

Associate General Counsel

DEPARTMENT OF THE INTERIOR

National Indian Gaming Commission

Open & closing dates

🕒 11/30/2018 to 12/07/2018

Pay scale & grade

AD 15

Appointment type

Permanent

Service

Excepted

Salary

\$134,789 to \$164,200 per year

Work schedule

Full-Time

Locations

1 vacancy in the following location:

Washington DC, DC

1 vacancy

Relocation expenses reimbursed

No

Telework eligible

Yes as determined by agency policy

This job is open to



Federal employees - Excepted service

Current excepted service federal employees.



The public

U.S. citizens, nationals or those who owe allegiance to the U.S.

Announcement number

NIGC-19-EW-002(EXC)

Control number

518026200

Duties

Summary

The National Indian Gaming Commission is reopening its announcement for an Associate General Counsel for one additional week. The Agency is committed to drawing from the biggest pool of candidates possible. Unfortunately, due to technical difficulties, the Agency was unable to advertise the opening as extensively as it normally would. If you applied during the previous opening, there is no need to reapply. Your application package will still be reviewed.

Responsibilities

The Office of General Counsel within the National Indian Gaming Commission is looking for a supervisory attorney capable of exercising judgment while performing challenging legal assignments, with a broad knowledge of the field of Federal Indian law and regulations as they pertain to Indian gaming and in relation to the operations of the IGRA, and federal, state, and tribal laws and regulations.

The Commission's primary mission is to work within the framework created by the Indian Gaming Regulatory Act (IGRA) for the regulation of gaming activities conducted by tribes on Indian lands to fully realize IGRA's goals: (1) promoting tribal economic development, self-sufficiency and strong tribal governments; (2) maintaining the integrity of the Indian gaming industry; and (3) ensuring that tribes are the primary beneficiaries of their gaming activities.

This position is located in the Office of the General Counsel of the National Indian Gaming Commission. Incumbent works under the general supervision of the General Counsel to carry out the duties of the Office of the General Counsel.

In performing the function of Associate General Counsel, the incumbent assists the General Counsel in managing and directing attorneys and support personnel within the Office of the General Counsel and in reviewing their work in the provision of legal services, counsel and advice.

The incumbent reviews proposed opinions, rules, regulations, and decisions which may be considered controversial or precedent setting.

Incumbent evaluates proposed or recommended legal strategies and principles, identifies significant underlying legal issues, analyzes adequacy of legal positions, determines possible consequence of the action on current NIGC and Administration policy, recommends approval or alternatives to the General Counsel and, when delegated, exercises final authority for acceptance or non-acceptance.

Incumbent edits letters, opinions, decisions, regulations, and any other document for the signature of the General Counsel or Chairman of the NIGC. Quite often, new or altered approaches in resolving issues discussed in various reports etc. are applied based on final editing. To arrive at these decisions, the incumbent does considerable research and drafting in those areas requiring the highest level of legal proficiency.

Incumbent supervises staff attorneys, including developing and reviewing research and written product, establishing deadlines and ensuring they are met; oversees administrative matters of the Office of General Counsel employee leave, payroll, and travel; and recommends hiring, discipline, and other personnel actions to the General Counsel.

The precedent-setting nature of much of the work handled by the Office of the General Counsel requires that the incumbent alert the General Counsel to the possible ramifications of actions proposed by NIGC attorneys. In this role, the incumbent monitors developments in the body of Indian gaming law, both within the Federal government and in the private sectors which would potentially effect the mission of the NIGC. Incumbent keeps informed of legal developments in Indian gaming law and other Federal laws applicable to the NIGC and developments involving actions and enactments of Indian tribes in gaming where conflicts with state and local governments is likely to arise.

