

Job Announcement
Federal Emergency Management Agency
Office of Chief Counsel

Position Title: Environmental Litigation Attorney Advisor
Location [or] Duty Station: Washington, DC
Grade: GS 13/14

The Federal Emergency Management Agency's Office of Chief Counsel (OCC), Resilience Legal Division (RLD), Litigation Branch has an immediate opening for a Full Time Environmental Litigation Attorney- Advisor at the GS13/14 level for the RLD Litigation Branch. Applications will be accepted until filled. The position has a duty station at FEMA HQ in Washington, DC and reports directly to RLD's Deputy Associate Chief Counsel for Litigation.

About RLD: RLD is divided into five branches: (1) Environmental Planning & Historic Preservation, Risk Management & Mitigation (ERM); (2) Flood Insurance & Fund Management (FIFM); (3) Litigation and Write Your Own Oversight; (4) Preparedness and Continuity; and (5) Grants. The RLD Litigation Branch represents FEMA in all litigation involving FIFM and ERM. The Litigation Branch represents all FIFM and ERM's programs, including environmental litigation, mitigation grants, and flood insurance.

The attorney selected for this position would primarily be assigned to cases brought under the Administrative Procedure Act, including environmental litigation, mitigation grants litigation, flood mapping litigation, and challenges to the administration/implementation of the NFIP.

Duties may include:

- Providing legal counsel through written memorandums, supported with case law, on novel issues of law related to litigation or potential litigation brought under the Administrative Procedure Act, the National Flood Insurance Act, the National Environmental Policy Act, the Endangered Species Act, the National Historic Preservation Act, Executive Order 11988, Executive Order 11990, and various other laws and executive orders.
- Supporting the Department of Justice in developing and presenting litigation in the federal courts, or state and municipal courts.
- Reviewing proposals, participating in negotiations and determinations of settlement of litigation, and recommending settlement of matters in accordance with agency, DHS, or OCC directives or policies.
- Preparing documentary evidence and declarations in support of dispositive motions or trial; preparing administrative records; and drafting dispositive motions.
- Providing legal counsel in anticipation of litigation.
- Working with program attorneys and program staff to devise and implement strategies to mitigate litigation risk.
- Collaborating with, and coordinating case-related communications for, dozens, or even hundreds, of FEMA personnel, across multiple regions and HQ, and across one or more FEMA programs.
- Briefing leadership on litigation and proposed courses of action.

- Preparing and providing trainings on various laws, litigation matters, and/or litigation strategy, as well as on the preparation of an administrative record in support of agency decision-making.
- Reviewing and making recommendations on legislation, regulations, or changes in existing policies, practices, and agency issuances to cure or eliminate problems identified in litigation.

Qualifications: We are seeking attorneys with litigation experience and/or environmental law experience who are willing to commit to Resilience’s mission. The attorney-advisor must also possess strong writing and communication skills and must be able to discuss nuanced legal issues with other attorneys not familiar with the subject matter, with clients across the agency, and with stakeholders outside of the agency. If you enjoy working on novel issues of law and collaborating with attorneys and staff across the agency to find a solution, this is the job for you!

The successful candidate will have the following minimum qualifications:

- United States Citizenship.
- Ability to successfully pass a background investigation.
- Selective Service registration for males born after 12/31/59.
- A J.D. or LL.B. degree from an ABA accredited law school.
- An active membership, in good standing, of the bar of a state, territory of the United States, the District of Columbia, or the Commonwealth of Puerto Rico.
- Significant experience with Federal litigation.
- Superior writing ability.
- Ability to communicate in all manners of communication clearly and effectively.
- Proficiency in legal research methods, including familiarity with on-line legal databases and other agency resources.
- A team-oriented approach.
- Relevant experience or education that demonstrate the knowledge or skills that are essential to satisfactory performance in the position.
- Agreement with Every Employee is an Emergency Manager requirement.

