

Department: Department of Commerce, NOAA, OGC
Agency: Department of Commerce, NOAA, OGC
Sub Agency: Commerce, National Oceanic and Atmospheric Administration
Job Announcement Number: UNSEC-GC-2010-0042

[Overview](#)

Northeast Deputy Regional Counsel

Salary Range: 103455 to 153200 USD Per Year

Open Period: 6/29/2010 to 7/29/2010

Series & Grade: GS-0905-14/15

Position Information: Full-Time Permanent

Promotion Potential: 15

Duty Location: 1 vacancy - Gloucester, MA

Who May Be Considered:

United States Citizens

Job Summary:

An extraordinary opportunity is available at the National Oceanic and Atmospheric Administration's Office of the General Counsel (NOAA GC). NOAA GC employs approximately 95 attorneys at headquarters offices in the Washington, DC area and at six regional offices. NOAA GC provides legal advice to the Department of Commerce Under Secretary for Oceans and Atmosphere (NOAA Administrator) and NOAA program offices on a wide variety of issues including U.S. and International fisheries, marine mammals, endangered or threatened marine species, preservation of coastal areas, marine sanctuaries, and licensing of commercial satellites. NOAA is a premiere environmental agency, which is located within the Department of Commerce, and employs over 12,000 individuals nationwide. The agency's mission is to conserve and manage coastal and marine resources and to understand and predict changes in the Earth's environment to meet the Nation's economic, social and environmental needs. For more information see www.noaa.gov The National Marine Fisheries Service (NOAA Fisheries) is one of the agency's largest program offices and is responsible for implementing Federal laws to manage and conserve Marine resources. NOAA Fisheries Northeast Regional Office works with the Northeast Fisheries Center and the New England and Mid-Atlantic Fishery Management Councils (NEFMC and MAFMC, respectively). In developing proposals for conserving and managing marine resources off the coast of the states from Maine through North Carolina. The attorney selected for this position would join the NOAA GC Northeast Regional Office (GCNE), and would provide legal analysis and advice to the NOAA Fisheries in its development of regulations to implement programs recommended by the NEFMC and MAFMC and approved by the Secretary of Commerce. The attorney also would work closely with the U.S. Department of Justice in conducting research and developing litigation strategies. For more information on the NOAA GC Northeast Regional Office, see www.gc.noaa.gov.

Key Requirements:

- Applicant must successfully complete a background security investigation before you can be appointed into this position.
- Position requires overnight domestic and foreign travel.
- Position is in the excepted service. Applicant must complete a one-year probationary period.

[Duties](#)

Major Duties:

The Northeast Deputy Regional Counsel will support the Northeast Regional Counsel in all aspects of management and supervision of GCNE and its staff of four (4) attorneys and three (3) support personnel in Gloucester, Massachusetts. Three enforcement attorneys and two natural resource damages attorneys are co-located in the office. The primary work of GCNE is in the areas of the Marine Mammal Protection Act, Atlantic Coastal Fisheries Cooperative Management Act, and the Federal Power Act. The attorney selected for this position will have significant responsibilities for office administration and advising NOAA Fisheries scientists and managers in tier work to conserve and manage marine resources off the coast of states from Maine through North Carolina. Principal duties include providing legal analysis and written and oral legal advice to NOAA Fisheries and NEFMC and MAFMC regarding requirements and responsibilities for managing fisheries and protecting marine species and habitats under the Magnuson-Stevens Fishery Conservation and Management Act, Endangered Species Act, and other statutes pertaining to domestic and International fisheries issues. The attorney will also provide legal analysis and advice to NOAA Fisheries on a number of other statutes pertaining to the actions taken by the agency and its separations; these statutes include the National Environmental Policy Act, Administrative Procedure Act, Regulatory Flexibility Act, and Freedom of Information Act.

The position involves working closely with experienced biologists and fishery managers in, among other things, developing and reviewing regulations, permits, and policies. The position requires interaction with other NOAA GC attorneys, policy makers and technical staff, the Department of Commerce, other Federal and state agencies, members of the regulated community, and public interest organizations. It also involves active participation, in concert with U.S. Department of Justice attorneys, in conducting research and analysis for the development of arguments and strategies to defend NOAA fisheries in cases brought under the above-referenced statutes. The work involves complex and challenging issues on important matters. The position reports to the NOAA Northeast Regional Counsel in Gloucester, Massachusetts.

Qualifications and Evaluation

Qualifications:

Applicants must demonstrate an ability to manage a complex organization and tackle challenging organizational issues that include: ability to manage a diverse workforce that includes lawyers, non-lawyer professionals, and support staff; ability to establish an organizational vision, develop a strategic plan and implement strategic change; ability to develop and advance policy and regulatory initiatives; ability to build coalitions, both within the organization and outside the organization, to effectively implement the applicable statutory provisions; ability to identify and resolve complex legal and technical issues; and ability to communicate effectively orally and in writing.

NOAA seeks applicants with at least 5 year experience working with Federal or state fisheries, environmental and/or marine resources statutes and regulations, and with a strong interest in practicing as an attorney in a Federal regulatory agency in these practice areas. A strong applicant for this position would have experience with the Magnuson-Stevens Fishery Conservation and Management Act, National Environmental Policy Act, Endangered Species Act, Marine Mammal Protection Act, Administrative Procedures Act, Regulatory Flexibility Act, Freedom of Information Act, and other generally applicable Federal laws, as well as experienced representing an organization (e.g. government agency, corporations, tribe, etc). An understanding of relevant biological principles, strong interpersonal skills, and experience fostering multi-party agreements will be particularly valuable. Given the importance of litigation to the position, significant federal judicial or administrative litigation experience is desirable.