Incumbent must also perform the normal legal duties assigned to staff attorneys in the Office of the General Counsel such as reviewing management contracts and other gaming-related agreements, reviewing tribal gaming ordinances; drafting legal opinions and regulations; appearing as an attorney of record in administrative hearings before the Commission or providing oversight to staff attorneys in that role; and assisting the Department of Justice in litigation in which the positions and actions of the NIGC are challenged.

Incumbent also participates in conferences with officials of the Commission and the Department of the Interior, as well as other Federal, state and tribal agencies, furnishing guidance on legal matters, resolving legal questions or justifying legal positions taken.

This position is in the excepted service and not subject to competitive service procedures. Competitive Civil Service status is not acquired under this appointment. New appointees to the excepted service must serve a two year trial period. Merit Promotion procedures do not apply.

The NIGC has determined that the duties of this position are suitable for telework with supervisory approval.

Travel Required

Occasional travel - Occasional travel may be required.

Supervisory status

Yes

Promotion Potential

15

Job family (Series)

0905 Attorney

(<https://www.usajobs.gov/Search/?j=0905>)

Requirements

Conditions Of Employment

- You must be a U.S. Citizen
- You will be subject to a background/suitability investigation/determination
- You will be required to have federal payments made by Direct Deposit
- You must submit ALL required documents and a completed questionnaire

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. See <http://www.sss.gov/> (<http://www.sss.gov/>)

Qualifications

Minimum Qualification Requirements:

1. Candidates must possess a JD from an accredited US law school as well as active bar membership in a state, US territory or the District of Columbia.
2. Candidates must possess 7 years' of provisional legal experience in Indian law, specifically with demonstrated knowledge or experience in any combination of the following: federal Indian law, gaming law, finance, regulatory investigations, regulation drafting, contracts, or administrative law. Demonstrated experience, interest in and understanding of federal Indian law is required.

At least two years of experience supervising a legal staff is preferred, but not required.

Education

Education: If this position requires specific educational course work to qualify, or you are qualifying based in whole or part on education, you are required to provide transcripts as proof of meeting the requirements.

Foreign Education: Education completed in colleges or universities outside the United States may be used to meet the specific educational requirements as stated above. You must provide acceptable documentation that the foreign education is comparable to that received in an accredited educational institution in the United States. For more information on how foreign education is evaluated, visit: <http://www.opm.gov/policy-data-oversight/classification-qualifications/general-schedule-qualification-policies/#url=e4> (<http://www.opm.gov/policy-data-oversight/classification-qualifications/general-schedule-qualification-policies/#url=e4>)

Additional information

Important Note: All National Indian Gaming Commission (NIGC) employees are subject to the conflict of interest restrictions imposed upon all employees of the Executive Branch of the Federal Government and may be required to file a Public Financial Disclosure Report (OGE-Form 278) or a Confidential Financial Disclosure Report (OGE Form 450) to determine if a conflict or an

appearance of a conflict exists between your financial interest and your prospective position with the agency. This information will be required annually.

Employees must be totally objective and impartial in the performance of their work. All potential issues (e.g.: work related interactions with friends, family members or previous employers) must be disclosed at the time of application or during the interview process.

This position is in the excepted service and not subject to competitive service procedures.

When promotion potential is shown, the agency is not making a commitment and is not obligated to provide future promotions to you if you are selected. Future promotions will be dependent on your ability to perform the duties at a higher level, the continuing need for an employee assigned to the higher level, and administrative approval.

Effective January 1, 2010, OPM must authorize any employment offers we make to current or former (within the last 5 years) political Schedule A, Schedule C, or Non-career SES (political) employees in the executive branch. If you are currently, or have been within the last 5 years, a political Schedule A, Schedule C, or Non-career SES employee in the executive branch, you **must** disclose that to the Human Resources Office.

Applicants who include vulgar, offensive, or inappropriate language or information in their application package will be ineligible for further consideration for this position. The application contains information subject to the Privacy Act (P.L. 93-579, 5 USC 552a). The information is used to determine qualifications for employment, and is authorized under Title 5, USC, Section 3302 and 3361.

