



Title 21 Vacancy Announcement
Department of Health and Human Services (HHS)
Food and Drug Administration (FDA)
Office of Regulatory Affairs (ORA)
Office of Criminal Investigations (OCI)

Application Period: October 13, 2022 – November 10, 2022

Area of Consideration: United States Citizenship is required. You must be a U.S. Citizen or U.S. National. Foreign nationals or legal permanent residents are not eligible for consideration.

Position: Assistant Commissioner for Criminal Investigations (ACCI)

Series: AD-[1811](#)

Location(s): Rockville, MD; Lisle, IL; San Clemente, CA; Plantantaion, FL; Mission, KS; Newark, NJ

Salary: Starting at \$203,596 (Pay Table 1)

Work Schedule: Full Time

Full Performance Band Level:

Cures Band(s): Band G

Band G

Travel Requirements: Up to 25% travel required

Bargaining Unit: This is a non-bargaining unit position

This position is being filled under a stream-lined hiring authority, Title 21, Section 3072 of the 21st Century Cures Act. The candidate selected for this position will serve under a career or career-conditional appointment and be paid under the provisions of this authority.

Additional information on 21st Century Cures Act can be found here:

[21st Century Cures Act Information](#)

Introduction

The Food and Drug Administration (FDA or Agency) is the regulatory, scientific, public health and consumer protection agency responsible for ensuring all human and animal drugs, medical devices, cosmetics, foods, food additives, drugs and medicated feeds for food producing animals, tobacco and radiation emitting devices safe, and that all such products marketed in the United States are adequately, truthfully and informatively labeled and safely and properly stored, transported, manufactured packaged and regulated. FDA's programs are national in scope and effect, and the agency's activities have a direct and significant impact on multibillion-dollar industries, in addition to protecting the health and safety of American Consumers. The work of the Agency is carried out by a staff of more than 18,000 scientists, physicians, regulatory and other personnel stationed throughout the United States.

FDA's Office of Regulatory Affairs (ORA) is the lead office for all agency regulatory activities. Over 5,000 ORA employees strategically located in district offices, resident posts, and laboratories throughout the United States perform inspections and investigations (including criminal investigations), wharf exams, sample collections and analyses, and carry out enforcement activities, education and outreach directly to consumers, industry representatives, importers and shippers as well as other stakeholders across the nation. ORA also works with its federal, state, local, tribal, territorial and foreign counterparts to further the agency's mission. ORA is led by the Associate Commissioner for Regulatory Affairs (ACRA).

The Office of Criminal Investigations (OCI) protects the public health and furthers the FDA mission by investigating suspected criminal violations of the Federal Food, Drug, and Cosmetic Act (FDCA) and other related laws. OCI has the primary responsibility for criminal investigations conducted by the FDA and for all law enforcement and intelligence issues pertaining to threats against FDA-regulated products. OCI concentrates its resources on investigations of significant criminal violations that pose a danger to the public health.

To view our ORA Vision, Mission, and Values please visit:

<https://www.fda.gov/about-fda/office-regulatory-affairs/ora-vision-mission-and-values>.

Duties/Responsibilities

The Assistant Commissioner for Criminal Investigations (ACCI) serves as the principal advisor to the ACRA and other key officials on regulations and criminal matters that affect the Agency and provides the executive leadership and technical direction in initiating and conducting criminal investigations under all statutes administered by the FDA through Offices located throughout the United States.

- Advises FDA leadership on new and emerging problems and trends, program needs and priorities, manpower, equipment, financial needs, and the Agency's long-range planning in the criminal investigative areas.
- Participates in, and contributes to, meetings and conferences with top level Agency/departmental officials, industry representatives, senior specialists, counterparts from other Federal, State, and local law enforcement agencies to discuss and explain Agency policies, plans, programs, operations, and decisions related to criminal investigations.
- Leads, directs, and manages a staff with primary responsibility for criminal investigations conducted by the FDA; responsible for law enforcement and intelligence issues pertaining to threats against FDA-regulated products
- Additionally, the ACCI provides recommendations to DHHS' Office of General Counsel on referrals of criminal cases to the Department of Justice for further investigation and/or prosecution, or directly to the U.S. Attorney when such direct references are appropriate and participates in Grand Jury investigations and serves as agent of the Grand Jury.

