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Internships in Congressional Offices: Frequently Asked Questions

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Summary

Many interns serve Congress, assisting individual Members, committees, and other offices or support services. Interns serve the House or Senate in a temporary capacity, primarily for an educational benefit, although some interns may receive pay for their service. Like many aspects of congressional operations, individual House or Senate offices can make many of their own rules and guidelines for interns, if they choose to operate an internship program. Additional institutional rules, however, may also apply. In the House, policies set by the Committee on Ethics or the Committee on House Administration may also affect congressional offices and interns, and in the Senate, additional relevant policies may be set by the Senate Select Committee on Ethics or the Committee on Rules and Administration.

This report addresses frequently asked questions (FAQs) about congressional interns and internships. It is intended to provide information to congressional offices about the role of interns and to provide a summary of some of the policies and guidance provided by the House and the Senate related to internships. It addresses the House and Senate rules that apply to congressional internships, factors that may affect an office's selection process and an individual's eligibility to serve in an internship, and some of the congressional resources and training opportunities available for interns. For additional information about internship opportunities, refer to CRS Report 98-654, *Internships, Fellowships, and Other Work Experience Opportunities in the Federal Government*.

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1. What is an intern? How is an intern different from a volunteer, fellow, or a page?

A number of opportunities exist for individuals who are not regular congressional employees to provide assistance to congressional offices. The titles used to describe these positions are sometimes used interchangeably, but there can also be some key differences.[1]

- An **intern** is an individual who provides assistance, paid or unpaid, to a congressional office on a temporary basis. The internship experience is typically considered to provide an educational benefit for that individual.[2] An intern's role does not substitute for or replace the duties of regular employees. If an intern is paid, then some of the rules applicable to congressional employees may apply.

This report focuses on congressional interns, as described above, although their role can sometimes seem similar to individuals in the following positions:

- A **volunteer** also provides assistance to a congressional office, and the experience is generally considered to be of educational value for the volunteer. In many cases, a volunteer's role in a congressional office can be similar to that of an unpaid intern. A volunteer cannot receive financial compensation for his or her service. The volunteer's assignments are not to replace the regular duties of paid employees.
- A **fellow** is an individual who also performs services in a congressional office on a temporary basis, but typically through participation in an established, graduate-level or mid-career education program. Fellows often receive compensation from a sponsoring employer, professional association, or other organization while working in Congress during the course of the fellowships. Congressional offices may try to recruit fellows and work with existing programs, but a fellowship is usually not a position a congressional office creates on its own.
- A **page** is a high-school junior, at least 16 years old, who participates in a more structured program for a semester or summer. Pages continue to serve in the Senate, but the House program was discontinued in 2010. Although they are appointed by individual Senators, the pages provide assistance as a group in the Senate chamber, and receive housing, education, and a stipend from the Senate.[3]

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[1] The four definitions in this section were primarily adapted from information from the House of Representatives, provided in U.S. Congress, House Committee on Standards of Official Conduct, *House Ethics Manual*, committee print, 110th Cong., 2nd sess., January 1, 2008, p. 285 [hereinafter cited as *House Ethics Manual*, and also available at https://ethics.house.gov/sites/ethics.house.gov/files/documents/2008_House_Ethics_Manual.pdf]; and U.S. Congress, House Committee on House Administration, *Members' Congressional Handbook*, 116th Cong., 1st sess., July 25, 2018, pp. 5-6 [hereinafter cited as *Members' Congressional Handbook* and also available at https://cha.house.gov/handbooks/members-congressional-handbook]. Many of the same criteria for interns, volunteers, and fellows overlap with descriptions from the Senate in U.S. Congress, Senate Select Committee on Ethics, *Senate Ethics Manual*, 108th Cong., 1st sess., S. Pub. 108-1 (Washington: GPO, 2003), pp. 113-114 [hereinafter cited as *Senate Ethics Manual* and also available at http://www.ethics.senate.gov/downloads/pdffiles/manual.pdf].

[2] For the purposes of compliance with Fair Labor Standards Act provisions, the Office of Congressional Workplace Rights (formerly Office of Compliance) has previously noted that an intern performs services for an office as part of an educational plan not to exceed a total of 12 months. See U.S. Congress Office of Compliance, *CAA Handbook*, 2005, p. 49 [hereinafter cited as *CAA Handbook*].

[3] More information on pages is found in CRS Report 98-758, *Pages of the United States Congress: History and Program Administration*.