CONDITIONS OF EMPLOYMENT

A preliminary background check must be completed before a new employee can begin work with the National Indian Gaming Commission. The preliminary background check consists of a search of Office of Personnel Management and Department of Defense background investigation files and an FBI National Criminal History Fingerprint Check; it may take up to 3 weeks to complete. If selected for this position, you will be extended a **tentative** offer of employment pending a satisfactory background check. Current Federal employees or other individuals with an existing completed background investigation may not be required to undergo another background check; these will be handled on a case-by-case basis in coordination with the Bureau Security Office.

For additional information about the National Indian Gaming Commission, please visit: www.nigc.gov (<http://www.nigc.gov/>).

NOTICE: This employer participates in E-Verify and will utilize your Form I-9 information to confirm you are authorized to work in the U.S.

How You Will Be Evaluated

Once the application process is complete, we will review your application to ensure you meet the job requirements. To determine if you are qualified for this job, a review of your resume, supporting documentation and responses to the online questionnaire will be made.

To preview questions please [click here](#)

(<https://jobs.monstergovt.com/bsee/vacancy/previewVacancyQuestions.hms?orgId=2&jnum=2569>).

Background checks and security clearance

Security clearance

[Public Trust - Background Investigation](#)
(<https://www.usajobs.gov/Help/faq/job-announcement/security-clearances/>).

Drug test required

No

Required Documents

Your resume must contain information sufficient to make a valid determination that you fully meet the specialized experience requirements as stated in this vacancy announcement for each grade level(s) for which you are applying. It is strongly recommended that you use the USAJobs Resume Builder as it was designed to ensure that your resume includes the standard information needed. The Resume Builder is available at https://help.usajobs.gov/index.php/How_to_create_your_resume

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Your application package must include: (1) Resume showing relevant experience as written in your own words.(2) Completed online Assessment Questionnaire; (3) writing sample; (4) bar membership

NOTE: If you submit an incomplete application, you will be given credit only for the information you provide. You are responsible for submitting all required documentation in support of your application in order to receive full credit for your experience, education, and training.

If you are relying on your education to meet qualification requirements:

Education must be accredited by an accrediting institution recognized by the U.S. Department of Education in order for it to be credited towards qualifications. Therefore, provide only the attendance and/or degrees from [schools accredited by accrediting institutions recognized by the U.S. Department of Education](http://www.ed.gov/admins/finaid/accred/) (<http://www.ed.gov/admins/finaid/accred/>).

Failure to provide all of the required information as stated in this vacancy announcement may result in an ineligible rating or may affect the overall rating.

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.

- [Benefits for federal employees](https://www.usa.gov/benefits-for-federal-employees#item-36407) (<https://www.usa.gov/benefits-for-federal-employees#item-36407>)
- [Healthcare insurance](https://www.opm.gov/healthcare-insurance/) (<https://www.opm.gov/healthcare-insurance/>)
- [Pay and leave](https://www.usajobs.gov/Help/working-in-government/pay-and-leave/) (<https://www.usajobs.gov/Help/working-in-government/pay-and-leave/>)

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 to Apply

Your complete application, including required documents, must be received by 11:59 p.m. Eastern Time (ET) on the closing date of this announcement. To apply on-line, you must complete and submit an application by accessing the USAJOBS website at www.usajobs.gov (<http://www.usajobs.gov/>).

To begin, click the Apply Online button near the bottom of this screen and follow the prompts to register into your USAJOBS account, answer the questions, and submit all required documents. To return to your saved application, log in to your USAJOBS account at www.usajobs.gov (<http://www.usajobs.gov/>) and click on "Application Status." Click on the position title, and then select Apply Online to continue.

If you have problems completing your on-line application, including problems submitting your supporting documents, please contact the Monster Help Desk by e-mail at mgshelp@monster.com (<mailto:mgshelp@monster.com>) or by phone at 866-656-6831. The help desk is available Monday–Friday, 7:00 a.m. to 7:00 p.m. ET.

