

110TH CONGRESS  
2D SESSION

# S. 3533

To establish the Daniel Webster Congressional Clerkship Program.

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## 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

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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,*

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 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.

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