Supervisory Responsibilities: The ACCI provides executive leadership and technical direction to the Office of Criminal Investigations. The ACCI manages a multi-disciplinary program, providing leadership and management oversight to 300+ subordinate support staff and division directors. Shares in the strategic oversight and implementation of ORA's goals in collaboration with the ACRA. Monitors and reports on resources needed to run OCI. The ACCI directly supervises the Deputy Director for Criminal Investigations (DDCI) and Headquarters' Immediate Office and the Office of Internal Affairs. The Deputy Director for Criminal Investigations supervises the six (6) field offices: Mid-Atlantic, Mid-West, Northwest, Pacific, Southeast and Southwest.

Conditions of Employment

- U.S. Citizenship requirement or proof of being a U.S. National must be met by closing date.
- Employment is subject to the successful completion of a background investigation, verification of qualifications, completion of onboarding forms, submission of required documents, and any other job-related requirement before or after appointment.
- Applicants must meet all qualification requirements by the closing date of this announcement.
- 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.
- 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.
- Males born after December 31, 1959 must be registered with the Selective Service.
- One-year supervisory probationary period may be required.
- Financial Disclosure may be required.
- Ethics Clearance may be required.
- Background Investigation/Security Clearance is required. 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.
- Travel is required up to 25% of the time.
- Training Requirement: This position requires that you complete or have completed the eight-week basic criminal investigator course at the Federal Law Enforcement Training Center in Glynco, GA. Retention in the position is subject to successful completion of the training.
- Firearm Requirement: This position requires you to be authorized to carry a firearm and maintain firearm proficiency. Therefore, it is subject to the Lautenberg Amendment, 18 U.S.C. Section 922(g)(9) and you will be required to verify that you have not been convicted of a misdemeanor crime of domestic violence.
- Medical Requirement: This position requires you to maintain physical fitness standards set by the agency. Physical stamina, excellent eyesight and hearing, and emotional stability are essential. The duties of positions in the criminal investigator series require moderate to arduous physical exertion involving walking and standing, use of firearms, and exposure to

inclement weather.

- This is a critical-sensitive position and Top-Secret clearance is required. The selectee must be able to obtain and maintain a Top-Secret clearance. The selectee must undergo and successfully complete a character and background investigation, including a credit check.
- Drug Test and Medical Examination: You will be subject to a pre-employment drug test and medical examination and must successfully pass. If selected for the position, you will be subjected to periodic medical examinations that must be passed successfully to retain the position. Since the duties of this positions are exacting and responsible, and involve activities under trying conditions, applicants must possess emotional and mental stability. Any physical conditions that would cause the applicant to be a hazard to himself/herself or others are disqualifying.

Qualifications

To be placed into a Cures position, candidates must meet the following criteria:

1. Scientific, Technical, and Professional Fields
2. Qualified and Outstanding Candidates
 - a. **Qualified** applies to all candidates for Cures appointments. The FDA OTS will use the basic requirements defined in the [OPM Qualification Standards](#) as a baseline for comparing experience levels and other candidate attributes for relevant positions.
 - b. **Outstanding** candidates can be defined by existing outstanding work experience, outstanding performance rating, or both.

In order to qualify for this Title 21 Cures position, the candidate(s) must meet the following **required** qualifications. *Please note: Additional education and experience listed that is not indicated as required is preferable and desired. Candidates who do not meet the “desired” criteria will not be excluded from consideration for this position.*

Education Requirement: The education must have been obtained at a college, university, or an accrediting body recognized by the Secretary, [U.S. Department of Education](#) at the time the degree was obtained. For more information please see: [OPM Occupational Series Qualification Requirements](#).