2. What congressional rules specifically apply to interns?

Few statutes or standing rules of the House or Senate make specific references to congressional interns. In many cases, the distinction between a paid internship and an unpaid internship affects which formal rules apply to interns. Guidance and policies for House interns can be found in the *House Ethics Manual*,[4] in the *Members' Congressional Handbook*,[5] *Congressional Committee Handbook*,[6] from the House Committee on Ethics,[7] and from the Committee on House Administration.[8] For Senate interns, guidance and policies are mainly found in the *Senate Ethics Manual*,[9] from the Senate Select Committee on Ethics,[10] and from the Senate Committee on Rules and Administration.[11] Congressional offices can choose to set additional rules for their interns to follow.

House or Senate rules that apply to paid congressional employees generally extend to paid interns as well.[12] These might include, but are not limited to, the Code of Official Conduct for the appropriate chamber,[13] gift restrictions,[14] ban on solicitations,[15] and prohibition on payment for a speech, appearance, or publication.[16] Financial disclosure rules may also apply in the Senate if the intern is receiving compensation from a source other than the U.S. government.[17] Paid interns are exempt from some provisions of the Fair Labor Standards Act (FLSA) that otherwise apply to

[4] *House Ethics Manual*, available at https://ethics.house.gov/sites/ethics.house.gov/files/documents/2008_House_Ethics_Manual.pdf.

[5] *Members' Congressional Handbook*, available at https://cha.house.gov/handbooks/members-congressional-handbook.

[6] U.S. House of Representatives, Committee on House Administration, *Congressional Committee Handbook*, available at http://cha.house.gov/handbooks/committee-handbook [hereinafter cited as *Congressional Committee Handbook*].

[7] U.S. House of Representatives, House Committee on Ethics, available at https://ethics.house.gov.

[8] U.S. House of Representatives, House Committee on House Administration, available at https://cha.house.gov/.

[9] *Senate Ethics Manual*, available at http://www.ethics.senate.gov/downloads/pdffiles/manual.pdf.

[10] U.S. Senate, Select Committee on Ethics, available at http://www.ethics.senate.gov/.

[11] U.S. Senate, Committee on Rules and Administration, available at http://webster.senate.gov/rules/.

[12] In the House, "[a]n individual who is serving as a paid intern or fellow must comply with all the laws, rules, and standards of conduct applicable to House employees." *House Ethics Manual*, p. 286. For the Senate, "[p]aid interns are under the same rules as Senate staff." U.S. Senate, Office of Education and Training, "Intern Class Descriptions," at http://webster.senate.gov/interns/intern-class-descriptions. Elsewhere, the Senate Ethics Committee notes that this applies to paid interns who work in a full-time capacity for at least 90 days; see *Senate Ethics Manual*, p. 115; "Interpretative Ruling No. 111," April 5, 1978, printed in U.S. Congress, Senate Select Committee on Ethics, *Interpretative Rulings of the Select Committee on Ethics*, committee print, 103rd Cong., 1st sess., February 1993, S. Prt. 103-21 (Washington: GPO, 1993), p. 48.

[13] Rule XXIII in U.S. Congress, House, *Rules of the House of Representatives*, prepared by Karen L. Haas, Clerk of the House of Representatives, 116th Cong., 1st sess., January 11, 2019, pp. 39-41 [hereinafter cited as *House Rules* and also available at https://rules.house.gov/sites/democrats.rules.house.gov/files/116-1/116-House-Rules-Clerk.pdf; *House Ethics Manual*, p. 286; U.S. Congress, Senate, *The Senate Code of Official Conduct*, prepared by the Senate Select Committee on Ethics, March 2015 [hereinafter cited as *Senate Code of Official Conduct* and available at http://www.ethics.senate.gov/public/index.cfm/files/serve?File_id=efa7bf74-4a50-46a5-bb6f-b8d26b9755bf].

[14] Rule XXV, cl. 5, *House Rules*, pp. 42-46; *House Ethics Manual*, pp. 33, 286; Rule XXXV, *Senate Code of Official Conduct*, pp. 3-14; *Senate Ethics Manual*, ch. 2.

[15] 5 U.S.C. §7353; *House Ethics Manual*, p. 286; Rule XLI, *Senate Code of Official Conduct*, pp. 26-27.

