



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

Classification Title: Criminal Investigator

Organization Title: Special Agent

Position S000358/S000359 Series and Grade: GS-1811-12/13

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

The incumbent leads, organizes, and serves on multi-function teams to conduct extremely complex investigations and to address complex illegal conservation issues. Plans, directs team members, and independently conducts investigations, including extremely complex and highly sensitive investigations of alleged or suspected violations relative to FWS. The incumbent serves as an expert when testifying in criminal and civil court or administrative proceedings. 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. **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

3/30/09

Date

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

3/30/09

Date

MICHAEL GILLMORE, DOI/FLERT Supervisory Program Analyst

3/30/09

Date

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

Deputy Assistant Secretary, Human Capital, Performance, and Partnerships

4/14/09

Date

POSITION DESCRIPTION <i>(Please Read Instructions on the Back)</i>							1. Agency Position No. S000358				
2. Reason for Submission <input type="checkbox"/> Redescription <input checked="" type="checkbox"/> New <input type="checkbox"/> Reestablishment <input type="checkbox"/> Other Explanation <i>(Show any positions replaced)</i>		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 <i>(Specify in Remarks)</i> <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 <input type="checkbox"/> 1--Non-Sensitive <input checked="" type="checkbox"/> 3--Critical <input type="checkbox"/> 2--Noncritical Sensitive <input type="checkbox"/> 4--Special Sensitive	
										13. Competitive Level Code	
15. Classified/Graded by		Official Title of Position				Pay Plan	Occupational Code	Grade	Initials	Date	
a. Office of Personnel Management											
b. Department, Agency or Establishment											
c. Second Level Review		Criminal Investigator				GS	1811	13	jh	3/24/09	
d. First Level Review											
e. Recommended by Supervisor or Initiating Office											
16. Organizational Title of Position <i>(if different from official title)</i> Special Agent						17. Name of Employee <i>(if vacant, specify)</i>					
18. Department, Agency, or Establishment Department of the 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 <i>(optional)</i>					
20. Supervisory Certification. <i>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</i>						<i>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.</i>					
a. Typed Name and Title of Immediate Supervisor						b. Typed Name and Title of Higher-Level Supervisor or Manager <i>(optional)</i> Gary G. Mowad, Deputy Chief Office of Law Enforcement					
Signature _____ Date _____						Signature <i>(ACTIVE)</i> _____ Date 3-18-9					
21. Classification/Job Grading Certification. <i>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.</i>						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.					
Signature <i>Joyce M. Hayes</i> Date 3/24/09											
23. Position Review		Initials	Date	Initials	Date	Initials	Date	Initials	Date	Initials	Date
a. Employee <i>(optional)</i>											
b. Supervisor											
c. Classifier		ck	01/09/10								
24. Remarks		Department of the Interior, FLERT Specialist 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: April 19, 2009									
Background Investigation: SSBI Drug Testing: Yes This SPD is approved for Service-wide use											
25. Description of Major Duties and Responsibilities <i>(See Attached)</i>											

01/09/10 - added Financial Disclosure requirement ckmp

U.S. Fish and Wildlife Service
Office of Law Enforcement

Position Description
Criminal Investigator
GS-1811-13
PN: S000358

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 inspection related violations and investigations. The exponential growth of technology and the World-wide Internet have created multiple challenges and trends that have impacted OLE responsibilities by increasing the complexity of 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 an 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 (FWS). Assignments focus on high-impact law enforcement activities such as organizing and leading teams comprised of a variety of experts. These complex investigations may 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. These complex investigations often proliferate into other investigations or leads around the country and internationally.

OLE must expand partnerships, increase partnerships, increase the use of multi-agency and multi-functions teams, and stay on top of evolving technologies in order to accomplish high-risk, high impact wildlife investigations.

Cases may revolve around controversial FWS conservation actions that receive intense scrutiny by the Executive Branch, Congress, Non-Governmental Organizations (NGO's), economic interest groups, and the media. Cases may involve treaty rights of Native Americans or the need to work with extensively with major industries (i.e. renewable energy production companies) to secure remedial actions that can forestall prosecutions.

