

# Legal Fellow

DEPARTMENT OF THE INTERIOR

National Indian Gaming Commission

## Open & closing dates

🕒 03/25/2019 to 04/08/2019

## Pay scale & grade

AD 11

## Appointment type

Temporary - 1 year

## Service

Excepted

## Salary

\$68,036 to \$88,450 per year

## Work schedule

Full-Time

## Locations

1 vacancy in the following location:

### Washington, DC

1 vacancy

## Relocation expenses reimbursed

No

## Telework eligible

No

## 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-009(EXC)

## Control number

526673700

# Duties

## Summary

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.

## Responsibilities

This is a temporary appointment not to exceed one year.

This position is located in the Office of General Counsel. The Office of General Counsel provides legal advice and counsel to the Commission on all matters relating to IGRA and its compliance with all applicable laws and regulations. The Office represents the Chair in enforcement actions and, as needed, coordinates with the U.S. Department of Justice to implement the Commission's enforcement actions. The Office also plays a role in handling appeals before the full Commission. When Commission action results in litigation, the Office works directly with the Department of Justice.

The Office of the General Counsel also manages the day-to-day legal affairs of the NIGC, providing counsel and legal support to each division. The Office reviews tribal gaming ordinances and proposed management contracts, provides legal advisory opinions on the classification of games played in tribal gaming facilities, on Indian land issues, on contract issues, and on general law questions. The Office also coordinates opinions and other matters with the Department of the Interior's Office of the Solicitor, and other federal agencies as necessary. The Office is committed to the professional development of new attorneys in the field of federal Indian law.

This position is in the excepted service and not subject to competitive service procedures. Competitive Civil Service status is not acquired under this appointment. Merit Promotion procedures do not apply.

The NIGC has determined that the duties of this position are NOT suitable for telework.

Major duties include but are not limited to:

- research and prepare memoranda, litigation reports, briefs, and opinions involving the Indian Gaming Regulatory Act;
- review and recommend the approval or disapproval of tribal gaming ordinances and management contracts;
- review transactional documents such as management contracts, loan agreements, security agreements, promissory notes, and consulting agreements to determine their compliance with federal law;
- deliver oral opinions and written memoranda, draft regulations, and procedures to the Chair and the Commission;
- participate in conferences with officials of the Commission, Department of the Interior, Department of Justice, and other Federal, state, and tribal agencies furnishing guidance and counsel on legal matters, resolving legal questions, or justifying legal positions taken;
- provide trainings and technical assistance for tribal governments and regulators;
- identify and understand the interrelationships between the work processes of the Commission and the various public and private groups interested in these operations;

- assist staff and senior attorneys and top-level administrative personnel in the analysis and interpretation of various federal laws, orders, rules, and regulations relating to issues before the Commission.

## Travel Required

Occasional travel - Regular travel is not required, but some travel may be expected on occasion.

## Supervisory status

No

## Promotion Potential

11

## Job family (Series)

### 0904 Law Clerk

(<https://www.usajobs.gov/Search/?j=0904>)

# 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

To be eligible for the fellowship program, the following requirements must be met:

- completion or will complete at least one course in federal Indian law or equivalent; and
- successful completion of a full course of study in a school of law accredited by the American Bar Association and have the first professional law degree (LLB or JD); OR will have completed a full course of study in a school of law accredited by the American Bar Association and will have the first professional law degree (LLB or JD) by the entrance on duty date

Due to the nature of NIGC's practice, experience or demonstrated interest in Indian law or a background in Indian affairs or gaming is highly desirable.

All qualification requirements must be met by the closing date of this announcement.

## 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)  
(<http://www.nigc.gov/>)

## 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=2700)  
(<https://jobs.monstergovt.com/bsee/vacancy/previewVacancyQuestions.hms?orgId=2&jnum=2700>)

## Background checks and security clearance

### Security clearance

### Drug test required

[Other](#)

(<https://www.usajobs.gov/Help/faq/job-announcement/security-clearances/>)

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 and OPM qualification standards 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](https://help.usajobs.gov/index.php/How_to_create_your_resume) ([https://help.usajobs.gov/index.php/How\\_to\\_create\\_your\\_resume](https://help.usajobs.gov/index.php/How_to_create_your_resume))

Your application package must include: (1) Resume showing relevant experience as written in your own words; (2) Completed online Assessment Questionnaire; (3) law school transcripts; (4) legal writing sample; (5) cover letter addressed to Michael Hoenig, General Counsel.

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, training, veterans preference, and/or Indian preference.

### 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)

(<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)

(<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 [mgshep@monster.com](mailto:mgshep@monster.com)

(<mailto:mgshep@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)  
(<tel:703-787-1438>)

#### Fax

000-000-0000

#### Email

[ericka.witham@bsee.gov](mailto:ericka.witham@bsee.gov)  
(<mailto:ericka.witham@bsee.gov>)

[Learn more about this agency](#)  
([#agency-modal-trigger](#))

#### Address

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

The National Indian Gaming Commission is an independent Federal regulatory agency whose primary mission is to regulate gaming activities on Indian lands for the purpose of shielding Indian tribes from organized crime and other corrupting influences; to ensure that Indian tribes are the primary beneficiaries of gaming revenue; and to assure that gaming is conducted fairly and honestly by both operators and players.

### 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 \(EEO\) for federal employees & job applicants](http://www.eeoc.gov/eeoc/internal_eeo/index.cfm)  
([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/>)

#### [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/>)

#### [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/>)

#### [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/>)

#### [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/>)

#### [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/>)