

NEW  
 I/A: \_\_\_\_\_  
 MR#: BI0753  
 IP#: \_\_\_\_\_

## CLASSIFICATION AND PERFORMANCE MANAGEMENT RECORD

- Performance Plan    • Performance Appraisal    • Performance Recognition    • Progress Review    • Position Description

Employee's Name: \_\_\_\_\_ Social Security No.: \_\_\_\_\_

Position Title: Senior Export Compliance Specialist

Pay Plan, Series, Grade/Step: GS-1801-14

Organization: 1. BIS 4. SID  
 2. O/Asst. Secretary EE 5. \_\_\_\_\_  
 3. OEA 6. \_\_\_\_\_

Rating Period: \_\_\_\_\_

Covered By:  Senior Executive Service     Other \_\_\_\_\_  
 General Workforce

### PART A—POSITION DESCRIPTION

**POSITION CERTIFICATION**—I certify that this is an accurate statement of the major duties and responsibilities of the position and its organization relationships and that the position is necessary to carry out Government functions for which I am responsible. This certification is made with the knowledge that this information is to be used for statutory purposes relating to appointment and payment of public funds and that false or misleading statements may constitute violation of such statute or their implementing regulations.

SUPERVISOR'S SIGNATURE <b>Deniz Muslu, Asst. Director, SID</b>	<small>Digitally signed by DENIZ MUSLU Date: 2021.01.21 09:36:09 -0500'</small>	DATE	SECOND LEVEL SUPERVISOR <b>Kevin J. Kurland, Director, OEA</b>	<small>Digitally signed by KEVIN KURLAND Date: 2021.01.21 11:03:16 -0500'</small>	DATE
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<b>CLASSIFICATION CERTIFICATION</b>	OFFICIAL TITLE: <u>Senior Export Compliance Specialist</u>				
	PP: <u>GS</u>	SERIES: <u>1801</u>	FUNC: <u>00</u>	GRADE: <u>14</u>	I/A: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

I certify that this position has been classified as required by Title 5, US Code, in conformance with standards published by the OPM or, if no published standard applies directly, consistently with the most applicable published standards.

NAME AND TITLE OF CLASSIFIER <b>Tamara Williams HR Specialist</b>	SIGNATURE	DATE
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### PART B—PERFORMANCE PLAN

**This plan is an accurate statement of the work that will be the basis of the employee's performance appraisal.**

NAME AND TITLE OF FIRST LINE SUPERVISOR/RATING OFFICIAL	SIGNATURE	DATE
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**APPROVAL**—I agree with the certification of the position description and approve the performance plan.

NAME AND TITLE OF APPROVING OFFICIAL OR SES APPOINTING AUTHORITY	SIGNATURE	DATE
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EMPLOYEE ACKNOWLEDGEMENT—My signature acknowledges discussion of the position description and receipt of the plan, and does not necessarily signify agreement.	SIGNATURE	DATE
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**PRIVACY ACT STATEMENT**—Disclosure of your social security number on this form is voluntary. The number is linked with your name in the official personnel records system to ensure unique identification of your records. The social security number will be used solely to ensure accurate entry of your performance rating into the automated record system.



**Department of Commerce  
Bureau of Industry and Security  
Office of the Assistant Secretary for Export Administration  
Office of Enforcement Analysis  
Strategic Intelligence Division  
Senior Export Compliance Specialist  
GS-1801-14**

## **I. INTRODUCTION**

This position is located in the Department of Commerce (DOC), Bureau of Industry and Security (BIS), Office of the Assistant Secretary for Export Enforcement (EE), Office of Enforcement Analysis (OEA), Strategic Intelligence Division (SID).

OEA evaluates all-source information, including publicly available and government-privileged information, to provide information to BIS and the interagency export control community to inform adjudication of export control license applications; promote U.S. exports by preventing the diversion or misuse of export controlled items abroad through end-use checks, outreach, and cooperation with foreign governments, identify potential violators of export control laws that imperil U.S. national security; and support law enforcement actions that could result in both criminal and civil penalties, thereby encouraging compliance with the U.S. export control regime.

The purpose of this position is to provide timely and objective intelligence information on foreign parties involved or potentially involved in receiving U.S. exported items subject to the Export Administration Regulations (EAR) to interdepartmental agencies responsible for ensuring such items are exported as authorized by U.S. laws and regulations and in support of U.S. national security objectives.

