

111TH CONGRESS
1ST SESSION

H. R. 151

IN THE SENATE OF THE UNITED STATES

APRIL 1, 2009

Received; read twice and referred to the Committee on Rules and
Administration

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Daniel Webster Con-
3 gressional Clerkship Act of 2009”.

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

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

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

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

16 (4) The White House, the administrative agen-
17 cies of the Executive Branch, the Administrative Of-
18 fice of the United States Courts, the Federal Judi-
19 cial Center, and the United States Sentencing Com-
20 mission, all operate analogous programs for talented
21 young professionals at the outset of their careers.

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

23 (6) At a time when our Nation faces consider-
24 able challenges, the Congress and the public would
25 benefit immeasurably from a program, modeled after
26 the judicial clerkship program, that engages the

1 brightest young lawyers in the Nation in the legisla-
2 tive process.

3 (7) Accordingly, the Congress herein creates the
4 Daniel Webster Congressional Clerkship Program,
5 named after one of the most admired and distin-
6 guished lawyer-legislators ever to serve in the Con-
7 gress, to improve the business of the Congress and
8 increase the understanding of its work by the public.

9 **SEC. 3. DANIEL WEBSTER CONGRESSIONAL CLERKSHIP**
10 **PROGRAM.**

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

13 (1) the Committee on Rules and Administration
14 of the Senate; and

15 (2) the Committee on House Administration of
16 the House of Representatives.

17 (b) ESTABLISHMENT OF PROGRAM.—There is hereby
18 established the Daniel Webster Congressional Clerkship
19 Program for the appointment of individuals who are grad-
20 uates of accredited law schools to serve as Congressional
21 Clerks in the Senate or House of Representatives.

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

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

5 (2) The Committee on House Administration of
6 the House of Representatives shall select not less
7 than 6 Congressional Clerks each year to serve as
8 employees of the House of Representatives for a 1-
9 year period.

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

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

16 (2) Each Congressional Clerk selected shall pos-
17 sess—

18 (A) an excellent academic record;

19 (B) a strong record of achievement in ex-
20 tracurricular activities;

21 (C) a demonstrated commitment to public
22 service; and

23 (D) outstanding analytic, writing, and oral
24 communication skills.

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

4 (1) For a Congressional Clerk selected under
5 subsection (e)(1), the Congressional Clerk shall
6 interview for a position with any office of any Com-
7 mittee of the Senate, including any Joint Committee
8 or Select and Special Committee, or any office of
9 any individual member of the Senate.

10 (2) For a Congressional Clerk selected under
11 subsection (e)(2), the Congressional Clerk shall
12 interview for a position with any office of any Com-
13 mittee of the House of Representatives, including
14 any Joint Committee or Select and Special Com-
15 mittee, or any office of any individual Member of the
16 House of Representatives.

17 (f) PLACEMENT REQUIREMENTS.—The Selection
18 Committees shall ensure that Congressional Clerks se-
19 lected under this section are apportioned equally between
20 majority party and minority party offices.

21 (g) COMPENSATION OF CONGRESSIONAL CLERKS.—
22 Each Congressional Clerk selected under this section shall
23 receive the same compensation as would, and comparable
24 benefits to, an individual who holds the position of a judi-
25 cial clerkship for the United States District Court for the

1 District of Columbia within 3 months of graduating from
2 law school.

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

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

12 (1) in the case of the office of a Member of the
13 House of Representatives, section 104 of the House
14 of Representatives Administrative Reform Technical
15 Corrections Act (2 U.S.C. 92); or

16 (2) in the case of any other office, any applica-
17 ble provision of law or any rule or regulation which
18 imposes a limit on the number of employees of the
19 office.

20 (j) RULES.—The Selection Committees shall develop
21 and promulgate rules regarding the administration of the
22 Congressional Clerkship program established under this
23 section.

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

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

5 There are authorized to be appropriated for fiscal
6 year 2010 and each succeeding fiscal year from the appli-
7 cable accounts of the House of Representatives and the
8 contingent fund of the Senate such sums as necessary to
9 carry out the provisions of this Act.

Passed the House of Representatives March 31,
2009.

Attest:

LORRAINE C. MILLER,

Clerk.