

Law Clerk Vacancy Announcement
Department of Health and Human Services (HHS)
Food and Drug Administration (FDA)
Office of the Commissioner (OC)
Office of the Chief Counsel (OCC)
Silver Spring, MD

Application Period: This is an Open Continuous announcement.
Who May Apply: Law school graduates who have not been admitted to the bar and who are U.S. Citizens or U.S. Nationals. Foreign nationals or legal permanent residents are not eligible for consideration.
Position Information: Law Clerk, GS-0904-11 or 12
Full Performance Level: The law clerk position is at its full performance level, that is, GS-11 or GS-12 based on meeting the qualifications for the position.
Salary: GS-11 salary range is from \$82,764 to \$107,590 (includes locality for the DMV area (Silver Spring, MD location))
GS-12 salary range is from \$99,200 to \$129,956 (includes locality for the DMV area (Silver Spring, MD location))
Location: Silver Spring, MD
Travel Requirements: May be required for less than 20%
Work Schedule: Full Time
Remote Work or Telework: May be offered
Appointment Type: This is a time-limited excepted service position being filled in accordance with 5 CFR 213.3102(e). Law clerk appointments are not to exceed 14 months while pending admission to the Bar.
Bargaining Unit Status: This position is covered by the Department of Health and Human Services (HHS) and National Treasury Employees Union (NTEU) National Agreement, July 2023. (BUS Code 3591)
Relocation Expenses Reimbursement: No

Introduction

This position is located in the Office of the Chief Counsel, Office of the Commissioner, Food and Drug Administration, Silver Spring, MD. The Office of the Chief Counsel is looking for law clerks with a demonstrated interest in public service and is particularly interested in any interest in any of the following areas: administrative law; litigation; the regulation of animal drugs; the regulation of food; the regulation of medical products; or the regulation of tobacco products. The work of our law clerks has an immediate impact on public health and law across the country. Recognizing that diversity is a strength, the Office of the Chief Counsel values varied backgrounds and encourages members of historically underrepresented groups to apply. Candidates must have a record of strong academic achievement, along with outstanding legal research, writing, oral, and analytical skills.

Duties/Responsibilities

As a law clerk, you will:

- Prepares opinions, memoranda and communications.
- Searches statutes, decisions, and other legal authority on specific points of law or assigned legal problems; assembles, analyzes and reports upon the results in order to prepare opinions, or for the use of higher-ranking attorneys.
- Receives a wide range of legal research assignments in support of an attorney to which incumbent is assigned on a project basis.
- Reviews letters, memoranda, instructional and other materials for legal accuracy

Qualifications

Specialized/Legal Experience. Specialized/legal experience is experience that equipped the applicant with the particular knowledge skills, abilities to successfully perform the duties of the position, and that is typically in or related to the work of the position to be filled.

Below are the qualification requirements (degree and/or experience or judicial clerkship) required prior to being appointed to a law clerk position.

GS-11, Law Clerk: J.D. or LL.B., Bar Membership and Legal Experience are not required.

GS-12, Law Clerk: A J.D. or LL.B. is required. Bar membership is not required. Must have served at least one year in a judicial clerkship.

Law Clerk appointments may be made for periods not to exceed 14 months pending admission to the bar. No person may be given more than one law clerk appointment; however, an appointment made for less than 14 months may be extended for not to exceed 14 months in total duration. A law clerk appointment will terminate on its not to exceed date or the law clerk may resign prior to the not to exceed date or expiration date of appointment.

If you would like to apply for a FDA attorney position following receipt of your Bar admission, please review available attorney postings at: [Attorney Career Opportunities \(Multiple Vacancies\) | FDA | FDA](#) and follow the instructions.

Education Transcripts

If you are using education as any part of your qualifications for this position, you must submit a transcript, or a list of courses that includes grades earned, completion dates, and quarter and semester hours earned. Unofficial transcripts are acceptable at time of application, but official transcripts must be provided if you are selected.

