



**U.S. DEPARTMENT OF THE INTERIOR
Certification of Position Approval
for Retirement
Under 5 USC § 8336(c) and § 8412(d)**

Approved under the Civil Service Retirement System, 5 USC § 8336(c)

Approved under the Federal Employees Retirement System, 5 USC § 8412(d)

Category of Coverage: Primary/Rigorous (Law Enforcement)

Bureau: U.S. Fish and Wildlife Service - Bureau-wide

Classification Title: Criminal Investigator

Organization Title: Senior Special Agent

Position Number: S000210 Series and Grade: GS-1811-13

RECOMMENDATION FOR COVERAGE REVIEW: Primary/Rigorous Law Enforcement coverage is recommended under both CSRS and FERS.

The incumbent of this position leads and coordinates investigations involving a variety of specialities and numerous agencies or levels of government. Initiates evidence searches involving numerous databases, record searches, interviews, physical and electronic surveillance. **The duties of this position are so rigorous that employment is limited to physically young and vigorous individuals who must meet established age and physical qualification requirements.**

Toni Orth

TONI ORTH, DOI/FLERT Human Resources Specialist

5/24/06
Date

Kevin Adams

KEVIN ADAMS, Chief, Office of Law Enforcement, FWS

5-24-06
Date

Michael Gilmore

MICHAEL GILMORE, DOI FF/LE Supervisory Program Analyst

06/01/06
Date

APPROVAL: The position described above is approved for coverage under Firefighter or Law Enforcement (FF/LEO) Retirement retroactive to classification date of 04/18/2006. Approval is by DOI Secretary's Designee:

Nancy Miller

Deputy Assistant Secretary, Performance, Accountability and Human Resources

6/22/06
Date

POSITION DESCRIPTION (Please Read Instructions on the Back)

1. Agency Position No.
S000210

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|--|---|---|-----------------|---|
| 2. Reason for Submission <input type="checkbox"/> Redescription <input checked="" type="checkbox"/> New <input type="checkbox"/> Reestablishment <input type="checkbox"/> Other Explanation (Show any positions replaced) | 3. Service <input type="checkbox"/> Hdqtrs <input checked="" type="checkbox"/> Field | 4. Employing Office Location | 5. Duty Station | 6. OPM Certification No. |
| 7. Fair Labor Standards Act <input checked="" type="checkbox"/> Exempt <input type="checkbox"/> Nonexempt | | 8. Financial Statements Required <input type="checkbox"/> Executive Personnel Financial Disclosure <input checked="" type="checkbox"/> Employment and Financial Interest | | 9. Subject to IA Action <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 10. Position Status <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Excepted (Specify in Remarks) <input type="checkbox"/> SES (Gen.) <input type="checkbox"/> SES (CR) | | 11. Position Is <input type="checkbox"/> Supervisory <input type="checkbox"/> Managerial <input checked="" type="checkbox"/> Neither | | 12. Sensitivity 1--Non-Sensitive <input type="checkbox"/> 3--Critical <input checked="" type="checkbox"/> 2--Noncritical Sensitive <input type="checkbox"/> 4--Special Sensitive <input type="checkbox"/> |
| 13. Competitive Level Code | | | | 14. Agency Use |

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|---|--|----------|-------------------|-------|----------|---------|
| 15. Classified/Graded by | Official Title of Position | Pay Plan | Occupational Code | Grade | Initials | Date |
| a. Office of Personnel Management | Department of the Interior, FLERT Specialist | | | | | |
| b. Department, Agency or Establishment | This PD has been approved as follows under 5 USC 8336(c) and 8412(d) Firefighter <input checked="" type="checkbox"/> Law Enforcement <input checked="" type="checkbox"/> Primary <input checked="" type="checkbox"/> Secondary/Administrative <input type="checkbox"/> Sec/Supvy <input type="checkbox"/> Approval Date June 22, 2006 | | | | | |
| c. Second Level Review | | | | | | |
| d. First Level Review | Criminal Investigator | GS | 1811 | 13 | owl | 4-18-06 |
| e. Recommended by Supervisor or Initiating Office | Criminal Investigator | GS | 1811 | 13 | | |

16. Organizational Title of Position (if different from official title)
Senior Special Agent

17. Name of Employee (if vacant, specify)
Toni Orth

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|--|-----------------------|
| 18. Department, Agency, or Establishment Department of Interior | c. Third Subdivision |
| a. First Subdivision U.S. Fish and Wildlife Service | d. Fourth Subdivision |
| b. Second Subdivision Office of Law Enforcement | e. Fifth Subdivision |