[16] 5 U.S.C. app. 4 §501(b); Rule XXV, cl. 5, *House Rules*, p. 42; *House Ethics Manual*, p. 286; Rule XXXVI, *Senate Code of Official Conduct*, p. 15; *Senate Ethics Manual*, pp. 98-100.

[17] *Senate Ethics Manual*, pp. 114-115.

congressional staff, like minimum wage and overtime pay requirements, as well as employee benefits, like insurance and retirement.[18]

Fewer House or Senate rules may apply to unpaid interns than to paid interns. To enhance accountability for unpaid interns, the House or Senate ethics committees or individual congressional offices can set standards for unpaid interns to abide by that mirror some of the same rules that paid interns or congressional employees follow. A congressional office can enforce the rules it sets as internal office policies for unpaid interns, whereas the House and Senate institutionally may have fewer enforcement mechanisms affecting unpaid interns.

The House Committee on Ethics, for example, advises that offices obtain an agreement in writing from unpaid interns at the outset of an internship. This agreement would acknowledge that the intern agrees "to serve without compensation and to not make any future claim for payment, and acknowledge that the voluntary service does not constitute House employment."[19] The committee also suggests that unpaid interns refrain from actions that present themselves as congressional officers or employees.[20]

The Senate Select Committee on Ethics requires that unpaid interns file a disclaimer with the Financial Clerk of the Senate acknowledging that their service is voluntary, or gratuitous, in nature. The committee also notes that the conflict-of-interest provisions in the Standing Rules of the Senate "apply to any intern, fellow, or volunteer providing Senate services," even if the individual is only working for a single day. Interns performing full-time services in the Senate for over 90 days during a calendar year are also required to abide by the Senate Code of Conduct.[21]

Use of Official Email, Social Media, and Technology Resources

It may be useful for House and Senate interns to familiarize themselves with the broader technology-use policies that apply to congressional offices.[22] Computers, email accounts, internet access, and other technology resources provided to interns by the congressional office primarily should be used for official congressional business with any personal use limited and incidental. Because information sent and received from a congressional computer or network may be traced back to a particular office, an office may choose to implement additional standards for interns' incidental computer and internet usage. Offices may also develop guidelines for what is or is not permissible for interns to post on social media or public websites about their work.

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[18] 2 U.S.C. §1313(a)(2); 2 U.S.C. §5321(b).

[19] *House Ethics Manual*, p. 405.

[20] See *House Ethics Manual*, p. 406:

> House Rule 23, clause 11, part of the Code of Official Conduct, provides that a Member of the House of Representatives shall not authorize or otherwise allow a non-House individual or organization to use the words "Congress of the United States," "House of Representatives," or "official business" on any letterhead or envelope. The intent of this provision is to prevent persons who are not Members, officers, or employees of the House from represent that their activities are officially sponsored or sanctioned.... Accordingly, individuals not paid by the House of Representatives may not use or obtain business cards or other materials suggesting an employment relationship with the House.

[21] *Senate Ethics Manual*, p. 115.

[22] For the House, see U.S. House, Committee on House Administration, *House Information Security Policies*, May 25, 2018, at https://housenet.house.gov/cha-policies; for the Senate, see U.S. Senate, Committee on Rules and Administration, *Internet Services and Technology Resources Usage Rules*, November 9, 2015, at http://webster.senate.gov/rules/internet-usage-policy.

Giving and Receiving Gifts

Paid interns are required to follow the House or Senate gift rules that apply to regular employees,[23] and the House and Senate ethics committees advise that unpaid interns should also abide by the gift rules.[24] Generally, these rules prohibit (1) receiving gifts from lobbyists or foreign agents, (2) receiving any individual gift valued at over $50, and (3) receiving $100 or more in gifts (each valued at $10 or more) from a single source. In most cases, it is typically permissible for a Member, staffer, or office to give an intern a small gift in recognition of his or her service.[25] Federal law, however, prohibits supervisors from accepting gifts from interns.[26]

3. What other information might an office provide to interns?

Offices often provide additional information or guidance to interns about congressional operations or resources.[27] Offices, for example, might provide an overview of the House or Senate rules that apply to interns, or clarify their own office policies regarding attendance, technology use, phone etiquette, and other expectations. Information about emergency procedures and contact information for the appropriate police or medical services is commonly provided. Some offices may provide interns with a basic overview of the legislative process or how to perform legislative research. Locations of buildings or offices within the Capitol Complex and information on dining facilities and other on-site services may be useful for interns on Capitol Hill, and similar information about the area surrounding a state or district office could be provided to interns in those offices.