Electronic Transcript Caution: If you have obtained your transcripts electronically, the file might contain security measures that could prevent our application system from reading the file. *See [How to manage documents](#) for tips on submitting your paper-based documents.*

FOREIGN EDUCATION

Applicants using part, or all of their education completed outside of the U.S. to meet the

qualification requirements, must have their foreign education evaluated by an accredited organization to ensure that the foreign education is comparable to education received in accredited educational institutions in the U.S. Some positions require the completion of specific courses or a specified number of credit hours. Therefore, the foreign credential evaluation should provide information similar to that of an official transcript, to include a list of the courses taken, quarter and/or semester hours awarded, the cumulative grade point average (GPA), honors received, if any, date degree awarded. Applicants can request an evaluation from a member organization of one of the two national associations of credential evaluation services listed below:

1. [National Association of Credential Evaluation Services](#) (NACES)
2. [Association of International Credentials Evaluators](#) (AICE)

Credential evaluations are not free, and applicants are responsible for the cost of the selected service. See the [U.S. Department of Education](#) for more information.

Veterans Preference

While traditional rating and ranking does not apply to law clerk positions, veterans' preference does apply. Veterans wishing to claim preference must submit a DD-214 that has the dates of service and discharge status and VA disability letter (if applicable). Applicants wishing to claim derived preference as a parent, spouse, or widow/widower must submit a copy of the deceased or disabled veteran's DD-214 that has the dates of service and discharge status and the SF-15, Application for 10-point Veterans Preference. Please follow the SF-15 instructions regarding required documentation and provide responses to questions 1-7 on the form if the derived preference is based on the veteran being disabled.

How You Will Be Evaluated

Your resume and supporting documents will be reviewed to see if you possess the following competencies (knowledge, skills, abilities and other characteristics). You need not respond to the KSA's separately, but your resume should contain sufficient information to demonstrate possession of these competencies. ***Please follow all instructions carefully. Errors or omissions may affect your eligibility.***

1. Legal Jurisprudence and research
2. Written communication
3. Oral communication
4. Analytical and evaluative skills
5. Interpersonal skills

All eligible and qualified candidates will be referred to the hiring manager for further consideration.

If referred to the hiring manager for consideration, you may be further evaluated based on an interview; review of requested work samples, writing samples, most recent performance evaluation(s), or professional references; or results of an oral presentation or work-related test. Failure to comply with any of the additional requirements will result in removal from further consideration.

How to Apply

Resume: At a minimum, your resume should list the position title, employer name, start and end dates (including month and year, e.g., June 2021 to June 2022), hours worked per week, and a list of duties performed or accomplishments, for EACH position listed. **A CV (curriculum vitae) may not contain enough information to meet these requirements.**

- [Resume Writing Tutorial](#)
- [Resume Writing FAQ](#)

To be considered, send an email to OCOCCAttorneyAPP@fda.hhs.gov with the following items:

- a resume
 - Indicate full-time or part-time employment. If part-time, please specify the number of hours worked per week; and
 - Indicate if you are claiming veterans' preference eligibility. Example: Veterans Preference Eligibility: Yes or No
- law school transcript
- an analytical legal writing sample
- a cover letter describing (1) your interest in a position with FDA's Office of the Chief Counsel, including any areas you are particularly interested in; and (2) your legal experience, education, or training that would qualify you for this position.

If you have questions about submitting your materials or need more information, please email OCOCCAttorneyAPP@fda.hhs.gov.

Conditions of Employment

- **Citizenship Requirement:** You must be a U.S. Citizen or national to be considered for this advertisement unless explicitly stated otherwise.
- **Selective Service Registration:** All applicants born male, on (or after) 12/31/1959, must be registered with the Selective Service System OR have an approved exemption. Visit www.SSS.gov for more info.
- **FDA participates in e-Verify:** All new hires must complete the I-9 form; this information will be processed through e-Verify to determine your employment eligibility. If a discrepancy arises, you must take affirmative steps to resolve the matter.
- **Background Investigation Requirement:** All employees must pass a security investigation. Failing to pass the background check may be grounds for removal or legal action. If hired, you may be subject to additional investigations at a later time.
- **Direct Deposit:** You will be required to have all federal salary payments electronically deposited into a bank account with a financial institution of your choice.
- **Financial Disclosure:** This position may require financial disclosure reporting and will be subject to FDA's prohibited financial interest regulation. If you are hired, you may be required to divest of certain financial interests. You are advised to seek additional information on this requirement from the hiring official before accepting any job offers. For more information, please visit the FDA Ethics web page: <https://www.fda.gov/about->

