

# Chief Counsel for Economic Development Administration

DEPARTMENT OF COMMERCE

Office of the Secretary

## Summary

The Chief Counsel provides legal services and counsel to the Assistant Secretary of Commerce for Economic Development and EDA Senior Staff . The Chief Counsel advises EDA on the laws, regulations, and other legal authorities affecting the programs and activities of the organization, including EDA's programmatic authorities, equal protection and civil rights law, Federal fiscal law, Federal assistance law, and administrative law (including FOIA, Privacy Act, and Federal Records Act).

## Overview

Accepting applications

### Open & closing dates

🕒 06/10/2022 to 07/11/2022

### Salary

\$135,468 - \$203,700 per year

### Pay scale & grade

ES 00

### Location

1 vacancy in the following location:

📍 Washington, DC

### Remote job

No

### Telework eligible

Yes—as determined by the agency policy.

### Travel Required

Occasional travel - You may be expected to travel for this position.

### Relocation expenses reimbursed

No

### Appointment type

Permanent

## Work schedule

Full-time

## Service

Senior Executive

## Promotion potential

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## Job family (Series)

[0905 Attorney](#)

[\(/Search/Results?j=0905\)](/Search/Results?j=0905)

## Supervisory status

Yes

## Security clearance

[Secret](#)

[\(/Help/faq/job-announcement/security-clearances/\)](/Help/faq/job-announcement/security-clearances/)

## Drug test

Yes

## Position sensitivity and risk

[Noncritical-Sensitive \(NCS\)/Moderate Risk](#)

[\(https://www.usajobs.gov/Help/faq/job-announcement/security-clearances/\)](https://www.usajobs.gov/Help/faq/job-announcement/security-clearances/)

## Trust determination process

[National security](#)

[\(https://www.usajobs.gov/Help/faq/job-announcement/security-clearances/\)](https://www.usajobs.gov/Help/faq/job-announcement/security-clearances/)

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## Announcement number

22-OGC-11533061

## Control number

659338400

# This job is open to



### [Senior executives](#)

Those who meet the five Executive Core Qualifications (ECQs).



### [The public](#)

U.S. Citizens, Nationals or those who owe allegiance to the U.S.

# Duties

- Provides legal advice and consultation to the Assistant Secretary, Deputy Assistant Secretary and EDA senior staff regarding the powers, duties, and legal responsibilities of EDA and its relationship with other governmental departments, agencies, and regional offices as well as business, industry, public, and private organizations.
- Advises the Assistant Secretary, Deputy Assistant Secretary, and other senior EDA officials on all legal and interrelated legal and policy aspects of matters arising out of their respective areas of operation.
- Provides advice on and legal interpretations of existing or proposed legal authorities and directives, including statutes, regulations, Executive Orders, proclamations, and Departmental authorities that affect the authorities, operations, and programs of EDA, and prepares appropriate comments, briefs, or petitions, relating to current or proposed legal authorities or directives of other Federal agencies.
- As directed by the Assistant Secretary or Deputy Assistant Secretary, prepares legislative proposals, including but not limited to laws and regulations, as well as policy directive, to advance EDA's mission and goal and achieve Administration priorities; such proposals should account for other existing Federal and State laws and regulations to ensure harmonious goals and efficient operations.
- Conducts continuing reviews of the legal precedents, policies and programs affecting public and private economic development programs. At the request of the Assistant Secretary or Deputy Assistant Secretary or other authorized senior staff, provides or directs the provision of legal services in the development and coordination of testimony for EDA officials at Congressional hearings and may accompany EDA officials to such hearings in an advisory role.
- Prepares or reviews for legal sufficiency all orders, notice, rules, and regulations for publication including notices in the *Federal Register* and announcements posted on Grants.gov, to be issued by EDA in connection with its programmatic and legal authorities.
- Advises EDA officials on, and as necessary or as directed by the Assistant Secretary or Deputy Assistant Secretary, examines reports from the Inspector General affecting EDA activities and operations, including investigations and audit of investments, and will coordinate with the agency audit liaison on agency responses, and advises the Assistant Secretary as to disposition of audit appeal determinations.
- Acts as the initial point of contact for all EDA legal matters. The Chief Counsel is the primary contact with the Department's OGC and all OGC offices and serves as EDA's liaison with other legal offices within the Federal Government.

# Requirements

## Conditions of Employment

- Background and/or Security Investigation required.
- All members of the SES are subject to geographic relocation.
- A one-year probationary period is required for new SES members.
- Subject to pre-employment and employment random drug testing.
- Public Financial Disclosure (SF-278 filing within 30 days is required).

