

**Job Opportunity**  
**Attorney-Advisor (Environmental Law)**  
**Office of the Assistant General Counsel for Transactions and Technology**  
**U.S. Department of Commerce**

**Summary**

The Department of Commerce (DOC) Office of the General Counsel is seeking one or more attorneys with environmental law experience to assist in the implementation of the \$100 billion CHIPS Incentives Program and the over \$48 billion in broadband grant programs administered by the National Telecommunications and Information Administration (NTIA). The mission of the CHIPS Incentives Program is to catalyze long-term growth in the domestic semiconductor industry to support our national and economic security by financing major semiconductor manufacturing and related facilities through a combination of grants, loans, loan guarantees, and other transactions. Through its administration of multiple broadband grant programs, NTIA's mission is to connect everyone in America to high-speed, affordable, reliable Internet access. Financial assistance awards under these programs may be subject to various Federal environmental and historic preservation mandates and responsibilities, and funded actions will be subject to a range of Federal, state, and local environmental and historic preservation laws and regulations. The Department will engage in a thorough review of applications to identify and mitigate environmental and historic preservation risks.

The incumbent would be responsible for advising on Department compliance with any required Federal environmental statutes, regulations, and other mandates (including historic preservation mandates), and assisting in the implementation of the environmental review process for applications. Further, the incumbent would be responsible for advising on federal, state, local and tribal permitting responsibilities required for the CHIPS and broadband programs. In performing these activities, the incumbent is expected to help to identify environmental and historic preservation risks and potential mitigation opportunities in applications; support and advise on coordination and cooperation with other Federal agencies, states, tribes, and stakeholders; and handle other environmental legal issues that arise in the execution of the CHIPS Incentives Program and the NTIA-led broadband grant programs.

The Attorney-Advisor (Environmental Law) is a full-time GS-15 position. It is anticipated that for at least the first year of employment, and potentially longer, the incumbent would work time with the Office of the Chief Counsel for Semiconductor Incentives (OCC-SI) and the Office of the Chief Counsel for NTIA (NTIA/OCC) within the Office of the General Counsel. OCC-SI and NTIA/OCC are responsible for the programmatic legal advice on the CHIPS Incentives Program and the NTIA broadband grant programs, respectively. As the bulk of the work in these programs transitions from the transaction phase to the asset management phase, the incumbent's workload would shift to other priorities throughout DOC, though the position would be expected to continue to support these programs on an as needed basis.

## Description

The responsibilities of the incumbent may include:

- Advising on the drafting and implementation of policies, procedures, templates, and forms to govern the environmental review and compliance processes associated with the NTIA broadband grant programs and CHIPS Incentives Program applications, including helping to draft standard language and advise on strategic approaches to environmental compliance and risk assessment.
- Providing direct legal support to NTIA's Office of Internet Connectivity and Growth (OICG) and the Environmental Division of the CHIPS Incentives Program on a range of time-sensitive legal and compliance issues under the National Environmental Policy Act (NEPA), the Endangered Species Act (ESA), the National Historic Preservation Act (NHPA), and other requirements.
- Advising and supporting the OICG and the Environmental Division in briefing leadership and engaging with external partners and stakeholders.
- Reviewing individual environmental documents, including NEPA documents and consultation or permitting requests, applications, or assessments, agency determinations, and internal and external-facing documents with broad applicability.
- Advising on inter and intra-agency coordination and relevant consultations, and engaging with applicants and applicant counsel.
- Assisting in developing terms and conditions related to environmental and historic preservation compliance to be included in funding agreements, and advising on specific mitigation issues;
- Advising on the monitoring and enforcement of environmental and historic preservation terms and conditions after execution;
- Advising and commenting on relevant draft and final rules, regulations, and other priority Federal permitting or environmental reform requests; and
- Advising on a range of legal matters that could arise in connection with environmental and historic preservation compliance issues throughout the application, award, and post-award periods, including matters related to litigation.

The Attorney-Advisor (Environmental Law) must be able to work independently and effectively with clients and have strong written and oral communication skills. The Department seeks applicants who have experience with environmental and conservation laws and regulations governing federal agencies including NEPA, ESA, and NHPA, as well as with the Administrative Procedure Act, the Freedom of Information Act, government-to-government consultation, and other generally applicable federal laws. Experience with the Clean Water Act, Clean Air Act, Resource Conservation and Recovery Act, and the Comprehensive Environmental Response, Compensation, and Liability Act is considered beneficial.

## Required documents

A complete application consists of the following:

- **Cover letter.** Address demonstrated interests and qualifications as it relates to the position.

- **Resume showing relevant experience.** Your resume should list your educational and work experience, including the dates (mm/dd/yyyy) and provide the hours per week, if less than 40. For work in the Federal Service, please include the pay plan and grade level for the position(s).
- **Copy of law school transcript.** Unofficial copy is sufficient at this time, but official copy must be submitted before appointment.
- **Certificate of bar membership and proof of good standing.** Prior to receiving an offer, you will be asked to provide a certificate of bar membership and proof of good standing.

## **Qualifications**

An applicant must:

1. Be a graduate of an accredited law school with a J.D. or equivalent degree;
2. Be a current member of a bar with a valid license to practice law in a state or territory of the United States, the District of Columbia, or the Commonwealth of Puerto Rico;
3. Have at least four years of relevant legal experience, including serving as the lead attorney advising on or litigating Federal environmental statutes, regulations, and other related mandates, including NEPA, ESA, and NHPA.

## **Conditions of Employment**

- This position is in the excepted service.
- U.S. Citizenship is required.
- Suitable for Federal employment, as determined by background investigation.

## **How To Apply**

To be considered, by the closing date, please submit all documents specified in the “Required Documents” section above to [OCCjobs@chips.gov](mailto:OCCjobs@chips.gov) with the subject line: Attorney-Advisor (Environmental Law).

The closing date is September 8, 2023. Applications will be accepted after the closing date for consideration at a later date or for future vacancies.