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DOI/FLERT

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**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: Special Agent

Position Number: S000317 Series and Grade: GS-1811-12

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

The incumbent serves as a full-performance-level investigator responsible for planning, directing, and independently conducting complex and highly sensitive investigations regarding laws, rules, regulations, and treaties administered by the U. S. Fish and Wildlife Service. Plans, directs team members, and independently conducts investigations of alleged or suspected violations of Federal laws, rules, and/or regulations. Leads, organizes, and serves on multi-function teams to conduct complex investigations and to address broad scale enforcement problems. Plans and conducts surveillance and undercover work and secures and executes search and seizure warrants. The duties of this position are so rigorous that employment is limited to young and physically vigorous individuals who must meet established age and physical qualification requirements.

TONI ORTH, DOI/FLERT Human Resources Specialist

6/3/08
Date

BENITO A. PEREZ, Chief, Office of Law Enforcement, FWS

6/17/08
Date

MICHAEL GILMORE, DOI/FLERT Supervisory Program Analyst

7/14/08
Date

APPROVAL: The position described above is approved for coverage under Firefighter or Law Enforcement (FF/LEO) Retirement retroactive to classification date of 5/29/2008. Approval is by DOI Secretary's Designee:

Deputy Assistant Secretary, Human Capital, Performance, and Partnerships

7/17/08
Date

POSITION DESCRIPTION (Please Read Instructions on the Back)

1. Agency Position No.
S000317

2. Reason for Submission: Redescription, Reestablishment, New, Hdqtrs, Field
 3. Service: Hdqtrs, Field
 4. Employing Office Location
 5. Duty Station
 6. OPM Certification No.

7. Fair Labor Standards Act: Exempt, Nonexempt
 8. Financial Statements Required: Executive Personnel Financial Disclosure, Employment and Financial Interest
 9. Subject to IA Action: Yes, No

10. Position Status: Competitive, Excepted (Specify in Remarks), SES (Gen.), SES (CR)
 11. Position Is: Supervisory, Managerial, Neither
 12. Sensitivity: 1-Non-Sensitive, 3-Critical, 2-Noncritical Sensitive, 4-Special Sensitive
 13. Competitive Level Code
 14. Agency Use: FPL: 12

15. Classified/Graded by	Official Title of Position	Pay Plan	Occupational Code	Grade	Initials	Date	
a. Office of Personnel Management	PRIMARY COVERAGE REQUIREMENT This position is for young and physically vigorous individuals. Maximum entry age restrictions apply when filled under appointment subject to the retirement system.						
b. Department, Agency or Establishment							
c. Second Level Review		Criminal Investigator	GS	1811	12	jh	5/29/08
d. First Level Review							
e. Recommended by Supervisor or Initiating Office							

16. Organizational Title of Position (if different from official title): Special Agent
 17. Name of Employee (if vacant, specify)

18. Department, Agency, or Establishment: Department of the Interior
 a. First Subdivision: U.S. Fish and Wildlife Service
 b. Second Subdivision: Office of Law Enforcement
 c. Third Subdivision
 d. Fourth Subdivision
 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
 b. Typed Name and Title of Higher-Level Supervisor or Manager (optional)
 Signature _____ Date _____ 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: Joyce M. Hayes, 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.

23. Position Review	Initials	Date	Initials	Date
a. Employee (optional)				
b. Supervisor				
c. Classifier	J.M.	4/27/09		

Department of the Interior, FLERT Specialist
 This PD has been approved as follows under 5 USC 8336(c) and 8412(d)
 Firefighter Law Enforcement
 Primary Secondary/Administrative Sec/Supvy
 Approval Date July 17, 2008

24. Remarks: Type of Investigation: SSBI
 Drug Testing: Yes
 This SPD is approved for Service-wide use

25. Description of Major Duties and Responsibilities (See Attached)

Fish and Wildlife Service
Office of Law Enforcement

Criminal Investigator
GS-1811-12
PN: S000317

Organizational title: Special Agent

Introduction

The Office of Law Enforcement's (OLE's) 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.

Work requires 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 inspections and investigations. OLE must expand partnerships, as well as increase the use of multi-agency and multi-function teams to accomplish high-risk, high-impact investigations.

The incumbent serves as a full-performance-level investigator responsible for planning, directing, and independently conducting complex and highly sensitive investigations regarding laws, rules, regulations, and treaties administered by the U.S. Fish and Wildlife Service. Assignments focus on high-impact law enforcement activities such as organizing and serving on teams comprised of a variety of experts. Such activities may include representatives from other agencies. The incumbent serves as an expert when testifying in court or administrative proceedings. Frequent travel is required. Pursuit of investigations requires unscheduled overtime. Full performance level 12.

