

## Union Calendar No. 29

111<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 151

[Report No. 111-65]

To establish the Daniel Webster Congressional Clerkship Program.

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### IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 2009

Ms. ZOE LOFGREN of California (for herself and Mr. DANIEL E. LUNGREN of California) introduced the following bill; which was referred to the Committee on House Administration

MARCH 30, 2009

Additional sponsors: Mr. GONZALEZ, Mr. POMEROY, and Ms. MCCOLLUM

MARCH 30, 2009

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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## 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,*

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.

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11<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

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