## **II. MAJOR DUTIES AND RESPONSIBILITIES**

### **A. Program Development and Direction**

Incumbent is responsible for providing support to leadership in leading, planning, coordinating and executing the comprehensive review of foreign parties to licensed and unlicensed transactions involving items subject to the EAR and providing timely and objective assessments to agencies responsible for approving licensing decisions on critical U.S. produced dual-use items.

Monitors and evaluates export transactions and all-source intelligence to ensure compliance with the EAR, the Chemical Weapons Convention, and related laws and regulations to ultimately promote commerce abroad while still protecting the U.S.' national security from unauthorized use of the U.S.' most sensitive goods and technology. Produces reports and briefings that facilitate informed interagency decisions by providing data (including the absence of information) to the U.S. export control community to include but not limited to the Department

of Commerce, Department of State, Department of Defense, Department of Energy, and the Intelligence Community.

Analyzes export control intelligence issues and assists in the formulation and implementation of policy and procedures with regard to the Bureau's requests, receipt, coordination, dissemination and use of intelligence information. Communicates the Bureau's intelligence needs to appropriate intelligence agencies and ensures action from the Intelligence Community on the Bureau's and interdepartmental export control intelligence-related requirements. Monitors intelligence reports and products to assure that the Bureau's and interdepartmental partners' needs are met and follows up, as needed, to obtain appropriate intelligence materials. Assists in coordinating activities for the interagency Information Triage Unit and manages activities (Bona Fides Information Report, Entity History Fact Sheet) and systems related thereto.

## **B. Organizational Management**

The incumbent will report directly to the SID Assistant Director and will as the senior intelligence research analyst, assisting in supervising the work of approximately 10 export compliance and intelligence research specialists in the SID. Responsibility includes assisting in the formulation of programs aimed at the prevention of illegal transfers of sensitive items and technology. These will consist of:

1. Supports the Bureau's role as Information Triage Unit (ITU) executive agent. This includes supporting the Bona Fides Information Report program that screens and analyzes all-source information on foreign parties to license applications. Reports are made available in a timely manner to the interagency export control community to inform approvals or denials of export license application. The reports provide information on the bona fides on foreign parties based on criteria developed by the bureau and export control interdepartmental partners.
2. Assists in the management of the analysis and reporting of the bona fides of foreign parties to export transactions. Parties identified for screening would be selected based on analysis of law enforcement and transaction data bases as well as all-source intelligence information. The analysis will augment ongoing activities within the Bureau to fuse all-source information with export data in order to support the production of actionable enforcement leads and to focus export compliance efforts and policy development.
3. As the Senior Export Compliance Specialist, constantly stays abreast of new and innovative intelligence information and analysis/evaluation techniques and legislative action that could impact on the Bureau's research, analysis, enforcement, and compliance functions.
4. Develops new approaches in which the ITU can be enhanced and advise management on the effectiveness of the analytical staff improved. Recommends change and improvements in the activities of the Division that will facilitate the most efficient and effective operation. Develops improved methods for the conduct of Division activities

for more efficient reporting procedures and creates other techniques to enhance the efficiency and productivity of the staff. Devises systems for reviewing licenses and ensures that such activities are consistent with export control national policy guidelines and programs.

### **C. Advice and Counsel**

Provides leadership and guidance on the full range of unit functions and programs.

## **III. FACTORS**

Factor 1 - Knowledge Required by the Position

FL 1-8, 1550 pts

1. Thorough knowledge of the Intelligence Community/Law Enforcement processes, procedures, rules and regulations.
2. Thorough knowledge of intelligence/enforcement analysis techniques and procedures, intelligence/enforcement data-bases and intelligence/enforcement analytical tools.
3. Thorough knowledge of the EAR and the regulations promulgated thereunder, and related export control laws, requirements, and regulations.
4. Thorough knowledge of export control licensing processes and end-use verification programs.
5. General knowledge of current history and international affairs, the ability to apply inductive and deductive reasoning and knowledge to the specialized subject matter of export controls and what foreign entities are deemed viable to receive items controlled under the EAR.
6. Ability to direct, assign, and supervise available resources to a varied and heavy workload, often under short deadlines and intense scrutiny.
7. Knowledge of personnel management skills, regulations, and procedures. Ability to apply this knowledge to the management of personnel to ensure efficient and successful completion of intelligence operations and research functions.
8. Excellent oral and written command of the English language. This must include the ability to prepare speeches and make presentations to large and varied groups of participants and also analytical and investigative report writing skills to prepare policy statements and briefing papers.
9. Ability to work with senior representatives from other government agencies, particularly the national intelligence community (CIA, DIA, NSA, etc.), and propound Export Control interests.

