

National Indian Gaming Commission
Position Description For
Assistant Director of Compliance AD-0301-15
(This position is equivalent to the GS-15 level)

Introduction

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

The Assistant Director of Compliance shall perform duties as assigned and delegated from the Director of Compliance within the Division of Compliance. The Assistant Director shall have designated supervisory responsibilities for the Compliance Division and shall be responsible for ensuring that this program supports and furthers the goals of the Commission. The position requires experience in Indian affairs, regulatory policy and/or gaming, legal, training, familiarity with the administrative appeal process, and previous management and/or supervisory experience.

The Assistant Director shall be responsible for assistance in implementing and administering the work of the Compliance Division and shall manage and coordinate the activities of several programs within the Compliance Division.

Major Duties

- Duties include having supervisory responsibility over the Audit Program Manager and Audit Program staff, and Training Program Manager and Training Program staff. The Assistant Director shall also approve or disapprove subordinates travel, overtime, and assist in identifying key performers for awards. The Assistant Director will assist the Director in employee disciplinary matters in accordance with NIGC and government policies.
- The Regional Directors shall report to the Director of Compliance. In the absence of the Director of Compliance, the Regional Directors shall report to the Assistant Director of Compliance.
- Assists the Director in identifying work priorities and procedure development. Coordinates and assists the staff in employee development. In coordination with the Director, the incumbent identifies opportunities for the use of technology for improvement of work flows as well as identifies opportunities to build relationships in the Indian gaming industry.
- Provides guidance regarding managing investigations of violations of IGRA. Assists in identifying compliance issues that also have greater policy ramifications. Screens civil and criminal issues for referral to other agencies. Coordinates compliance matters to all groups including Office of General Counsel and Office of the Chief of Staff. Coordinates Compliance Division policy with other divisions.

- Works with regions and the Public Affairs Division to develop briefings that will assist the Commission in decision-making. Provides input and guidance in regular briefings to the Chief of Staff and Commission. Participates in regular staff meetings for updates. Attends National and Regional Events for training, presentations, consultations and other stakeholder development matters.
- The incumbent will perform other duties as they are assigned.

Factor 1. Knowledge Required by the Position (1-9, 1850 points)

Knowledge of research and investigative practices, theories, and concepts as they apply to conducting research and analysis to issues of fact. Knowledge of research techniques and computer research services. Ability to communicate analysis and investigation effectively both written and verbally.

Extensive knowledge of Administrative law, federal Indian law, the Indian Gaming Regulatory Act of 1998, the Freedom of Information Act, the Privacy Act and other laws pertinent to Indian gaming.

Extensive knowledge of provisions of NIGC regulations, bulletins and other NIGC documents that pertain to Indian gaming.

Extensive knowledge of NIGC organizational structure, the authority, and responsibilities of the Chair, Associate Commissioners, and other organizational components of the Commission.

Extensive knowledge of NIGC policy and regulatory role with respect to Indian gaming.

Mastery of the responsibilities of Indian tribal governments and Indian gaming commissions as they relate to gaming operations conducted on Indian lands.

Mastery of principles of tribal sovereignty, the responsibilities of Indian tribal governments and Indian gaming commissions as they relate to gaming operations conducted on Indian lands;

Extensive knowledge of the roles played by federal, state, tribal and local law enforcement agencies in regulating, enforcing laws, and prosecuting matters pertaining to Indian gaming.

Extensive knowledge of the various sources of information necessary for NIGC to carry out its statutory role in regulating Indian gaming and to make other decisions that impact Indian gaming operations.

Extensive knowledge of methods required to investigate matters of interest to NIGC, including the investigation of audit financial and gaming records, involving gathering information and documentation, interviewing witnesses and sources of information, handling evidence, preparing written reports and testifying in administrative hearings or other proceedings;

Ability to provide management advisory services to senior level management on difficult and complex problems or overall program improvements.

Skill in communicating orally in writing concerning complex and controversial issues with high level officials having conflicting perspectives and concerns.

Ability to deal effectively with officials, both in NIGC and other agencies to achieve objectives or establish suitable alternative solutions in situations which are controversial and/or confrontational.

Ability to supervise staff of specialists and support personnel.

Factor 2. Supervisory Controls (2-5, 650 points)

The supervisor, Director of Compliance, defines the employee's scope of responsibilities, objectives, priorities and deadlines.

The incumbent is under the general administrative supervision and guidance of the Compliance Officer but possesses complete technical independence. The incumbent operates independently in carrying out assigned work activities, but receives guidance and support on the overall priorities, practices and procedures from the supervisor.

The Director of Compliance provides administrative direction with assignments in terms of broadly defined missions or functions; giving specific instructions only in instances when new or revised procedures were to be used.

Results of the incumbent's work are considered technically authoritative and are normally accepted without significant change. If the work should be reviewed, the review concerns such matters as fulfillment of program objectives, effective advice and influence on the overall program, or contribution to the advancement of compliance.

Work performance is evaluated by the Director of Compliance.