Major Duties

Investigation: 85%

- Plans, directs team members, and independently conducts investigations, including 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.
- Leads, organizes and serves on multi-function teams to conduct complex investigations and to address broad scale enforcement problems. Investigations include a variety of evidence gathering techniques such as physical and electronic surveillance, computer searches, witness interviews, hostile interviews, and extensive database and record searches. Investigations require coordination with other Federal, State, and local law enforcement agencies.
- Plans and conducts surveillance and undercover work and secures and executes search and seizure warrants.

- Performs a wide variety of other law enforcement activities on the most complex and sensitive cases such as raids, interviewing witnesses, interrogating suspects, making arrests, developing evidence for presentation, testifying in court, and preparing detailed reports.

Outreach/Partnership Support: 10%

- Builds partnerships with Federal, State and local enforcement authorities, media representatives, NGO's (Non-Governmental Organizations), and private industry to obtain, secure, and exchange information and testimony and to identify and resolve emerging and systemic issues.
- Conducts specialized studies and analyses to identify systemic issues, on specific threats or target organizations, or trends affecting wildlife protection and law enforcement.
- Supports enforcement of State game and fish laws is within the scope of the incumbent's official duties.
- Performs other related duties as required. 5%

Classification Factors:

Factor 1, Knowledge Required

The incumbent must have knowledge of, and skill in applying, fish and wildlife laws, rules, and regulations, including those dealing with import and export and search and seizure. This includes knowledge of complex wildlife statues such as the Lacey Act, Migratory Bird Treaty Act, and Endangered Species Act as well as violations of Federal laws that address smuggling, conspiracy, money laundering, and mail fraud.

The incumbent must have knowledge of, and skill in applying, a wide range of complex investigative, inspection, compliance, and/or protection principles, concepts, and practices; criminal and case law precedents; administrative and legal procedures; legal jurisdictions; a broad range of advanced investigative techniques, research methodologies, and statistical and financial analyses; and business practices common to regulated entities and parties.

This knowledge and ability must be sufficient to enable the incumbent to:

- coordinate investigative activities with Federal, State, and local law enforcement officials;
- conduct sophisticated surveillance;
- ensure criminal cases are supported by evidence;
- develop supportable cases for presentation and/or prosecution;
- conduct inspections and investigations where significant difficulties are encountered;
- select, adapt, and apply investigation and negotiation techniques;
- interpret complex laws and regulations;
- develop new approaches, methods, or procedures in data gathering and analysis techniques;
- recognize and resolve discrepancies and/or inconsistencies among findings;

- obtain and/or reconstruct missing or withheld documents and information;
- analyze, interpret, and evaluate complex records, documents, and other information including using information technology systems;
- overcome obstacles to gathering and interpreting evidence;
- collect and confirm information from a variety of sources and methods, such as court records, databases, the Internet, newspapers, periodicals, and financial reports; and
- prescribe corrective action or remediation in difficult and complex work assignments.

The Special Agent must have skill in oral communication to present findings in clear, concise, and accurate briefings and presentations to a variety of audiences.

He/she must have skill in written communication to establish the interrelationship of facts and evidence and to organize reports and presentations.

Special Conditions: The incumbent must possess a valid State driver's license and is required to operate motorized vehicles and boats. The incumbent must be qualified and licensed to carry firearms. The incumbent must pass periodic physical examinations, meet physical standards set by the Department of Interior for the position without accommodation, and otherwise fulfill the requirements for law enforcement positions of 5 U.S.C. 8336(c). This position is subject to Drug Testing.

Factor 2, Supervisory Controls

The Resident Agent in Charge or other supervisory official outlines overall objectives and available resources, discusses with the Special Agent the projects and timeframes, and determines the parameters of the incumbent's responsibilities.

The Special Agent determines the most appropriate avenues to pursue; decides the methods to apply, including the approach to take and the depth and intensity needed; interprets policy and regulations and resolves most conflicts as they arise; coordinates projects or cases across jurisdictional lines; and keeps the supervisor informed of progress and potentially controversial matters.

The supervisor does not normally review the methods used, but reviews completed work for soundness of overall approach, effectiveness in producing results, feasibility of recommendations, and adherence to requirements.

Factor 3. Guidelines

The Special Agent uses the laws, regulations, policies and procedures governing the U.S. Fish and Wildlife Service that are applicable but stated in general terms. Guidelines for conducting new or innovative investigations are scarce or of limited use.