19. Employee Review-This is an accurate description of the major duties and responsibilities of my position.

Signature of Employee (optional)

20. Supervisory Certification. I certify that this is an accurate statement of the major duties and responsibilities of this position and its organizational 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 violations of such statutes or their implementing regulations.

| | |
|---|--|
| a. Typed Name and Title of Immediate Supervisor <u>Office of Law Enforcement</u> | b. Typed Name and Title of Higher-Level Supervisor or Manager (optional) |
| Signature: <u>K Adams</u> Date: <u>4-14-06</u> | Signature: _____ Date: _____ |

21. Classification/Job Grading Certification. I certify that this position has been classified/graded as required by Title 5, U.S. Code, in conformance with standards published by the U.S. Office of Personnel Management or, if no published standards apply directly, consistently with the most applicable published standards.

22. Position Classification Standards Used in Classifying/Grading Position
OPM, JFS, Administrative Work in the Inspection, Investigation, Enforcement and Compliance Group, 1800, dtd March 2009

| | |
|---|--|
| Typed Name and Title of Official Taking Action <u>Joyce M. Hayes</u> Human Resources Specialist | Information for Employees. The standards, and information on their application, are available in the personnel office. The classification of the position may be reviewed and corrected by the agency or the U.S. Office of Personnel Management. Information on classification/job grading appeals, and complaints on exemption from FLSA, is available from the personnel office or the U.S. Office of Personnel Management. |
| Signature: <u>Joyce M. Hayes</u> Date: <u>4-18-06</u> | |

| 23. Position Review | Initials | Date | Initials | Date | Initials | Date | Initials | Date | Initials | Date |
|------------------------|-------------|----------------|-----------|----------------|----------|------|----------|------|----------|------|
| a. Employee (optional) | | | | | | | | | | |
| b. Supervisor | | | | | | | | | | |
| c. Classifier | <u>J.H.</u> | <u>4/27/09</u> | <u>OK</u> | <u>4/27/09</u> | | | | | | |

24. Remarks: Risk Designation: High Risk
Drug Testing: Yes Investigation: SBEI
Standard Position Description
01/04/10: Added Fin Disclosure Requirement - King

Criminal Investigator, GS-1811-13
Organizational Title: Senior Special Agent
Fish and Wildlife Service, Office of Law Enforcement

Introduction

The Office of Law Enforcement's (OLE) mission is to protect wildlife resources by investigating wildlife crimes, regulating wildlife trade and helping others understand and comply with protection laws. OLE works in partnership with Federal, international, state, tribal, and local counterparts. Currently, a variety of new challenges and trends complicate this work. Population pressures, more accessible international travel and trade, frequent work with individuals with languages other than English, the proliferation of organized crime activity, and the threat of invasive species all impact the nature of the work and the skills required.

Future work requires increased skill in using advanced technology, analytical skill to evaluate and interpret data, including human intelligence and the ability to make risk assessments in order to focus investigations. As a Senior Special Agent, the incumbent must have the skills necessary to increase cooperative partnerships, as well as increase the use of multi-agency and multi-function teams to accomplish high-risk, high-impact investigations.

The incumbent is a Senior Special Agent who serves as a technical expert reporting to a Resident Agent in Charge (RAC) of a major office. The number of senior agents in an office is determined by the consistent volume of complex investigative workload of a case or series of cases assigned to an office or unit. The incumbent is an acknowledged expert of extremely complex and highly sensitive investigations and/or a subject matter expert in one or more functional or legal areas such as those described below. Frequent travel is required. Pursuit of investigations requires unscheduled overtime and may require periods when the incumbent is on-call twenty-four hours a day.

Major Duties and Responsibilities

Investigation (60%)

Provides planning, oversight, and evaluation of extremely complex and highly sensitive investigations of alleged or suspected violations of Federal laws, rules, and/or regulations relative to U.S. Fish and Wildlife Service. Targets may involve numerous layers of corporations and multiple businesses across the United States and may involve international implications.

Leads and coordinates investigations, sometimes with investigators from one or more regions, involving a variety of specialties and numerous agencies or levels of government. Serves as lead investigator with responsibility for identifying partner Federal, State, or local law enforcement agencies, liaison with law enforcement partners, negotiating roles, and completing investigations. Jurisdictional problems involving other Federal, State, and local law enforcement agencies must be known and negotiated to a successful resolution.