4. What is the selection process for interns?

House and Senate offices are able to set many of their own requirements for intern selection, just as they are with general personnel decisions. Some offices, for example, may require that interns are currently enrolled students, have reached a certain level of education, or that interns live in a Member's district or state. Many congressional offices post internship opportunities and application procedures on their websites. House offices can use the House Vacancy Announcement and Placement Service to post an internship announcement and may also request resumes from its resume bank.[28] Similarly, the Senate Placement Office can publish opportunities for internships, collect applications, or provide resumes from its resume bank if a Senate office chooses to use the service.[29]

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[23] See *House Ethics Manual*, ch. 2; *Senate Ethics Manual*, ch. 2.

[24] *House Ethics Manual*, pp. 32-33; U.S. Senate, Select Committee on Ethics, *Code of Conduct for Unpaid Interns*, [video], at http://webster.senate.gov/interns/training/intern-videos/senate-code-of-conduct-for-unpaid-interns.

[25] House Rule XXV, cl. 5(a)(3)(F), *House Rules*, p. 42; Senate Rule XXXV, cl. 1, available in *Senate Code of Official Conduct*, pp. 3-9.

[26] 5 U.S.C. §7351.

[27] Although some of the information it contains is specific to House offices on Capitol Hill, the Committee on House Administration created an intern manual that offices may provide to interns or use as an example for creating their own intern guidance. See U.S. Congress, House, Committee on House Administration, *Intern Guidance*, 2018, available at https://cha.house.gov/sites/republicans.cha.house.gov/files/documents/Intern%20Manual.pdf.

[28] See HouseNet, "Vacancy Announcement and Placement Service," at https://housenet.house.gov/office-support/staff-your-office/vacancy-announcement-and-placement-service.

[29] The Senate Placement Office's website is available at http://www.senate.gov/employment.

5. Do interns have to be U.S. citizens?

In many instances, Members of Congress have broad discretion to determine who works in their offices, but different laws, rules, and considerations may apply to a noncitizen's potential service, based on the individual's status, particularly if the individual receives pay.[30] House offices may wish to contact the Office of the General Counsel, Committee on Ethics, or the Committee on House Administration before employing a noncitizen as an intern. In the Senate, offices may wish to contact the Senate Disbursing Office, Office of Legal Counsel, Select Committee on Ethics, or the Committee on Rules and Administration for guidance on employing noncitizen interns.

The House and Senate ethics manuals provide some general guidance for congressional offices on working with foreign-national interns. Conflict-of-interest considerations may affect the responsibilities an office chooses to assign to a foreign-national intern. Interns who are foreign-nationals should not be assigned duties that might influence U.S. policy in a way that benefits the intern's home country. As with interns who are U.S. citizens or nationals, a foreign-national intern who receives outside funding for an internship should not be assigned work responsibilities that might affect the intern's employer or other sponsoring organization.[31]

6. Can interns participate in campaign activities?

Member offices are to be careful not to mix official congressional resources with campaign resources.[32] Interns working in a congressional office may also work for a political campaign, but the two responsibilities are to be carefully delineated and kept separate so that congressional time, property, facilities, equipment, or other resources are not used for electoral campaigns. The prohibitions against using congressional resources for political purposes extend broadly and include any campaign activities within House or Senate offices, rooms, and buildings, even if such activities are conducted online using a staffer's personal account or device.

7. Can interns be related to Members or regular employees?

If an intern is paid, then the standard prohibitions regarding nepotism or employment of relatives established in law and House or Senate rules apply.[33] Because each congressional office is its own hiring authority, an intern may be related to another Member or staff in a different office without violating these rules. The House Ethics Committee also notes that a Member in the House can accept volunteer services from immediate family.[34]

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[30] For example, noncitizens who are nationals from U.S. territories (8 U.S.C. §1408), refugees (8 U.S.C. §1157), granted asylum (8 U.S.C. §1158), or lawfully admitted for permanent residence in the United States (i.e., hold a green card) (8 U.S.C. §1324b) may not be subject to the same rules as other foreign-nationals.

[31] *House Ethics Manual*, p. 287; *Senate Ethics Manual*, pp. 114-115.