[fda/jobs-and-training-fda/ethics](https://www.fda.gov/about-fda/jobs-and-training-fda/ethics).

- **Appointment Type:** This appointment is time-limited and does not confer eligibility to be noncompetitively appointed to an attorney position in the excepted service or to a position in the competitive service. A Statement of Understanding is required to be signed by the selected candidate indicating they understand the terms and conditions of this time-limited appointment.

Other Information

Political Appointment: If you are serving or have served in the last 5 years as a political, Schedule A, Schedule C, or Non-career SES appointee in any Executive Branch, HHS/FDA may be required to obtain approval by the Office of Personnel Management (OPM) prior to beginning employment. See [Political Appointee FAQ - OPM](#).

In accordance with Executive Order 12564 of September 14, 1986, the Department of Health and Human Services (HHS) is A Drug-Free Federal Workplace. The use of illegal drugs, on or off duty, by Federal employees is inconsistent not only with the law-abiding behavior expected of all citizens, but also with the special trust placed in such employees as servants of the public.

Security Clearance Requirements

Background Investigation/Security Clearance Requirements

Ethics Clearance Requirements

This position may require financial disclosure reporting and will be subject to FDA's prohibited financial interest regulation. If you are hired, you may be required to divest of certain financial interests. You are advised to seek additional information on this requirement from the hiring official before accepting any job offers. For more information, please visit the FDA Ethics web page: <https://www.fda.gov/about-fda/jobs-and-training-fda/ethics>.

Equal Employment Opportunity Policy

The United States Government does not discriminate in employment on the basis of race, color, religion, sex (including pregnancy and gender identity), national origin, political affiliation, sexual orientation, marital status, disability, genetic information, age, membership in an employee organization, retaliation, parental status, military service, or other non-merit factor. [Equal Employment Opportunity \(EEO\) for federal employees & job applicants](#)

Reasonable Accommodation Policy

Federal agencies must provide reasonable accommodation to applicants with disabilities where appropriate. Applicants requiring reasonable accommodation for any part of the application process should follow the instructions in the job opportunity announcement. For any part of the remaining hiring process, applicants should contact the hiring agency directly. Determinations on requests for reasonable accommodation will be made on a case-by-case basis. A reasonable accommodation is any change to a job, the work environment, or the way things are usually done that enables an individual with a disability to apply for a job, perform job duties or receive equal access to job benefits. Under the Rehabilitation Act of 1973, federal

agencies must provide reasonable accommodations when: An applicant with a disability needs an accommodation to have an equal opportunity to apply for a job. An employee with a disability needs an accommodation to perform the essential job duties or to gain access to the workplace. An employee with a disability needs an accommodation to receive equal access to benefits, such as details, training, and office-sponsored events. You can request a reasonable accommodation at any time during the application or hiring process or while on the job. Requests are considered on a case-by-case basis. Learn more about [disability employment and reasonable accommodations](#) or [how to contact an agency](#).

E-Verify

The Food and Drug Administration participates in the USCIS Electronic Employment Eligibility Verification Program (E-Verify). E-Verify helps employers determine employment eligibility of new hires and the validity of their Social Security numbers.

Fair & Transparent

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

- [Criminal history inquiries](#)
- [Equal Employment Opportunity \(EEO\) Policy](#)
- [Financial suitability](#)
- [Privacy Act](#)
- [Reasonable accommodation policy](#)
- [Selective Service](#)
- [Signature and false statements](#)
- [Social security number request](#)