Initiates evidence searches involving numerous databases, record searches, interviews, physical and electronic surveillance. Identifies and arranges for specialized support

such as electronic surveillance, covert operations, accounting/auditing expert, computer seizure, computer forensics, etc. Integrates data, including human intelligence, from within or across regions. Large-scale operations may result such as raids and seizures across several regions or states involving investigators from several agencies and localities.

Devises new methods, techniques, and approaches that can be used in similar investigations in the future. Designs and delivers advanced training to investigators in the region on these new methods, techniques, and approaches.

Provides advice and guidance to RAC's or investigators on the most complex investigations.

Serves as a technical expert in one or more highly specialized functions and/or is a resident expert in a defined, complex, specialized law or treaty such as:

- International cases
- Negotiator in hostile situations
- Treaties and laws and resulting investigations such as Native American/tribal issues, CITES, Migratory Birds Treaty Act, Endangered Species Act, Lacey Act, etc.

Provides advice on the establishment and the accomplishment of LE strategic objectives by applying knowledge and experience gained in broad-scale, highly complex, high-risk investigations and identifying trends in workload and technology.

Training (20%)

Determines the need for specialized training and safety training for investigators in areas of law enforcement activities and recommends appropriate training to upper level management. Serves as an instructor in areas of special expertise such as specific laws or treaties, international cases, etc.

Prepares guidance materials to address specific law enforcement activities and to provide information and/or interpretation of new laws and regulations or significant changes in laws and regulations.

Outreach (20%)

Serves as outreach and compliance education coordinator. Meets with executives of companies, importers, and exporters to prevent problems and identify solutions. Educates and builds compliance awareness among industry, guide groups (e.g. SCI), power companies and organizations (e.g. Avian Powerline Interaction Committee), associations (e.g. Trappers Association), and other organizations (e.g. land owners associations, APLIC).

Cooperates with tribes and other agencies to safeguard archeological resources.

Forges relationships to increase cooperation and coordination with non-governmental partners such as the National Audubon Society, World Wildlife Federation, Ducks Unlimited, etc.

Serves as FWS representative on interagency committees and groups such as GL Fisheries Commission, Atlantic States Marine Fisheries Commission, etc.

Builds new partnerships with Federal, State, and local enforcement authorities, media representatives, nongovernmental organizations, private industry, Native American tribes, and foreign officials to ensure compliance with related laws and regulations and to ensure successful resolution of investigations.

Serves as a liaison with Criminal Investigators in other Federal, State, and local agencies, and Senior Special Agents in other regions to develop and share best practices.

In cooperation with local jurisdictions, provides limited enforcement of state game and fish laws within the scope of the incumbent's official duties.

Factor 1. Knowledge Required.

Comprehensive knowledge of criminal investigative principles and techniques; the rules of evidence and criminal procedure; precedent Federal court decisions concerning admissibility of evidence, constitutional rights, search and seizure, and related issues; and the functions and jurisdictions of other Federal, state, and local law enforcement agencies.

Comprehensive knowledge of fish and wildlife laws, rules, and regulations, including import and export and search and seizure.

Expertise in the methods and techniques applicable to extremely complex investigations and knowledge of a wide variety of law enforcement activities.

Exceptional ability to plan, organize, conduct, and evaluate extremely complex and highly sensitive investigations employing new approaches and techniques where needed. Investigative teams include multi-function and/or multi-agency teams that require considerable ability to negotiate among members and agencies to ensure successful completion of assignment.

Strong analytical ability to analyze and track records through multiple corporate layers and businesses and to evaluate the adequacy of investigative findings and recommendations.

Highly skilled in the use of specialized investigative technology including electronic surveillance, information technology, conducting or directing undercover operations, computer seizures, and in coordinating assignments of experts in seizure and analysis and related work, or other specialties.

Expertise in operational requirements and needs relevant to proactive investigative efforts surrounding special task force or emergency response activities.

Ability to analyze new laws and regulations and determine their impact and application to FWS work.

Creativity in identifying current needs and emerging trends in investigations and in devising solutions.

Highly skilled in oral communication skills to lead multi-agency, multi-function teams, meet with company executives, negotiate jurisdictional problems, and to serve as an instructor for training programs. Ability to effectively defend investigative findings and to testify in legal proceedings.

Strong written communication skills to produce definitive reports and presentations to a variety of audiences and to prepare guidance materials to address specific activities.

Ability to analyze, interpret and evaluate complex records, documents and other information including using databases and IT systems.

Skill in using electronic data systems to collect intelligence, obtain information and documents, and prepare and present court exhibits and evidence.

Factor 2. Supervisory Controls.