[32] *House Ethics Manual*, ch. 4. For current Senate guidance on campaign activities, see Dear Colleague Letter from U.S. Senate Select Committee on Ethics, April 22, 2016, http://www.ethics.senate.gov/public/index.cfm/dearcolleagueletters?ID=F3FCB4E7-3DFF-4AE6-88E7-0AEDD7E3D761.

[33] 5 U.S.C. §3110 lists the family members that Members of Congress, as public officials, are prohibited from personally hiring or recommending to agencies under congressional control. See also House Rule XXIII, cl. 9, *House Rules*, p. 39; *House Ethics Manual*, pp. 272-273, 288-289; *Senate Ethics Manual*, pp. 195-196.

[34] *House Ethics Manual*, p. 288.

8. Is there a minimum or maximum age for interns?

Often, interns in congressional offices are college-age individuals or recent college graduates between 18 and 24 years old.[35] Historically, individuals under 18 generally serve Congress as pages. There is no minimum age for congressional interns.[36] If working with interns who are under 18, an office may want to consider the potential concerns related to working with minors and carefully evaluate the job-related skills and maturity of the prospective intern.

There is also no maximum age for interns. Older individuals returning to higher education, considering a career change, or seeking a congressional internship for other reasons could also receive an educational benefit from such service and may have useful experience to share with a congressional office. In 1978, the Senate initiated a Senior Citizen Internship Program for individuals over 60 years old; the program operated for a number of years, but is currently inactive.[37]

9. How long does an internship last?

Internship lengths often reflect time periods designated by the academic calendar, occurring, for example, over the course of the fall or spring semester, or during the summer. On their websites, some congressional offices advertise three-week internships, whereas others expect interns to serve for multiple months. Internship lengths within the same office can vary too, depending on the intern's availability and the office's resource constraints.

There are no minimum lengths for House or Senate internships in statute, but certain considerations may affect the parameters offices choose for how long an internship should last. Congressional documents generally state that internships serve primarily as an educational experience.[38] To meet this expectation, a congressional office may determine a minimum length for internships based on the amount of time it believes necessary to provide a sufficient learning opportunity.

More detailed guidance is available for the maximum length of internships. Paid interns in the House can serve no longer than 120 days during a 12-month period.[39] For unpaid interns, House guidance for Member offices suggests that "limitations should be imposed on ... the duration of

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[35] The House website, for example, advertises "College Internships" at http://www.house.gov/content/educate/internships.php; the Senate Office of Education and Training states that "[t]he average age of Senate interns is between 18 and 24; with the majority of interns currently attending college." See U.S. Senate, Office of Education and Training, *Best Practices for Creating and Managing A Senate Intern Program*, February 19, 2014, p. 8.

[36] The Fair Labor Standards Act typically restricts employment of individuals under age 16, but 2 U.S.C. §1313(a)(2) excludes interns meeting certain criteria from these provisions.

[37] U.S. Congress, Senate Committee on Rules and Administration, *Senate Manual*, Containing the Standing Rules, Orders, Laws, and Resolutions Affecting the Business of the United States Senate, 112th Cong., 1st sess., January 1, 2011, S. Doc. 112-1 (Washington: GPO, 2011), pp. 102-103; S.Res. 219, 95th Cong., 2nd sess., May 5, 1978; S.Res. 96, 102nd Cong., 1st sess., April 24, 1991.

[38] *House Ethics Manual*, pp. 285, 405; *Members' Congressional Handbook*, p. 5; *Senate Ethics Manual*, p. 113; "Interpretative Ruling No. 442," April 12, 1992, printed in U.S. Congress, Senate Select Committee on Ethics, *Interpretative Rulings of the Select Committee on Ethics*, committee print, 103rd Cong., 1st sess., February 1993, S. Prt. 103-21 (Washington: GPO, 1993), p. 283; *CAA Handbook*, p. 49.

[39] 2 U.S.C. §5321(c)(2). Although the statutory language refers to "interns" generally in House Member offices, the Committee on House Administration applies it to "paid interns." See "Categories of Staff," *Members' Handbook*, p. 4; "House Paid Internship Program" at https://cha.house.gov/house-paid-internship-program; also "Interns" in U.S. House of Representatives, Committee on House Administration, *Congressional Committee Handbook*, available at https://cha.house.gov/handbooks/committee-handbook.

services any one volunteer may provide," to ensure "that such voluntary assistance does not supplant the normal and regular duties of paid employees."[40] The *Senate Handbook* notes that an internship should be for a total period not exceeding 12 months,[41] and the Office of Workplace Rights (formerly Office of Compliance) has previously suggested the same maximum length for internships.[42]