[Criminal Investigations Series 1811](#)

Professional Experience: To meet specialized experience requirements, your resume must reflect experience in a managerial capacity with responsibility for providing supervisory direction to a large and diverse organization responsible for promoting economy, efficiency, and effectiveness in the administration of programs and operations on a national level and preventing and detecting fraud and abuse in such programs and operations. This experience must be evidenced by sophisticated analytical skills, superior written and oral communication skills, good judgment, and experience in interacting with government and non-government

officials. Typically, experience of this nature is gained at or above the GS-15 grade level in the Federal service, or its equivalent with state or local government, the private sector, or nongovernmental organizations. At this level, you would have typically been responsible for planning, directing, and evaluating work that included managing and/ or supervising other managers. You must demonstrate in your resume, significant achievements, increasing levels of responsibility as a manager, and a solid record of successful professional performance.

Desired Education: An advanced degree in law, science or management from an accredited college or university.

Desired Professional Experience:

- Experience which demonstrates the ability to manage an organization conducting criminal investigations.
- Experience in consumer protection which demonstrates in-depth knowledge of FD&C Act and other FDA related statutes.
- Demonstrated ability to communicate effectively both internally and externally to a large number of staff located in different geographic areas.
- Demonstrated ability to build coalitions of foreign, other U.S. Agency, and/or State/local regulators which promotes effective internal and external collaborations.
- Experience formulating and establishing policy relating to criminal investigation activities.

Education Transcripts

SUBMITTING YOUR TRANSCRIPTS: Positions which are scientific or technical in nature often have very specific educational requirements. A transcript is required to verify educational achievement. Pay careful attention to the Qualifications and Education sections to identify vacancies where a transcript is required. Even if you hold a similar position or are a current FDA employee, you are not exempt from transcript requirements.

FOREIGN EDUCATION: If you are using education completed in foreign colleges or universities to meet the qualification requirements, you must show that the education credentials have been evaluated by a private organization that specializes in interpretation of foreign education programs and such education has been deemed equivalent to that gained in an accredited U.S. education program; or full credit has been given for the courses at a U.S. accredited college or university. For more information about this requirement, please visit the [U.S. Department of Education website for Foreign Education Evaluation](#).

Security Clearance Requirements

Background Investigation/Security Clearance Requirements: The incumbent serves under the executive direction of the ACRA of the ORA in the FDA and is a lead for national security intelligence matters involving ORA-regulated products and as such requires a top-secret security clearance. The incumbent has access to documents and facilities related to national security. Drug usage could impair the reliability, stability, and judgment of the incumbent which

could undermine public confidence in the agency. Drug dependency would create the possibility of coercion and irresponsible actions leading to the disclosure of highly sensitive, top-secret information. Therefore, this is a Testing Designated Position, and the incumbent is subject to testing for drug usage in accordance with the HHS plan for a Drug Free Workplace.

Vaccination Requirements

To ensure compliance with an applicable preliminary nationwide injunction, which may be supplemented, modified, or vacated, depending on the course of ongoing litigation, the Federal Government will take no action to implement or enforce the COVID-19 vaccination requirement pursuant to Executive Order 14043 on Requiring Coronavirus Disease 2019 Vaccination for Federal Employees. Therefore, to the extent a Federal job announcement includes the requirement that applicants must be fully vaccinated against COVID-19 pursuant to Executive Order 14043, that requirement does not currently apply. Federal agencies may request information regarding the vaccination status of selected applicants for the purposes of implementing other workplace safety protocols, such as protocols related to masking, physical distancing, testing, travel, and quarantine.

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

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

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.

How to Apply

Applications will be accepted from all qualified internal and external applicants. Please send letter of interest addressing your experience in the major duties and responsibilities of the position, resume, redacted SF-50 for current federal employees only, transcript (with foreign credentials evaluation, if applicable) to the ORA Executive Recruitment and Scientific Staffing Committee, oraexecutiveandscientificrecruitment@fda.hhs.gov. Applications will be accepted through November 10, 2022. Please reference Job Reference ID: ACCI, OCI

Announcement Contact

For questions regarding this Cures position, please contact oraexecutiveandscientificrecruitment@fda.hhs.gov.

The Department of Health and Human Services is an equal opportunity employer with a smoke free environment.

FDA is an equal opportunity employer.