The immediate supervisor establishes assignments based on broad objectives such as decreasing smuggling from a certain source or sources. The incumbent outlines the objectives, plans investigation, and determines resources needed. The incumbent performs assignment with a great degree of independence with the incumbent initiating discussions with the supervisor at critical points. The incumbent's decisions regarding the need for other agency team members, specialty experts, and other resources are normally accepted as authoritative. The incumbent must operate within parameters set by the immediate supervisor, but in general has broad latitude to coordinate as required with other law enforcement agencies and to conduct all phases of the investigation or other law enforcement activities. Performance is assessed on the basis of results in meeting stated objectives.

Factor 3. Guidelines.

The laws, regulations, policies and procedures governing the U.S. Fish and Wildlife Service provide general guidance. The complexity of the assignments may necessitate the development of new procedures and techniques. The incumbent must be able to interpret and integrate a wide variety of international, national, and state laws, none of which completely cover the unique situations of the assignment. The incumbent analyzes and interprets new laws and regulations and prepares guidance materials to address these and to address specific law enforcement activities.

Factor 4. Complexity.

The incumbent is assigned as lead investigator for extremely complex and highly sensitive investigations involving multiple Federal, State or other agencies and foreign governments. Successful resolutions of cases are often complicated by extensive and critical jurisdictional issues, the use of multi-agency task teams, and the number of organizations under investigation. A key element in the complexity of the work is the requirement to determine the nature and extent of interrelationships among activities and organizations investigated. Methods, techniques, and tools developed or modified by the incumbent are used for other investigations in similar areas and are shared with and

adopted by other Regions and lower-level investigators. The incumbent is a technical expert in one or more specialty areas and as such provides guidance and advice to the RAC and other investigators and serves as an instructor in training programs.

Factor 5. Scope and Effect.

The incumbent serves as a technical expert reporting directly to the RAC on the most complex, high impact, high-risk investigations. The work involves ensuring compliance and criminal investigations are in compliance with laws, regulations, policies and procedures of the U.S. Fish and Wildlife Service. The work impacts on a region, regions, and nationally and may have international implications. The work can have significant economic impact on related businesses and industries, nationally and internationally. The design and development of new investigative approaches and techniques may lead to breakthroughs in the field and improve effectiveness throughout the regions.

Factor 6. Personal Contacts.

Personal contacts are with other Federal, State and local investigative agencies, foreign officials, related private industry, Native American tribes, foreign officials, and the general public. As lead investigator for multi-agency, multi-function investigation teams, the incumbent must identify the appropriate level and individual, establish his/her authority, negotiate roles of those participating, and deal effectively to accomplish case objectives. Through appropriate channels, the incumbent has frequent contact within the Department of Interior with the Office of the Solicitor and with the U. S. Attorney in the Department of Justice.

Factor 7. Purpose of Contacts.

Contacts are for the purpose of planning, leading, and evaluating the most complex investigations including negotiating roles, coordinating evidence gathering, integrating all data, preparing definitive reports, and testifying at legal proceedings. Incumbent represents the RAC as a technical expert and as an expert in one or more specialty areas. Contacts are also for the purpose of coaching lower level investigators, instructing others on new laws and regulations, and teaching new investigative approaches and techniques.

Factor 8. Physical Demands.

Work requires considerable physical exertion including long periods of standing, walking over rough terrain, and recurring bending, lifting, and similar activities. The work requires agility and dexterity.

Factor 9. Work Environment.

Work is accomplished in both office and outdoor settings. There is regular and recurring exposure to moderate risks and discomforts such as adverse weather conditions, dusty or noisy environments, etc. Surveillance work may include use of aircraft, boats and motorized vehicles. Incumbent is expected to reduce risk to self, other workers on assignment and property.

Special Conditions of Employment: Failure to maintain may result in removal from your position.

- The incumbent must possess a valid State driver's license.
- The incumbent will be required to operate motorized vehicles or vessels such as all terrain vehicles, snowmobiles, and inboard/outboard boats.
- The incumbent must maintain proficiency with firearms and successfully pass periodic firearm qualifications. Additionally, to comply with 18 U.S.C. 922(g) (9), the incumbent must not be convicted of a misdemeanor crime of domestic violence.
- The incumbent will be required to submit to random testing for illegal drug use. Results of such tests must be negative for illegal drug use.
- The incumbent must pass periodic physical examinations, meet physical standards set by the Service for the position, and otherwise fulfill the requirements for law enforcement positions of 5 U.S.C. 8336(c).