10. Can interns receive congressional pay?

Interns may receive pay from the congressional office they work in, if the office decides to provide it. FY2019 appropriations for the House and Senate provide some designated funding for internships in Members' personal offices in each chamber.[43] Members may also use their own office resources, such as from the Members' Representational Allowance (MRA) in the House[44] and the Senators' Official Personnel and Office Expense Account (SOPOEA) in the Senate,[45] to provide compensation for interns. Committees or other congressional offices may provide compensation for interns through their appropriate accounts designated for staff salaries. In the House, the Committee on House Administration has set a gross annual rate of pay for interns for Member and committee offices to follow.[46]

Paid interns working in Washington, DC, may also be eligible for transit subsidies.[47] Paid congressional interns are exempt from many of the provisions of the Fair Labor Standards Act of 1938 (FLSA) that otherwise apply to congressional staff following the passage of the Congressional Accountability Act (CAA) in 1995, including minimum wage requirements and overtime compensation.[48]

Previously, the Lyndon Baines Johnson Congressional Intern Program operated in the House from 1973 to 1994 and made two-month paid internships available for each Member office. Funds for this program have not been appropriated since the 103rd Congress (1993-1994).[49]

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[40] *House Ethics Manual*, p. 405.

[41] The 12 months of service do not have to be consecutive in the Senate. See U.S. Senate, Committee on Rules and Administration, *United States Senate Handbook*, (October 2010), p. I-8.

[42] *CAA Handbook*, p. 49.

[43] P.L. 115-244, Division B. For more information on funding for House and internships in the FY2019 legislative branch appropriations bill, see H.Rept. 115-929, pp. 203-204, and "House Paid Internship Program," at https://cha.house.gov/house-paid-internship-program; for interim regulations, see Committee Resolution 116-8, Committee on House Administration, March 12, 2019, at https://docs.house.gov/meetings/HA/HA00/20190312/109114/HMTG-116-HA00-20190312-SD008.pdf. For more information on funding for Senate internships in the FY2019 legislation branch appropriations bill, see S.Rept. 115-274, pp. 25-26.

[44] P.L. 115-244, Division B, §120(d); 2 U.S.C. §5321.

[45] According to the Senate Committee on Ethics, Senate interns may also be paid from the personal funds of the employing Senator. See *Senate Ethics Manual*, p. 114.

[46] For the current rate, contact the Committee on House Administration. Interns paid above this gross annual rate may count against the office's regular staff ceiling.

[47] For the House, see U.S. House of Representatives, Transit Benefits Administrator, "Transit Benefits," December 14, 2018, at https://housenet.house.gov/for-staff/other-benefits/transit-benefits.

[48] 2 U.S.C. §1313(a)(2).

[49] See U.S. Congress, House, *Constitution, Jefferson's Manual, and Rules of the House of Representatives of the United States One Hundred Thirteenth Congress*, prepared by Thomas J. Wickham, Parliamentarian, 112th Cong., 2nd sess., May 31, 2013, H.Doc. 112-161 (Washington: GPO, 2013), p. 43. The LBJ Internship Program remains codified at 2 U.S.C. §5322.

11. Can an intern be paid by another organization?

Many educational institutions or other organizations sponsor congressional internships, and interns may receive stipends from these groups for their internships. Some of these internship opportunities are listed in CRS Report 98-654, *Internships, Fellowships, and Other Work Experience Opportunities in the Federal Government*.[50] Some of these organizations operate internship programs in conjunction with congressional caucuses or other congressional entities to place paid interns in congressional offices.[51] This is permissible, as long as there is no conflict of interest presented during the course of the internship.[52] Additionally, the House and Senate ethics committees note that Members or staff cannot raise funds for programs that place interns or fellows in their own offices.[53] When an intern is sponsored by an outside entity, ethics guidance says the intern should not be given responsibilities that could result in a direct or indirect benefit to the sponsor.[54] If an intern is paid by an outside organization, congressional offices might take steps to ensure that the intern's duties do not supplant the regular duties of official staff, as this could be considered a violation of rules that prohibit House Members from using outside resources to conduct their official duties.[55]

12. Can an intern receive school credit?

The House and Senate expect that a congressional internship provides an educational experience but, institutionally, make no requirements that an intern receive school credit or be a currently enrolled student. Some congressional offices may choose to select interns on the basis of whether they will receive, or will not receive, academic credit for the experience. Each educational institution sets its own requirements for granting academic credit, and while some schools or academic departments encourage internships and grant academic credit for them, others do not allow students to receive academic credit for internships. School requirements may prevent a student from receiving academic credit for an internship experience that the intern may have personally found to be highly educational. A short internship, for example, may not meet a school's requirement for the number of hours served to receive credit.