OPM approval is required before appointing any current or former political appointee to a permanent position in the civil service. This includes anyone who has been a political appointee in the last five years. Applicants are advised that the Department of Commerce will request information regarding the vaccination status of applicants for the purposes of implementing workplace safety protocols, such as protocols related to masking, physical distancing, testing, travel, and quarantine.

# Qualifications

All candidates for SES positions with the Federal Government must demonstrate leadership experience indicative of senior executive level management capability. **To meet the minimum qualification requirements for this position, your resume should demonstrate that you possess the five Executive Core Qualifications (ECQs), and the Professional Technical Qualifications (PTQ's), listed below.**

It is recommended that your resume emphasize levels of responsibility, scope and complexity of programs managed, and program accomplishments and results. Typically, experience of this nature will have been gained at or above the equivalent of the GS-15 grade level in the Federal service or its equivalent with state and local government, the private sector, or non-governmental organizations. Failure to meet all executive and technical qualification factors will automatically exclude you from further consideration.

**Executive Core Qualifications:** The following are the five ECQs and their competencies. The ECQs were developed to assess executive experience and potential, not to evaluate technical experience. ECQs measure whether an individual has the broad experience needed to succeed in a variety of SES positions.

**ECQ 1 - LEADING CHANGE:** This core qualification involves the ability to bring about strategic change, both within and outside the organization, to meet organizational goals. Inherent to this ECQ is the ability to establish an organizational vision and to implement it in a continuously changing environment. (Competencies: creativity and innovation, external awareness, flexibility, resilience, strategic thinking, vision).

**ECQ 2 - LEADING PEOPLE:** This core qualification involves the ability to lead people toward meeting the organization's vision, mission, and goals. Inherent to this ECQ is the ability to provide an inclusive workplace that fosters the development of others, facilitates cooperation and teamwork, and supports constructive resolution of conflicts. (Competencies: conflict management, leveraging diversity, developing others, team building).

**ECQ 3 - RESULTS DRIVEN:** This core qualification involves the ability to meet organizational goals and customer expectations. Inherent to this ECQ is the ability to make decisions that produce high-quality results by applying technical knowledge, analyzing problems, and calculating risks. (Competencies: accountability, customer service, decisiveness, entrepreneurship, problem solving, technical credibility).

**ECQ 4 - BUSINESS ACUMEN:** This core qualification involves the ability to manage human, financial, and information resources strategically. (Competencies: financial management, human capital management, technology management).

**ECQ 5 - BUILDING COALITIONS:** This core qualification involves the ability to build coalitions internally and with other Federal agencies, State and local governments, nonprofit and private sector organizations, foreign governments, or international organizations to achieve common goals. (Competencies: partnering, political savvy, influencing/negotiating).

For detailed guidance on ECQs, applicants are strongly encouraged to review the Office of Personnel Management's Guide to Executive Qualifications at <http://www.opm.gov/ses/recruitment/ecq.asp> (<http://www.opm.gov/ses/recruitment/ecq.asp>).

Example of ECQ statements are available at [https://www.opm.gov/policy-data-oversight/senior-executive-service/reference-materials/guidetosesquals\\_2012.pdf](https://www.opm.gov/policy-data-oversight/senior-executive-service/reference-materials/guidetosesquals_2012.pdf) ([https://www.opm.gov/policy-data-oversight/senior-executive-service/reference-materials/guidetosesquals\\_2012.pdf](https://www.opm.gov/policy-data-oversight/senior-executive-service/reference-materials/guidetosesquals_2012.pdf)).

## **Professional/Technical Qualifications:**

1. Demonstrated experience in planning and implementing the work of a legal office and providing sound and timely legal counsel.
2. Ability to formulate and implement enterprise-wide legal policies on all matters pertaining to either of these areas: minority business development; civil rights law; Federal fiscal law; Federal assistance law; or administrative law (including FOIA, Privacy Act and Federal Records Act).
3. Demonstrated ability to provide legal interpretations of existing or proposed statutes, regulations, or other legal authorities that may affect the authorities, policies, and operations of a public-sector organization.

**IF SELECTED**, you will be required to complete an ECQ package by drafting narratives for each of the ECQs and be certified by an OPM Qualifications Review Board (QRB) in order to be placed in this position. If you are currently serving in a career SES appointment, are eligible for reinstatement into the SES, or have successfully completed an SES Candidate Development Program and your ECQs were certified by an OPM QRB, you **WILL NOT** need to draft the ECQs.

## Education

This position does not have a positive education requirement.

