the Selection Committees shall select Congres-
5 sional Clerks consistent with the following criteria:

6 (1) Each Congressional Clerk selected shall be
7 a graduate of an accredited law school as of the
8 starting date of his or her clerkship.

9 (2) Each Congressional Clerk selected shall pos-
10 sess—

11 (A) an excellent academic record;

12 (B) a strong record of achievement in ex-
13 tracurricular activities;

14 (C) a demonstrated commitment to public
15 service; and

16 (D) outstanding analytic, writing, and oral
17 communication skills.

18 (e) PROCESS.—After a Congressional Clerk is se-
19 lected under this section, such Congressional Clerk shall
20 then interview for a position in an office as follows:

21 (1) For a Congressional Clerk selected under
22 subsection (c)(1), the Congressional Clerk shall
23 interview for a position with any office of any Com-
24 mittee of the Senate, including any Joint Committee

1 or Select and Special Committee, or any office of
2 any individual Member of the Senate.

3 (2) For a Congressional Clerk selected under
4 subsection (c)(2), the Congressional Clerk shall
5 interview for a position with any office of any Com-
6 mittee of the House of Representatives, including
7 any Joint Committee or Select and Special Com-
8 mittee, or any office of any individual Member of the
9 House of Representatives.

10 (f) PLACEMENT REQUIREMENTS.—The Selection
11 Committees shall ensure that Congressional Clerks se-
12 lected under this section are apportioned equally between
13 majority party and minority party offices.

14 (g) COMPENSATION OF CONGRESSIONAL CLERKS.—
15 Each Congressional Clerk selected under this section shall
16 receive the same compensation as would, and comparable
17 benefits to, an individual who holds the position of a judi-
18 cial clerkship for the United States District Court for the
19 District of Columbia within 3 months of graduating from
20 law school.

21 (h) REQUIRED ADHERENCE TO RULES.—Each Con-
22 gressional Clerk selected under this section shall be sub-
23 ject to all laws, regulations, and rules in the same manner
24 and to the same extent as any other employee of the Sen-
25 ate or House of Representatives.

1 (i) EXCLUSION FROM LIMIT ON NUMBER OF POSI-
 2 TIONS.—A Congressional Clerk shall be excluded in deter-
 3 mining the number of employees of the office that employs
 4 the Clerk for purposes of—

5 (1) in the case of the office of a Member of the
 6 House of Representatives, section 104 of the House
 7 of Representatives Administrative Reform Technical
 8 Corrections Act (2 U.S.C. 92); or

9 (2) in the case of any other office, any applica-
 10 ble provision of law or any rule or regulation which
 11 imposes a limit on the number of employees of the
 12 office.

13 (j) RULES.—The Selection Committees shall develop
 14 and promulgate rules regarding the administration of the
 15 Congressional Clerkship program established under this
 16 section.

17 (k) MEMBER DEFINED.—In this section, the term
 18 “Member of the House of Representatives” includes a Del-
 19 egate or Resident Commissioner to the Congress.

20 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

21 There are authorized to be appropriated for fiscal
 22 year 2009 and each succeeding fiscal year from the appli-
 23 cable accounts of the House of Representatives and the

- 1 contingent fund of the Senate such sums as necessary to
- 2 carry out the provisions of this Act.