13. How many interns can an office have?

There is no minimum required number of interns for each congressional office; offices are not obligated to hire any interns unless they choose to. If interns are unpaid, there is no cap on the

[50] Due to the number of outside groups who might be able to sponsor these internships, it is not possible to maintain a fully comprehensive list.

[51] One example of this type of internship is the Gregg and Livingston Harper Congressional Internship Program for Individuals with Intellectual Disabilities; see https://republicans-cha.house.gov/congressional-internship-program-individuals-intellectual-disabilities.

[52] House Rule XXVII, *House Rules*, p. 46; *House Ethics Manual*, pp. 187-188; Senate Rule XXXVII, *Senate Code of Official Conduct*, pp. 16-21; *Senate Ethics Manual*, pp. 66-69; "Interpretative Ruling No. 385," July 31, 1984, printed in U.S. Congress, Senate Select Committee on Ethics, *Interpretative Rulings of the Select Committee on Ethics*, committee print, 103rd Cong., 1st sess., February 1993, S. Prt. 103-21 (Washington: GPO, 1993), pp. 226-228.

[53] For the House, see "Advisory Opinion No. 6" in U.S. Congress, House Select Committee on Ethics, *Final Report of the Select Committee on Ethics*, 95th Cong., 2nd sess., May 9, 1977, H.Rept. 95-1837 (Washington: GPO, 1979), p. 65, and http://ethics.house.gov/staff-rights-and-duties/volunteers-interns-fellows-and-detailees; *House Ethics Manual*, pp. 286, 363; for the Senate, see *Senate Ethics Manual*, p. 113.

[54] *House Ethics Manual*, p. 286; *Senate Ethics Manual*, pp. 113-114.

[55] *House Ethics Manual*, pp. 291, 402-406.

maximum number of interns for either the House or Senate. Offices, however, may want to ensure there is enough office space for interns to work in, and that there is enough work available to provide interns with a sufficient educational experience. If interns are paid, there may be a maximum number of interns an office can employ, based on applicable staff ceiling rules for the office. Under 2 U.S.C. Section 5321, interns in House Member offices paid by the Members' MRA count against the applicable staff ceiling for House personal offices.[56] Interns in House Member offices paid under the intern allowance provided by the FY2019 legislative branch appropriations act (P.L. 115-244, §120) do not count against the staff ceiling for House personal offices.[57]

The number of interns in offices can fluctuate from year to year and within seasons during the year. During the summer, for example, offices commonly have more interns than during other parts of the year. For Member offices, the location of an internship in Washington, DC, or in a state or district office may also affect the number of interested and available interns.

14. Are there differences between district/state and DC internships?

The substance of the work performed in an internship may vary greatly between district/state offices and Washington, DC, offices if the roles assumed by those different Member offices vary. For example, an intern's tasks may involve more constituent service activities in a district or state office than they would in a Washington, DC, office where the emphasis may be more on legislative activities. The same House and Senate rules and policies generally apply to district or state office interns and to Washington, DC, office interns. Due to the high concentration of congressional interns on Capitol Hill, some training opportunities and congressional programs may be available to Washington, DC, interns, but not to interns serving in district or state offices further away.

House interns who are paid from the internship program funded in the FY2019 House appropriations bill (P.L. 115-244, §120) must be based in a Member's Washington, DC, office.[58] For security purposes, interns in Washington, DC, offices can obtain a congressional ID badge, available from the Office of the Sergeant at Arms for the appropriate chamber. District or state office interns are also eligible to receive ID badges at the request of the employing Member office. ID badges are to be returned to the Office of the Sergeant at Arms upon completion of an internship.

15. Are there mandatory trainings for interns?

If interns are paid by Congress, then they are to take many of the mandatory trainings discussed below that new House or Senate employees are required to take. If interns are unpaid, however, fewer House or Senate trainings are mandatory for them. Because interns may be working with Congress or in a professional environment for the first time, congressional offices may want to

[56] House Member offices, for example, may employ up to 18 permanent employees and 4 additional employees; if interns are paid by the House Member office, they are considered part of those 4 additional employees, which can also include part-time, shared, and temporary employees, as well as office employees on unpaid leave. See 2 U.S.C. §5321(a); *Members Congressional Handbook*, pp. 4-5.