## Additional information

**Background Investigation/Clearance:** This position is designated as Non-Critical Sensitive/Moderate Risk.

**Financial Disclosure:** This position is covered under the Ethics in Government Act, which requires comprehensive financial disclosures from employees. The appointee will be required to file a Public Financial Disclosure Report (SF-278), within 30 days after his/her appointment, and then annually thereafter.

**Qualifications Approval and Probationary Period:** Persons newly selected for career appointment to the Senior Executive Service must have their executive core qualifications approved by an Office of Personnel Management Qualifications Review Board and will be required to serve a one-year probationary period.

**Mobility:** Individuals selected for Senior Executive Service positions may be subject to reassignment across geographical, organizational, and functional lines.

**Application materials:** The materials you send with your application will not be returned.

**Veterans' preference:** VETERAN'S PREFERENCE IS NOT APPLICABLE TO POSITIONS IN THE SENIOR EXECUTIVE SERVICE.

**SSN:** You will be required to enter your full social security number (SSN) only to initially access and create an account at the OPM USAJOBS website; however, only the last four digits will appear in your resume. Please DO NOT put your SSN on pages within your application package. Privacy Act - Privacy Act Notice (PL 93-579): The information requested here is used to determine qualifications for employment and is authorized under Title 5 U.S.C. 3302 and 3361.

**Signature:** Before you are hired, you will be required to sign and certify the accuracy of the information in your application.

**False Statements:** If you make a false statement in any part of your application, you may not be hired, you may be fired after you begin work, or you may be subject to fine, imprisonment, or other disciplinary action.

**Selective Service:** If you are a male applicant born after December 31, 1959, you must certify that you have registered with the Selective Service System or are exempt from having to do so under the Selective Service Law.

The United States Government does not discriminate in employment on the basis of race, color, religion, sex, national origin, political affiliation, sexual orientation, marital status, disability, age, membership in an employee organization, or other non-merit factor. The Department of Commerce is an equal opportunity employer.

# Benefits

A career with the U.S. government provides employees with a comprehensive benefits package. As a federal employee, you and your family will have access to a range of benefits that are designed to make your federal career very rewarding. [Learn more about federal benefits](https://www.usajobs.gov/Help/working-in-government/benefits/)

[\(https://www.usajobs.gov/Help/working-in-government/benefits/\)](https://www.usajobs.gov/Help/working-in-government/benefits/)

[Review our benefits](https://www.usajobs.gov/Help/working-in-government/benefits/)

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Eligibility for benefits depends on the type of position you hold and whether your position is full-time, part-time or intermittent. Contact the hiring agency for more information on the specific benefits offered.

# How You Will Be Evaluated

You will be evaluated for this job based on how well you meet the qualifications above.

1. Resume (**not to exceed five pages**) review. Your resume should demonstrate possession of the technical qualifications and executive core qualifications. Typically, experience demonstrating the technical and executive core qualifications will have been gained at or above the equivalent of the GS-15 or its equivalent with state and local government, the private sector, or non-governmental organizations. **Follow the instructions in the vacancy announcement carefully when preparing your resume and adhere to the page limitations. Any pages in excess of the page limit will not be considered.**
2. Basic qualification determination.
3. Rating panel assessment of your executive core qualifications and professional technical qualifications.
4. Structured interview and possible further interviews.
5. Tentative selection by the hiring organization.
6. OPM Qualification Review Board certification (as needed).

# Required Documents

**This is a resume-based recruitment.** Applicants are required to submit only a resume which must provide detailed evidence of how they meet the Executive Core Qualifications (ECQs) and the Professional/Technical Qualifications (PTQs).

- **Resume that does not exceed the five (5) page limit. (ECQ and PTQ sample experience should be incorporated in the resume and not separately).**

## Additional documents you may submit:

1. For current Senior Executive or individuals with SES reinstatement eligibility - You are encouraged to submit your most recent SF-50 (Notification of Personnel Action) that documents your career appointment status in the SES.
2. For OPM QRB certified SES Candidate Development Program graduates - You are encouraged to submit your OPM certificate of QRB ECQ approval.
3. For current Federal employees - You are encouraged to submit your most recent SF-50 (Notification of Personnel Action) that documents your current tenure, position title, series, and pay.

Documents not listed above including writing samples, recommendation letters, narrative ECQ and PTQ statements, and proof of veteran status will not be considered and will not be forwarded to the rating panel or selecting official.

# How to Apply

Applicants must complete and submit an application online at the Office of Personnel Management (OPM) USAJOBS website at <https://www.USAJOBS.gov>.  
(<https://www.usajobs.gov/>)

An account must be established at the OPM website following the instructions provided in order to apply for the position. Once you have completed the USAJOBS process, answer the online vacancy questions, and submit all required documents.

