

Job Opportunity
Senior Counsel – National Security
Office of the Chief Counsel for Semiconductor Incentives
U.S. Department of Commerce

Summary

The Department of Commerce (Department) Office of the General Counsel seeks an attorney with national security legal experience to assist in the implementation of the \$100 billion CHIPS Incentives Program. 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. The Department will engage in a thorough review of applicants for funding, their investors, their supply chains, and other relevant transaction parties to identify and mitigate national security risks. The Senior Counsel – National Security would be responsible for assisting in the implementation of the national security review process, helping to identify and negotiate national security mitigations, interfacing with national security agencies on legal matters, and handling other legal issues that arise in the execution of the CHIPS Act's national security requirements. The Senior Counsel would also work on developing national security-related monitoring procedures for projects that receive funding.

The Senior Counsel – National Security is a full-time (GS-14 or GS-15 Salary: \$132,368 - 183,500) position. The full performance-level for this position is GS-15. The Senior Counsel would work in the Office of the Chief Counsel for Semiconductor Incentives within the Office of the General Counsel. The Senior Counsel will require a TS/SCI security clearance. The position is located in the Department's headquarters in Washington, D.C. The duties of this position are suitable for some telework with supervisor approval.

Description

The responsibilities of the Senior Counsel may include:

- Advising on the range of legal matters that could arise in connection with the national security vetting process for CHIPS Incentives Program transactions, including issues of administrative law, handling of classified information, and interpretation of the CHIPS Act (15 U.S.C. § 4651 *et seq.*);
- Advising on the drafting and implementation of policies, procedures, templates and forms to govern CPO's national security review and vetting process that will enable compliance with all applicable legal and regulatory requirements;
- Advising on the development and implementation of information sharing protocols with other agencies;
- Developing and advising on standard national security due diligence requests and transaction-specific due diligence requests;
- Developing terms and conditions for national security mitigation to be included in funding agreements, and advising on specific mitigation issues;
- Negotiating with funding applicants on information disclosures, mitigation measures, and other matters related to national security issues;
- Advising on the monitoring and enforcement of agreements after they are executed; and
- Assisting in the implementation of regulations and policies for the CHIPS Act's national security clawback provisions (15 U.S.C. § 4652(a)(5)(C), (a)(6)).

The Senior Counsel must be able to work independently and effectively with clients. Relevant experience may include:

- Providing legal advice in connection with CFIUS, Team Telecom, export control matters, or other national security review processes;
- Negotiation with private parties on national security matters, including in connection with the production of information or the drafting or implementation of mitigation measures;
- Advising on compiling records that can withstand litigation and oversight scrutiny; and
- Advising on the implementation of new government programs and processes

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 6 years of overall experience; and (4) meet the following specialized experience requirements: at least 4 years of significant experience in a litigation, regulatory, administrative and/or governmental affairs practice related to national security issues.

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

Qualified candidates should send their cover letter and resume to OCCjobs@chips.gov with the subject line “CHIPS Senior Counsel – National Security - [Full Name].” All other required documents (e.g., copy of transcript and proof of bar) will be required if hired. Applications will be reviewed on a rolling basis.