The Special Agent uses initiative and resourcefulness in deviating from established to address specific issues or problems in complex investigations, identify and research trends and patterns, develop new methods and criteria, and/or propose new policies and practices.

Factor 4, Complexity

The incumbent is assigned to and leads complex and highly sensitive investigations involving other Federal, State or other agencies. Successful resolution of cases is often complicated by jurisdictional issues, the use of multi-force task teams, and the unique circumstances of each investigation such as surveillance requirements and size or number of organizations under investigation, and the many different and unrelated procedures needed to resolve situations and problems.

The crimes being investigated include violations of complex wildlife statues such as the Lacey Act, Migratory Bird Treaty Act, and Endangered Species Act as well as violations of Federal laws that address smuggling, conspiracy, money laundering, and mail fraud, among others. Violations involve illegal trade and unlawful take, possession, and transport or sale of protected wildlife.

Suspects include sophisticated smuggling rings dealing in protected species; businesses involved in wildlife import/export; collectors of exotic wildlife; commercial hunting guides and outfitters; land developers; and companies whose activities affect wildlife or wildlife habitat.

Factors adding to the complexity of typical cases include the expanding use of the Internet to conduct criminal activity, the role of organized criminal enterprises, and the presence of international components and multiple targets and/or subjects. Many cases involve the criminal networks that extend across multiple States or regions. Special Agents must often build a case with little, if any, lead information, and cases often require the use of undercover techniques to develop leads and secure evidence.

Cases may revolve around controversial FWS conservation actions (such as the reintroduction of wolves or the definition of developable land as critical habitat for endangered species) that receive intense scrutiny by the Executive Branch, Congress NGO's economic interest groups, and the media. Cases may involve treaty rights of Native Americans or the need to work with major industries (such as those involved in oil production, electricity generation, and wind power) to secure remedial actions that can forestall prosecutions.

Conducting these investigations may involve undercover operations to infiltrate the criminal network; the development and use of confidential informants; the use of intelligence information from multiple sources including other enforcement agencies, Interpol, and enforcement databases; short- or long-term surveillance; the planning and execution of raids and search warrants; interviewing witnesses and interrogation subjects; and the examination of records and documents, including information from seized computers. Special Agents may need to coordinate investigations with State and international counterparts or other Federal investigators and must work closely with U.S. Attorneys to prepare for grand jury proceedings, secure indictments and present cases in Federal court.

The Special Agent confirms the accuracy and authenticity of information and resolves issues of contradictory, missing, or inconclusive data; resolves unusually complex jurisdictional issues through extensive coordination efforts; or identifies complex patterns across data sources.

The Special Agent exercises judgment and discretion in making recommendations or decisions. He/she assesses unusual facts or conditions after evaluating and interpreting information from various sources.

Factor 5, Scope and Effect

The work involves enforcing the protection of fish and wildlife, utilizing advanced technical, identification, and operational expertise; and analyzing documents, trade histories, species identification, statutes, regulations, and policies to ensure compliance with the laws, regulations, policies and procedures of the U.S. Fish and Wildlife Service.

The investigations directly affect:

- importation, exportation, and interstate commerce of fish and wildlife;
- civil and criminal prosecutions assessing significant penalties;
- the economic well being of businesses and industries engaged in the importing or exporting of fish and wildlife; and
- the preservation of scarce or endangered fish and wildlife species, both within the United States and internationally.

Factors 6 and 7, Personal Contacts and Purpose of Contacts

Personal contacts are with investigators from Federal, State and local investigative agencies; officials of Native American tribes, foreign governments, and private industry; witnesses; informants; complainants; and the general public. 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. Contacts are typically in an unstructured setting and on a nonroutine basis. The extent of each contact is different.

Contacts are for the purpose of persuading or interrogating persons or groups. The persons contacted may be fearful, skeptical, uncooperative, or dangerous. The Special Agent must be skillful in approaching the individual or group to gain compliance with established policies and regulations by persuasion or negotiation, or gaining information by establishing rapport with a suspicious informant.

Factor 8, Physical Demands

The work involves frequent and recurring surveillance in which there is considerable amount of walking, stooping, bending, and climbing. The Special Agent may be required to remain in one location for many hours without relief. The work may also include frequent lifting of moderately heavy objects such as boxes in cargo containers.

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 and dusty or noisy environments. Surveillance work may include use of aircraft, boats and motorized vehicles. Incumbent is expected to reduce risk to self and other workers on assignment.