The incumbent serves as an expert when testifying in criminal and civil court or administrative proceedings, preparing investigative briefing materials and reports for prosecutors. Frequent travel is required. Pursuit of investigations requires unscheduled overtime. Full performance level is 13.

Major Duties

Investigation: 85%

- The incumbent is expected to exhibit a high degree of leadership, an ability to resolve conflicts in facts or evidence, handle more difficult and complex investigations, and based on subject matter and fact patterns, develop separate investigations and leads relative to matters arising from original investigations. Plans, directs team members, and independently conducts investigations, including extremely complex and highly sensitive investigations of alleged or suspected violations of Federal laws, rules, and/or regulations relative to FWS.
- The crimes being investigated include violations of complex wildlife statutes 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. 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 renewal energy production i.e. in oil production, electricity generation, and wind power) to secure remedial actions that can forestall prosecutions.
- Other 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. The incumbent must often pursue an investigation with little, if any, lead information, and cases often require the use of specialized techniques to develop leads and secure evidence.
- Conducting these investigations may involve large scale 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 video, audio and physical surveillance; the planning and execution of raids and search warrants; interviewing witnesses and interrogating subjects; and the examination of records and documents, including information from seized computers. The incumbent coordinates investigations with State, Federal, and international counterparts and works closely with U.S. Attorney's Offices to prepare for grand jury proceedings, secure indictments and present cases in Federal court.
- The incumbent leads, organizes and serves on multi-function teams to conduct extremely complex investigations and to address complex illegal conservation issues. The complexity of these investigations may involve sophisticated smuggling techniques, counterfeit or false documents, the mislabeling of products and goods and/or the falsification of subjects' identities. 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.

- The incumbent plans and executes search, seizure, and arrest warrants. This work includes establishing probable cause that a crime has been committed, creating affidavits, and coordinating and securing warrant approval from Federal prosecutors and United States Judges. It also includes intelligence analysis, risk analysis, creation of detailed warrant and raid plans, multi-agency coordination with State, Federal, and international enforcement officers, and responsibility for the safe and effective execution of large, complex warrants and raids.
- 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 civil and criminal court, and preparing detailed reports.
- The incumbent is responsible for creating and maintaining strong working relationships with high level enforcement counterparts including State law enforcement Chiefs, U.S. Attorneys, Federal enforcement agents and supervisors, and local police department Chiefs. The incumbent is responsible for conducting investigations of illegal activities of a wide range of individuals, including, at times, high ranking agency officials and high ranking political officials.
- Exercises judgment and discretion in making recommendations or decisions to include the necessity for the evaluation of case facts and circumstances to determine whether the continued pursuit of the investigation will or will not have a favorable outcome on precedent or case law and/or affect the ability to pursue similar investigations in the future. The Special Agent works with the U.S. Attorney's Office's and the media to ensure the pre-release of information regarding an investigation does not jeopardize the results of a case or the safety of the investigator.

Outreach/Partnership Support: 10%

- Builds partnerships with Federal, State and local enforcement authorities, media representatives, NGO's, and private industry to obtain, secure, and exchange information and testimony and to identify and resolve emerging and systemic issues. 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.
- Conducts specialized studies and analyses to identify systemic issues, on specific threats or target organizations, or trends affecting wildlife protection and law enforcement.
- If authorized within the investigator's geographic area of responsibility, supports enforcement of State game and fish laws.

Performs other related duties as required. 5%

Classification Factors:

Factor 1, Knowledge Required

Mastery 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 statutes 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 a comprehensive 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 complex investigations of national and/or international organizations or groups;
- uncover and document the illegal commercialization and destruction of protected wildlife resources;
- work with and coordinate investigative activities with Federal, State, and local law enforcement officials;
- conduct sophisticated surveillance;
- ensure criminal cases are supported by evidence;
- serve as a witness at court proceedings and develop supportable cases for presentation and/or prosecution;
- select, adapt, and apply investigation and negotiation techniques;
- 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
- prescribes 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.

The incumbent 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 develops, 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 statutes 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, the Office of the Solicitor, and with the U. S. Attorney's Office within 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.