Minimum Experience:

You qualify for this position at the IC-13 level if you possess the following experience by the closing date of this announcement:

- Applicants must have at least two (2) years of full-time legal experience. Legal experience means experience in which the candidate’s job duties required the provision of legal advice or representation, and which required the candidate to be an active member in good standing of the bar of any state or territory, or the District of Columbia.
- Applicants must have at least one (1) year of specialized experience that is directly related to the line of work of this position, which has equipped the applicant with the particular knowledge, skills and abilities to successfully perform the duties of the position and must be at a level of difficulty and responsibility to that of an attorney at the GS-12 level.
 - Attorneys at a GS-12 level are relatively junior attorneys that perform substantive work on basic to moderately complex assignments; have solid writing skills, conduct original research, and demonstrate strong legal analysis; have effective communication skills; contribute to decisions

about legal strategy; and require supervision and review of written product by a supervisor or higher-grade attorney.

- Specialized experience for this position includes:
 - Independently analyzing and interpreting federal and state statutes, regulations, and policies; Executive Orders; and judicial and administrative decisions while rendering advice.
 - Working in one or more of the following areas: administrative law, grants management; environmental law; floodplain management and hazard mitigation; disaster response and recovery; environmental and historic preservation laws, and emergency preparedness. experience providing legal advice and/or representation on complex administrative law; grants management; environmental law; floodplain management and hazard mitigation; disaster response and recovery; environmental and historic preservation laws, and emergency preparedness.

You qualify for this position at the IC-14 level if you possess the following experience by the closing date of this announcement:

- Applicants must have at least three (3) years of full-time legal experience. Legal experience means experience in which the candidate's job duties required the provision of legal advice or representation, and which required the candidate to be an active member in good standing of the Bar of any state or territory, or the District of Columbia.
- Applicants must have at least two (2) years of specialized experience that is directly related to the line of work of this position, which has equipped the applicant with knowledge, skills, and abilities to successfully perform the duties of the position. At least one of the two years of specialized experience must be at a level of difficulty and responsibility equivalent to that of an attorney at the IC-13 level.
- Attorneys at a IC-13 level are mid-level attorneys that perform substantive work on moderately complex, novel, or significant matters; have excellent writing skills, conduct demanding legal analysis, draft and review motions, subpoenas, complaints, memoranda, and comparable legal documents; possess strong communication skills; contribute to tactical and legal policy decisions; be able to assume some supervisory role over legal interns, and IC-11/12 attorneys, or non-attorney staff on a project-specific basis; and require only moderate level of supervision or review of written work product.

Required Documents:

At time of application, the applicant must submit a:

- Resume, and
- Cover letter explaining their interest in the position and how their experience will make them an outstanding Attorney Advisor supporting the RLD Litigation Branch.

Prior to tentative job offer, the applicant must also provide:

- Proof of bar admission
- Law school transcript from an accredited law school
- Writing sample

Additional information:

- The position is funded by the NFIP.
- This is a Public Trust position.
- The duty station is Washington, D.C. Remote work is available under current OCC guidance if the employees live within 50 miles of FEMA Headquarters and telework is also available.

EMERGENCY ASSIGNMENT: Every FEMA employee has regular and recurring emergency management responsibilities, although not every position requires routine deployment to disaster sites. All positions are subject to recall around the clock for emergency management operations, which may require irregular work hours, work at locations other than the official duty station, and may include duties other than those specified in the employee's official position description. Travel requirements in support of emergency operations may be extensive in nature (weeks to months), with little advance notice, and may require employees to relocate to emergency sites with physically austere and operationally challenging conditions.

Applicants must meet all OCC criteria for hiring/promotion per the Attorney Hiring and Promotion Guide.

To apply for this position, please submit a resume and a short statement describing your interest in the position and the skills that make you the ideal candidate to Deputy Associate Chief Counsel Kristina Pett at Kristina.Pett@FEMA.DHS.gov.