## Factor 2 - Supervisory Controls

FL 2-5, 650 pts

Incumbent works under the direction of the Assistant Director for the Strategic Intelligence Division (SID), OEA.

The incumbent exercises independent judgment in fulfilling his/her responsibilities and is responsible for assisting in directing the mission of the SID. Work is review primarily for productivity, reliability of recommendations, initiative, resourcefulness, and consistency with legal guidelines, and established policies and procedures.

Incumbent assists in determining the plan and general method of approach to the SID functions to obtain the greatest possible impact, delineates objectives and metrics, assists in the designation of the needed resources, and ensures coordination with all affected parties. Incumbent confers with the Bureau officials to furnish information concerning the status of the more critical Bureau operations (those of extreme sensitivity or exceptional difficulty) clearing questions of legal issues or international implications. Review of work is generally in the form of overview discussions.

## Factor 3 - Guidelines

FL 3-5, 650 pts

Intelligence and security guidelines exist in the form of regulations, policy, procedures and management plans. Export control guidelines are the U.S. Code of Federal Regulations; the Export Administration Act, as amended, and its implementing Export Administration Regulations; criminal statutes and precedent court decisions; BIS policies and procedures, functional memoranda and other pertinent agency regulations. While guidelines are generally available, incumbent must exercise considerable judgment and an extremely high degree of originality and initiative in interpreting and adapting existing precedents and in developing new or improved approaches on controversial and internationally important export control analysis. Methods established by the incumbent will frequently serve as organization precedents.

Virtually all actions require considerable judgment and ingenuity in interpreting and applying guidelines or require careful consideration of a variety of critical factors, to obtain mission accomplishment and in making decisions affecting the SID workforce. The incumbent must exercise a high degree of independent judgment, under circumstances in which it would be impossible to consult with others.

Frequently, there are no precedents to govern behavior in unusual and sensitive situations. Incumbent assists in establishing policy for the SID.

## Factor 4 - Complexity

FL 4-6, 325 pts

The work is highly technical in nature and the incumbent uses his/her experience to develop and implement major and complex programs. The duties of this position involve the application of complex laws and regulations in a sophisticated regulatory and interdepartmental environment. Analysis and support for export compliance and enforcement operations and investigations involve an entire spectrum of laws and statutes which relate to export enforcement and

compliance. Activities involve extensive domestic and international business operations, and handling of highly sensitive issues which impact on the national security and foreign policy interest of the country and are subject to intense scrutiny by the Congress, the news media, and the general public.

Bureau of Industry and Security operations involve lawful export transactions as well as willful and criminal violations of the law; they frequently involve complex problems of coordination with other Federal export control compliance and enforcement agencies as well as the national intelligence community. They usually involve many export transactions following circuitous routes to proscribed destinations. The transactions are in strategic commodities and/or technologies often stem from an initial license request or shippers export declaration review and involve very complex issues and are politically and internationally sensitive.

Incumbent provides oversight during the course of the SID operations as well as apprises interdepartmental export control agencies (Department of Commerce, Department of State, Department of Defense, Department of Energy, Department of Treasury, and the Intelligence Community) of diversion risk and enforcement concerns of license applications and shipments under review. Incumbent has responsibility for assisting in the development of goals, analytical framework, and appropriate methodology to be used during the progress of the operations, and reviews and considers final results.

Factor 5 - Scope and Effect

FL 5-6, 325 pts

The work performed by the incumbent significantly impacts upon the reputation of the Department of Commerce within the national licensing/intelligence/law enforcement community; and the national and international export enforcement and compliance community. The work performed by the incumbent also significantly facilitates the overall effectiveness of the Bureau of Industry and Security.