The Department of Commerce provides reasonable accommodations to applicants with disabilities. If you need a reasonable accommodation for any part of the application and hiring process, please notify Nicole McFadden, the servicing Human Resources Specialist, either by e-mail at [nmcfadden@doc.gov](mailto:nmcfadden@doc.gov) or by telephone at 202-809-7468. The decision on granting reasonable accommodation will be on a case-by-case basis. TTY users may contact us via the Federal Relay Service, 1-800-877-8339.

Your application and all supporting documents **must be received by 11:59 pm Eastern Standard Time (EST)** on the closing date of this announcement. Applicants applying on-line for this position will be able to apply until 11:59 pm Eastern Standard Time (EST) on the closing date of this announcement. Please allow adequate time to complete your application. If you encounter technical difficulties during the process, please call 1-877-662-7730 Monday through Friday, 7:00 a.m. to 5:00 p.m. EST (excluding Federal holidays) for assistance. If you have technical difficulties applying to the vacancy on the USAJOBS website, click on Contact USAJOBS. It is suggested that you do not wait until the last day to apply for a vacancy announcement.

**As the Applicant, it is your responsibility to verify that information entered, uploaded, and submitted is received and is accurate.** A complete application package consists of the following:

1. Resume and responses to the online job questions submitted via this website. Your resume should include the following information:
  - a. Your full name, mailing address (including zip code), and day and evening telephone numbers.
  - b. Paid and Non-paid job-related work experience. For each job listed you are to provide:
    - (1) Job title
    - (2) Duties and accomplishments
    - (3) Employers' name and address
    - (4) Supervisor's name and phone number
    - (5) Starting and ending dates (month and year)
    - (6) Hours per week
    - (7) Salary
    - (8) If Federal; Title, Series, and grade/pay band
  - c. Education. Provide name, city and state of all schools attended; i.e., colleges and universities, vocational, trade, business, technical. Provide dates of attendance, major, and type and year of any degrees received. Report only attendance and/or degrees from schools accredited by accrediting institutions recognized by the U.S. Department of Education. For more information, you may refer to the following website: <http://www.ed.gov/admins/finaid/accred/index.html>  
(<http://www.ed.gov/admins/finaid/accred/index.html>)
  - d. Other Job Related Qualifications Information: Provide training courses, special skills you possess, certificates and licenses, honors, awards, special accomplishments, etc., applicable to the position.

## Agency contact information

 Nicole McFadden

## Phone

[202-809-7468](tel:202-809-7468)  
(tel:202-809-7468)

## Email

[nmcfadden@doc.gov](mailto:nmcfadden@doc.gov)  
(mailto:nmcfadden@doc.gov)

[Learn more about this agency.](#)  
(#agency-modal-trigger).

## Address

Office of General Counsel  
1401 Constitution Ave NW  
Washington, DC 20230  
US

## Next steps

The Executive Resources Operations Staff will provide notification of applicant status through periodic emails at the four points of the hiring process, as applicable, in a timely fashion. The four points of notification are: Application Received; Minimum Qualification Requirement Met or Not Met; Panel Rating of Best Qualified (Application referred to the Selecting Official) or Panel Rating of Qualified/Not Qualified (Application not referred to Selecting Official); and Selected or Not Selected. Applicants can check the status of their application at any time after the announcement closes by accessing USAJOBS website. Select "My USAJOBS" and enter your ID and password. Click the link titled "Applications" and select the link under "Application Status" next to the name of the announcement. Your status will be updated as changes occur. If you have any questions, you may contact the Human Resources Specialist at the telephone number listed in the announcement.

## Fair & Transparent

The Federal hiring process is setup to be fair and transparent. Please read the following guidance.

### [Equal Employment Opportunity \(EEO\) Policy](#)

(/Help/equal-employment-opportunity/)

### [Financial suitability](#)

(/Help/working-in-government/fair-and-transparent/financial-suitability/)

### [New employee probationary period](#)

(/Help/working-in-government/fair-and-transparent/probationary-period/)

### [Privacy Act](#)

(/Help/working-in-government/fair-and-transparent/privacy-act/)

### [Reasonable accommodation policy](#)

(/Help/reasonable-accommodation/)

### [Selective Service](#)

(/Help/working-in-government/fair-and-transparent/selective-service/)

### [Signature and false statements](#)

(/Help/working-in-government/fair-and-transparent/signature-false-statements/)

### [Social security number request](#)

(/Help/working-in-government/fair-and-transparent/social-security-number/)