As this is a managerial position, prior experience managing a legal team or office or serving as a first line supervisor is desirable. Experience in office management, budget, administration, and personnel matters will also be favorably considered.

Applicants must have a demonstrated ability to communicate effectively orally and in writing, and to identify and resolve complex legal issues. Applicants must also demonstrate the ability to manage large projects independently, work as a member of a team and as team leader, assimilate large amounts of material quickly, and balance a diverse workload.

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Significant academic achievement in law school (such as graduation in top third of class, graduation with honors, significant judicial clerking experience, or participation in moot court or law review) or an L.L.M. degree will be favorably considered.

Applicants must be a graduate (J.D. degree) from a full course of study in a School of Law accredited by the American Bar Association, and be an active member in good standing of a bar of a state, United States territory, the District of Columbia, the Commonwealth of Puerto Rico and have a J.D. from an accredited law school, and be an active member in good standing of a state bar or the bar of the District of Columbia.

Applicants must be U.S. citizens to qualify for this position.

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How Will You Be Evaluated:

Applicants will be evaluated based on the Qualifications described above. Please be advised that NOAA Attorney positions are in the Excepted Service. As such, these positions are not covered by the usual civil service hiring procedures. There is no numerical rating system through which to apply veterans' preference; however, the NOAA Office of the General Counsel considers veterans preference eligibility as a positive factor in hiring. Applicants eligible for veteran's preference are encouraged to include that information in their cover letter or resume, and to attach supporting documentation (e.g., the DD-214 or other substantiating documents) to their submissions.

Benefits and Other Information

Benefits:

You may participate in the Federal Employees Health Benefits program, with costs shared with your employer. More info: <http://www.usajobs.gov/jobextrainfo.asp#FEHB>. Life insurance coverage is provided. More info: <http://www.usajobs.gov/jobextrainfo.asp#life> Long-Term Care Insurance is offered and carries into your retirement. More info: <http://www.usajobs.gov/jobextrainfo.asp#ltci> New employees are automatically covered by the Federal Employees Retirement System (FERS). If you are transferring from another agency and covered by CSRS, you may continue in this program. More info: <http://www.usajobs.gov/jobextrainfo.asp#retr> You will earn annual vacation leave. More info:

<http://www.usajobs.gov/jobextrainfo.asp#VACA> You will earn sick leave. More info:
<http://www.usajobs.gov/jobextrainfo.asp#SKLV> You will be paid for federal holidays that fall within your regularly scheduled tour of duty. More info: <http://www.usajobs.gov/jobextrainfo.asp#HOLI> If you use public transportation, part of your transportation costs may be subsidized. Our human resources office can provide additional information on how this program is run.

Other Information:

This job is being filled by an alternative hiring process and is not in the competitive civil service. NOAA Attorney positions are in the Excepted Service. As such, these positions are not covered by the usual civil service hiring procedures. There is no numerical rating system through which to apply veteran's preference; however, the NOAA Office of the General Counsel considers veterans preference eligibility as a positive factor in hiring. Applicants eligible for veteran's preference are encouraged to include that information in their cover letter or resume, and to attach supporting documentation (e.g., DD-214 or other substantiating documents) to their submissions.

NOAA GC will not pay relocation expenses or moving costs.

How to Apply

How to Apply:

Application may be made by sending a resume, writing sample (not exceeding ten pages), and cover letter to Joel MacDonald, Office of the General Counsel for Fisheries, or by e-mail to: joel.g.macdonald@noaa.gov. Applications must be emailed or postmarked by July 29, 2010. In your cover letter or an attachment, please explain how your experience, education, training, activities, or awards relate to the qualification listed above. Also explain why you are interested in working for the NOAA Office of the General Counsel. Please include your e-mail address and your day and evening telephone numbers, and indicate the best time to reach you by telephone.

Contact Information:

Joel G. MacDonald
Phone: 978-281-9241
Fax: 978-281-9389
Internet: joel.g.macdonald@noaa.gov

Or Write:
Department of Commerce, NOAA, OGC
55 Great Republic Drive
Gloucester MA 01930
US

What to Expect Next:

Applicants will not be notified that their application has been received. Interviews may be arranged at the discretion of NOAA for those subject to further consideration based upon qualifications.

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.

Reasonable Accommodation

Federal agencies must provide reasonable accommodation to applicants with disabilities where appropriate. Applicants requiring reasonable accommodation for any part of the application and hiring process should contact the hiring agency directly. Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

Veterans Information

Veterans who served on active duty in the U.S. Armed Forces and were separated under honorable conditions may be eligible for veterans' preference. For service beginning after October 15, 1976, the veteran must have served the required length of time and have a Campaign Badge, Expeditionary Medal, a service-connected disability, or have served in the Gulf War between August 2, 1990, and January 2, 1992.

The Veterans Employment Opportunity Act (VEOA) gives veterans access to job vacancies that might otherwise be closed to them. The law allows eligible veterans to compete for vacancies advertised under agency's promotion procedures when the agency is seeking applications from outside of its own workforce.

To claim veterans' preference, veterans should be ready to provide a copy of their DD-214, Certificate of Release or Discharge from Active Duty, or other proof. Veterans with service connected disability and others claiming 10 point preference will need to submit Form SF-15, Application for 10-point Veterans' Preference.

For more specifics on all veterans employment issues such as Veterans preference or special appointing authorities see the VetGuide.

Legal and Regulatory Guidance

Social Security Number - Your Social Security Number is requested under the authority of Executive Order 9397 to uniquely identify your records from those of other applicants who may have the same name. As allowed by law or Presidential directive, your Social Security Number is used to seek information about you from employers, schools, banks, and others who may know you. Failure to provide your Social Security Number on your application materials, will result in your application not being processed.

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.