[57] Committee Resolution 116-8 from the Committee on House Administration, March 12, 2019, at https://docs.house.gov/meetings/HA/HA00/20190312/109114/HMTG-116-HA00-20190312-SD008.pdf; H.Rept. 115-929, p. 204; also "House Paid Internship Program," at https://cha.house.gov/house-paid-internship-program.

[58] See Committee Resolution 116-8, Committee on House Administration, March 12, 2019, at https://docs.house.gov/meetings/HA/HA00/20190312/109114/HMTG-116-HA00-20190312-SD008.pdf

have their interns attend additional trainings to better ensure they are prepared for their work and can represent the office appropriately.

All interns in the House of Representatives are required to complete a training session on workplace rights and responsibilities.[59] Also in the House, any individual who has access to the House network needs to complete an information security training online.[60] A paid intern who is employed for 60 days or more is to take a House ethics training, which is mandatory for new House employees. Unpaid interns or paid interns with a shorter internship are not required to take this ethics training.[61] Other programs or courses offered by the House may be available to interns and helpful for their work duties.

The Senate Office of Education and Training provides a number of courses specifically designed for interns.[62] A few, including harassment prevention and an overview of the Senate Code of Conduct,[63] are listed as required courses, whereas others, like information security training, are listed as recommended or optional. Many of these courses are online and can be accessed via the Senate intranet in a state or Capitol Hill office. Other courses offered by the Senate Office of Education and Training or the Senate Library may be open to interns if space permits.

Interns who are expected by their offices to use Congressional Research Service (CRS) resources or place requests must attend the "Orientation Program for Interns and Volunteers" offered by CRS.[64] Interns who might need to use the Library of Congress resources more broadly can sign up for a research orientation covering the Library's collections, resources, and policies.[65] If interns are responsible for hosting tours of the U.S. Capitol, they may be advised to sign up for a tour-leader training course offered by the Architect of the Capitol.[66]

16. What congressional programs are available for interns?

Each summer, the Committee on House Administration and the Senate Committee on Rules and Administration cosponsor the Congressional Summer Intern Lecture Series, providing congressional interns with insights about politics and policymaking from Members of Congress, other government officials, and journalists. The lectures are scheduled from June through August, and the days and times vary based on speaker availability.[67]

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[59] H.Res. 630, agreed to November 29, 2017. See "Workplace Rights & Responsibilities Education" at https://housenet.house.gov/campus/service-providers/workplace-rights-responsibilities-education.

[60] See "Information Security Training," at https://housenet.house.gov/for-staff/responsibilities/information-security-training.

[61] Capitol Hill staff members are to complete an ethics training in-person, but an online training version is available for district staff. See "Ethics Training," at https://housenet.house.gov/for-staff/responsibilities/ethics-training.

[62] See U.S. Senate, Senate Office of Education and Training, at http://webster.senate.gov/interns/intern-class-descriptions/.

[63] All new Senate personnel are required to complete Code of Conduct training within 60 days of the start of their employment. Separate Code of Conduct courses are listed for paid and unpaid interns. Any unpaid individual working with a Senator's office on a full-time basis for more than 90 days must also agree to abide by the Code of Conduct, *Senate Ethics Manual*, pp. 213-214.

[64] Upcoming CRS orientation sessions are listed at http://www.crs.gov/events. More information on CRS services for interns and volunteers can be found at http://www.crs.gov/resources/CRS-Services-to-Interns-Volunteers.

[65] See "Classes for First-Time Users," at http://www.loc.gov/rr/main/inforeas/orient.html.

[66] Schedule of upcoming sessions and more information is available at http://cvc.aoc.gov/Tour_Training/.

[67] For information on the current lecture series schedule, see U.S. Congress, House, Committee on House Administration, "Congressional Summer Intern Lecture Series," at https://cha.house.gov/summer-lectures.

Some programs and courses offered by CRS are open to congressional interns, provided that they have completed the CRS intern orientation. Current offerings are posted at http://www.crs.gov/events, and can help enrich the educational component of an intern's experience. Some video versions of past CRS events are also available at http://www.crs.gov/events/recordedevents, which may be helpful for district or state office interns.

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