

113TH CONGRESS
1ST SESSION

S. 1458

To establish the Daniel Webster Congressional Clerkship Program.

IN THE SENATE OF THE UNITED STATES

AUGUST 1, 2013

Mr. HOEVEN (for himself and Mr. LEAHY) 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 2013”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Each year, many of the most talented law
9 school graduates in the United States begin their
10 legal careers 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) Congress is without a similar program.

15 (6) At a time when our Nation faces consider-
16 able challenges, Congress and the public would ben-
17 efit 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 Congress,

1 to improve the business of Congress, and increase
2 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—

1 (A) any office of any committee of the
2 Senate, including any Joint Committee or Se-
3 lect and Special Committee;

4 (B) any office of any individual member of
5 the Senate;

6 (C) any leadership office of the Senate; or

7 (D) the Office of the Parliamentarian of
8 the Senate, the Office of Senate Legal Counsel,
9 or the Office of the Legislative Counsel of the
10 Senate.

11 (2) For a Congressional Clerk selected under
12 subsection (c)(2), the Congressional Clerk shall
13 interview for a position with—

14 (A) any office of any committee of the
15 House of Representatives, including any Joint
16 Committee or Select and Special Committee;

17 (B) any office of any individual Member of
18 the House of Representatives;

19 (C) any leadership office of the House of
20 Representatives; or

21 (D) the Office of General Counsel of the
22 House of Representatives, the Office of the
23 Parliamentarian of the House of Representa-
24 tives, or the Office of the Legislative Counsel of
25 the House of Representatives.

1 (f) PLACEMENT REQUIREMENTS.—The Selection
2 Committees shall ensure that Congressional Clerks se-
3 lected under this section are apportioned equally between
4 majority party and minority party offices.

5 (g) COMPENSATION OF CONGRESSIONAL CLERKS.—
6 Each Congressional Clerk selected under this section shall
7 receive the same compensation as would, and comparable
8 benefits to, an individual who holds the position of a judi-
9 cial clerkship for the United States District Court for the
10 District of Columbia within 3 months of graduating from
11 law school.

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

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

21 (1) in the case of the office of a Member of the
22 House of Representatives, section 104 of the House
23 of Representatives Administrative Reform Technical
24 Corrections Act (2 U.S.C. 92); or

1 (2) in the case of any other office, any applica-
2 ble provision of law or any rule or regulation which
3 imposes a limit on the number of employees of the
4 office.

5 (j) RULES.—The Selection Committees shall develop
6 and promulgate rules regarding the administration of the
7 Congressional Clerkship program established under this
8 section.

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

12 (l) AUTHORIZATION OF APPROPRIATIONS.—There
13 are authorized to be appropriated to carry out this section
14 such sums as may be necessary for fiscal year 2014 and
15 each of the 4 succeeding fiscal years.

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