Factor 3. Guidelines (3-5, 650 points)

Guidelines are found legislation and regulations that offer very broad operating parameters, including evolving guidance provided by the Commission. Within the context of broad regulatory guidelines the employee may be required to refine or develop more specific guidelines to adapt to the changing requirements and to meet agency needs.

Work performed by the incumbent shall conform to provisions of the IGRA, NIGC regulations and further defined by the policies and procedures set forth by the Commission.

The employee must use judgment and ingenuity in interpreting the intent of the guidelines that do exist and in developing applications to specific areas of work. Frequently, the employee is recognized as a technical authority in the development and interpretation of guidelines. In those instances where guidelines do not exist, the incumbent develops guidance in consultation with the Commission.

Factor 4. Complexity (4-5, 325 points)

Incumbent must have overall understanding of the structure and operation of the Commission's mission, policies, and procedures. Assignments are characterized by breadth and intensity of effort and involve several phases (training, compliance, auditing, and enforcement) pursued concurrently or sequentially with the support of the others within or outside the organization. The employee must exercise ingenuity, good judgment, and exert intensive effort in managing these programs, particularly when the work is of a novel or unprecedented nature such as initiatives directed by regulation.

Decisions regarding what needs to be done often include undefined elements, requiring extensive analysis to determine the scope of the problem.

The nature of the job assignment may place the incumbent in situations both complex and sensitive. Action taken must often involve the use of substantial discretion on the part of the incumbent.

Indian gaming frequently involves a broad spectrum of conflicting interests. Identifying what needs to be done may require extensive fact-finding and analysis before solutions are determined.

The position also requires extensive communication skills in order to properly handle user complaints and user training and support. Effective project management skills are also required to supervise and work with numerous independent contractors working for the NIGC.

Factor 5. Scope and Effect (5-5, 325 points)

The incumbent services as the Assistant Director of Compliance and as such provides guidance and input to the Director in assisting the Commission to ensure that tribes and other operators of Class II and Class III gaming on Indian lands are acting in compliance with IGRA, NIGC regulations and tribal law.

The incumbent will provide guidance and advice regarding investigations into allegations of violations of IGRA, NIGC regulations or tribal law pertaining to gaming regulation. The investigations may involve activities of corrupting influences, unfair or dishonest gaming practices and violations of civil and criminal statutes.

The incumbent may make various recommendations for further action by the Chair and the Commission. For example, the investigation and recommendation of Notices of Violation could result in civil fines or closure of gaming facility or, referral to a federal law enforcement agency for possible criminal prosecution.

Compliance Division programs are essential to the mission of the agency and affect large numbers of people involved in the gaming industry on a on a long-term or continuing basis.

The incumbent's effort in carrying out this work will result in more efficient and accurate support of the mission of the NIGC.

Factor 6. Personal Contacts (6-3, 60 points)

Within the Commission: the incumbent may be in regular contact with the Chair and members of the Commission, General Counsel and the legal staff, members of the Compliance Division, and Directors and staff of other divisions.

Outside of the Commission: the incumbent may be in regular contact with U.S. Attorneys and members of their legal staff, federal law compliance agencies, tribal governments, state and local governmental agencies and officials, gaming operation managers and personnel, attorneys, the media informants, tribal members and the general public.

Often the purpose and extent of such contacts vary and the role and authority of each party is determined and developed during the course of the contact. Contacts take place in both structure and unstructured meetings and conferences. Often contacts require extensive preparation to develop a position on a particular issue or program for briefing/defending.

Factor 7. Purpose of Contacts (7-4, 200 points)

The purpose of the contacts in Factor 6 in general will deal with matters pertaining to Indian gaming and program management. Contacts may be made to justify, defend, negotiate or settle matters involving controversial issues. These contacts may be in the form of Commission meetings and consultations, open meetings, private meetings, interviews and telephone contacts.

Contacts concern issues about which there may be intense disagreement or misunderstanding, resulting in difficulty in achieving common understanding, acceptance and support of a required result, or the development of a suitable alternative. The incumbent is an active participant in conferences, meetings, and presentations involving problems and issues of considerable consequence. Contacts involve briefings to gain support for proposals and to obtain funding for such. Contacts also involve gaining compliance with policy or program decisions and convincing organizations with sometimes competing interests that management decisions are in the best interest of everyone.

Factor 8. Physical Demand (8-1, 5 points)

The work in the office is primarily sedentary, with occasional walking, bending, and light lifting. The duties of an incumbent may include extensive travel that may involve long cross-country flights, many hours or driving in sometimes adverse weather conditions, prolonged sitting, and repetitious motor activity and eye-strain associated with computer operation.

Factor 9. Work Environment (9-1, 5 points)

The work is performed in an office setting with occasional visits off site. Due to the extensive travel required, the incumbent needs to take extra precautions to ensure proper diet, rest, and exercise. The collateral risks and discomforts associated with travel and computer work are unavoidable.

4,070 = GS-15 (4,055 – up)