Export licenses and shipper's export declarations routinely involve not only national corporations, business firms, and government agencies, but also foreign firms and governments. The activities of the Division will have an impact, positive or negative, on export license decisions and to enforcement investigations, to a significant degree. License approval has a significant impact on U.S. businesses and their ability to complete in the international market. Export enforcement and compliance lead to new administrative and criminal case law precedents, as well as changes in export control regulations and policies.

License approvals or denials as well as enforcement and compliance activities lead to diplomatic efforts by the United States to influence the actions and policies of foreign governments and regularly involve coordination with various other Federal agencies, leading to changes in their policies, regulations, and interpretations of law.

Factors 6/7 – Personal Contacts/Purpose of Contacts

FL 4d, 330 pts

Personal contacts are with senior officials in the national licensing/intelligence community/law enforcement (CIA, DIA, NSA, Department of State, Department of Homeland Security,

Department of Defense, Department of Energy, FBI, etc.); as well as analysts, special agents, licensing officers, Directors and Managers within the Department of Commerce. These frequent contacts involve the exchange of information on non-routine problems during conferences, working groups and on-going information exchange forums that will require both extensive preparation and the highest degree of technical familiarity with extremely complex subject matter. The incumbent's relationship with the other parties varies from providing direct supervision to that of negotiator, advisor, participant, representative, coordinator, or authority.

The purpose of contacts is to give, exchange, and obtain information concerning actual and potential violations of the Export Administration Act and implementing regulations leading to informed licensing decisions by interagency export control Departments (Department of Commerce, Department of Defense, Department of State, Department of Energy, etc.) and the national intelligence community as well as preventive enforcement, administrative proceedings, and/or criminal prosecution; to motivate persons or groups; and to plan and coordinate activities, initiatives, and programs.

More importantly, the purpose of the contacts is also to identify and negotiate the Bureau's and interdepartmental agencies requirements for intelligence collection, production and dissemination in consultation with the Department's organizational elements as well as interdepartmental agencies charged with executing and enforcing U.S. dual-use item control laws and regulations. Communicates the Bureau's intelligence needs to appropriate intelligence agencies and ensures action from the Intelligence Community on the Bureau's and interdepartmental dual-use item, export control intelligence requirements.

Work at this level usually involves active participation in conferences, meetings and make presentations; to coordinate, review, or influence the actions of others; and to gain acceptance of recommendations on difficult problems by providing explanations of and proposals for resolution of complex and/or highly sensitive issues. Exceptional tact, diplomacy, persuasion, and negotiating skills are required. Persons contacted typically have diverse viewpoints, goals, or objectives requiring the employee to achieve a common understanding of the problem and a satisfactory solution by convincing them, arriving at a compromise, or developing suitable alternatives.

Factor 8 - Physical Demands

FL 8-1, 5 pts

The work is mostly sedentary in nature. There may be limited travel (both domestic and international). There is often pressured to meet tight deadlines and to handle a myriad of diverse tasks simultaneously, all of which carefully considered judgment.

Factor 9 - Work Environment

FL 9-1, 5 pts

The work is performed primarily in an office setting.

**Total Score: 3840**

**Grade: GS-14 (3605 – 4050)**



**Position is at Full Promotion Potential**

This position is **exempt** from coverage under the Fair Labor Standards Act.

**FLSA: This position is exempt from coverage under the Fair Labor Standards Act.**

**Position Sensitivity:** This position is designated Special Sensitive. Incumbent of this position must successfully complete a background security investigation prior to appointment and must be able to acquire and maintain a TOP SECRET security clearance with Special Intelligence Access as a result of current and/or favorable Special Background Investigation. Incumbent of the position will also be required to complete an SF-312, Classified Non-Disclosure Agreement.

**Drug Testing:** Incumbent of this position is subject to random drug testing. Incumbent must pass urinalysis testing prior to appointment and periodically thereafter.

**Temporary Travel:** International and/or domestic travel may be required on occasion. Work is often performed under severe time constraints and competing priorities.

**Financial Disclosure:** Title 5 CFR, part 2634, requires the incumbent of this position to file an initial and annual SF-450, Confidential Financial Disclosure Report and attend annual ethics training.