Agency contact information

 Ericka Witham

Phone

[703-787-1438](tel:703-787-1438)

Fax

000-000-0000

Email

ericka.witham@bsee.gov

[Learn more about this agency.](#)

Address

National Indian Gaming Commission
90 K Street NE
Suite 200
Washington, District of Columbia 20002
United States

Visit our careers page

Learn more about what it's like to work at National Indian Gaming Commission, what the agency does, and about the types of careers this agency offers.

<https://jobs.monstergovt.com/bsee/vacancy/preview.hms?orgId=2&jnum=2569#overview/>
(<https://jobs.monstergovt.com/bsee/vacancy/preview.hms?orgId=2&jnum=2569#overview/>)

Next steps

You can track the progress of your application package via your USAJobs account. You will receive an acknowledgment from USAJobs that your submission was successful, once we have received your on-line assessment questionnaire, resume and any supporting documentation. You will be notified of the status of your application via your USAJobs account after we conduct a qualification review of your complete application package. You will be contacted if further evaluation or interviews are required. Any exaggeration of your experience, false statements, or attempt to conceal information may disqualify you for employment consideration. We may verify all information you provide in your resume and questionnaire responses, through reference and/or background checks, and/or verification of your education. If you are selected, you will be contacted personally by the Human Resources Office posting this announcement.

Fair & Transparent

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

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 \(EEO\) office at OPM](https://www.opm.gov/about-us/our-people-organization/support-functions/equal-employment-opportunity/)
(<https://www.opm.gov/about-us/our-people-organization/support-functions/equal-employment-opportunity/>)
- [Office of Equal Opportunity](http://www.eeoc.gov/eeoc/internal_eeo/index.cfm)
(http://www.eeoc.gov/eeoc/internal_eeo/index.cfm)

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 in the workplace or the way things are customarily done that provides an equal employment opportunity to an individual with a disability. Under the Rehabilitation Act of 1973 the Equal Employment Opportunity Commission (EEOC) must provide reasonable accommodations:

- 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.
- [Disability Employment - Reasonable Accommodations](https://www.opm.gov/policy-data-oversight/disability-employment/reasonable-accommodations/)
(<https://www.opm.gov/policy-data-oversight/disability-employment/reasonable-accommodations/>)
- [How to contact an agency](https://www.usajobs.gov/Help/how-to/application/agency/contact/)
(<https://www.usajobs.gov/Help/how-to/application/agency/contact/>)

Legal and regulatory guidance

[Financial suitability](https://www.usajobs.gov/Help/working-in-government/fair-and-transparent/financial-suitability/)

(<https://www.usajobs.gov/Help/working-in-government/fair-and-transparent/financial-suitability/>)

[Privacy Act](https://www.usajobs.gov/Help/working-in-government/fair-and-transparent/privacy-act/)

(<https://www.usajobs.gov/Help/working-in-government/fair-and-transparent/privacy-act/>)

[Selective Service](https://www.usajobs.gov/Help/working-in-government/fair-and-transparent/selective-service/)

(<https://www.usajobs.gov/Help/working-in-government/fair-and-transparent/selective-service/>)

[Social security number request](https://www.usajobs.gov/Help/working-in-government/fair-and-transparent/social-security-number/)

(<https://www.usajobs.gov/Help/working-in-government/fair-and-transparent/social-security-number/>)

[Signature & False statements](https://www.usajobs.gov/Help/working-in-government/fair-and-transparent/signature-false-statements/)

(<https://www.usajobs.gov/Help/working-in-government/fair-and-transparent/signature-false-statements/>)

[New employee probationary period](https://www.usajobs.gov/Help/working-in-government/fair-and-transparent/probationary-period/)

(<https://www.usajobs.gov/Help/working-in-government/fair-and-transparent/probationary-period/>)