**FACTOR EVALUATION SYSTEM  
POSITION EVALUATION STATEMENT**

Title, Series and Grade: Senior Export Compliance Specialist  
(GS-1801-14)

Organization: Department of Commerce, Bureau of Industry and Security, Office of the Assistant Secretary for Export Enforcement, Office of Enforcement Analysis

Series Determination: This position is established in the GS-1801 series using Job Family Position Classification Standard for Administrative Work in the Inspection, Investigation, Enforcement, and Compliance Group, 1800, Issued March 2009, Revised April 2011, since the primary work of the position is covered by two or more administrative occupations in the General Inspection, Investigation, Enforcement, and Compliance Group, 1800, and no one occupation predominates. Because the position is non-supervisory and covers planning, conducting, or managing investigations not involving criminal violations of Federal laws., the appropriate title is Senior Export Compliance Specialist

Evaluation Factors	Points Assigned	Standard Used (Factor Level)
1. Knowledge Required	1550	FL 1-8
2. Supervisory Control	650	FL 2-5
3. Guidelines	650	FL 3-5
4. Complexity	325	FL 4-6
5. Scope and Effect	325	FL 5-6
6. Personal Contacts/ 7. Purpose of Contacts	330	FL 4d
8. Physical Demands	5	FL 8-1
9. Work Environment	5	FL 9-1
Total Points	3840	
Grade Conversion: GS-14		

# Position Designation Record

Department DEPARTMENT OF COMMERCE CM  
 Agency DEPT OF COMMERCE-BUREAU OF INDUSTRY AND SECURITY  
 Supplemental Duty  
 Position Title Senior Export Compliance Specialist  
 Position Description The purpose of this position is to provide timely and objective intelligence information on foreign parties involved or potentially involved in receiving U.S. exported items subject to the Export Administration Regulations (EAR) to interdepartmental agencies responsible for ensuring such items are exported as authorized by U.S. laws and regulations and in support of U.S. national security objectives. This position is required to have access to classified national security information  
 Series and Grade/Pay Band GS-1801-14  
 Position Description Number BI0603  
 Designator's Name & Title Deniz Muslu, Asst. Director, Strategic Intelligence Division, OEA

## Final Position Designation and Investigation

Sensitivity Level	Risk Level	Investigation	Form
Special-Sensitive	High Risk	Tier 5	SF 86

## Summary

### National Security

National Duties	Degree of Potential for Compromise or Damage
Requires eligibility for access to classified information	Inestimable Damage Position requires eligibility for access to Sensitive Compartmented Information (SCI), other intelligence-related Special Sensitive information, or involvement in Top Secret Special Access Programs) (SAP)
Duties related to criminal justice or law enforcement affecting national security matters	Inestimable Damage One or more of the following where the incumbent's neglect, action or inaction could cause inestimable damage to national security: <ul style="list-style-type: none"> <li>Independent responsibility for coordinating and/or conducting criminal investigations concerning highly sensitive matters</li> <li>Independent responsibility for criminal justice or law enforcement activities</li> </ul>

National Duties	Degree of Potential for Compromise or Damage
National security policy-making or policy-determining responsibility	<p>Inestimable Damage</p> <p>One or more of the following when there is the potential to cause inestimable damage to national security:</p> <ul style="list-style-type: none"> <li>• Senior management officials for critical government programs impacting national security</li> <li>• Independent responsibility for national security policy-making or policy-determining</li> <li>• Direct involvement with diplomatic relations and negotiations, with the ability to act independently</li> <li>• Independent, agency spokesperson concerning extremely sensitive/controversial matters for critical government programs impacting national security</li> <li>• Independent responsibility for planning or approving continuity of government operations</li> </ul>
Unclassified information (e.g. private, controlled unclassified, or proprietary information) significant to national security	<p>Inestimable Damage</p> <ul style="list-style-type: none"> <li>• Unlimited access to and control over unclassified information, which may include private, proprietary or other controlled unclassified information when there is the potential to cause inestimable damage to national security</li> </ul>

## Suitability

No Public Trust duties selected

Designator's Name: Deniz Muslu, Asst. Director, Strategic Intelligence Division, OEA

Designator's Signature: DENIZ MUSLU Digitally signed by DENIZ MUSLU  
Date: 2021.01.19 16:40:22 -05'00' Date: \_\_\_\_\_