



**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 – Office of Law Enforcement – for use Bureau-wide

Classification Title: Criminal Investigator

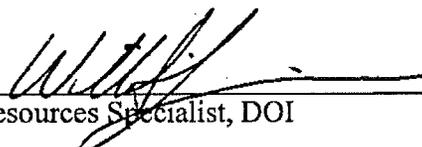
Organization Title: Special Agent

Position Number: S000393/S000392 Series and ES ab 1811-09/11

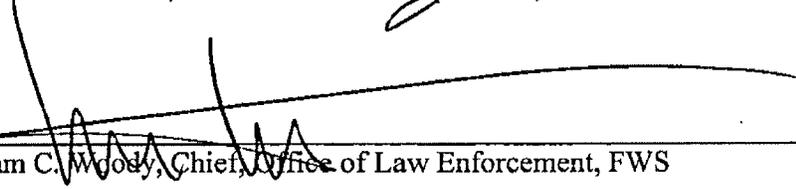
**RECOMMENDATION FOR COVERAGE:** Primary/Rigorous Law Enforcement coverage is recommended under both CSRS and FERS.

The incumbent serves as an investigator responsible for independently conducting investigations regarding laws, rules, regulations, and treaties administered by the U.S. Fish and Wildlife Service. Independently conducts investigations or serves on multi-function teams. Plans and conducts surveillance and undercover work and secures and executes search and seizure warrants. Performs a wide variety of other law enforcement activities 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 qualifications requirements.**

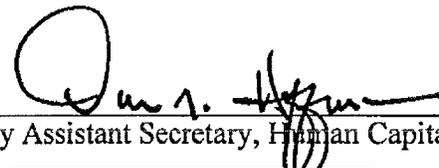
  
ALAN SIZEMORE, Human Resources Specialist, DOI

03/01/2012  
Date

  
William C. Woody, Chief, Office of Law Enforcement, FWS

2-21-12  
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 and Diversity

3/2/12  
Date

**POSITION DESCRIPTION** (Please Read Instructions on the Back)

1. Agency Position No.  
S000392

2. Reason for Submission <input checked="" type="checkbox"/> Redescription <input type="checkbox"/> Reestablishment <input type="checkbox"/> New <input type="checkbox"/> Other	3. Service <input checked="" type="checkbox"/> Hdqtrs <input type="checkbox"/> Field	4. Employing Office Location varies	5. Duty Station varies	6. OPM Certification No.
Explanation (Show any positions replaced) Replaces formerly classified and DOI certified SPD#s: 9110 dated 09/03/82 and S000313 dated 05/29/08		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 (CRI)	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		14. Agency Use BUS: 8888

15. Classified/Graded by	Official Title of Position Special Agent	Grade FPL=GS-12	Initials	Date
a. Office of Personnel Management	This PD has been approved as follows under 5 USC 8338(c) and 8412(d) Firefighter Law Enforcement			
b. Department, Agency or Establishment	Primary	Secondary/Administrative	Sec/Supvy	
c. Second Level Review	Criminal Investigator	GS	1811	11 OK 2/29/12
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	c. Third Subdivision
a. First Subdivision U.S. Fish & Wildlife Service	d. Fourth Subdivision
b. Second Subdivision Region	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 for Admin Work in Inspection, Investigation, Enforcement, and Compliance Group, GS-1800, dtd 03/2009

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.

Typed Name and Title of Official Taking Action  
Cecilia E. King  
Classification and Compensation Manager

Signature *Cecilia King* Date 2/29/12

23. Position Review	Initials	Date								
a. Employee (optional)										
b. Supervisor										
c. Classifier										

24. Remarks  
Drug Testing=Yes; Risk Designation=Critical Sensitive/SSBI; Financial Disclosure=Yes

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

Fish & Wildlife Service  
Office of Law Enforcement

Criminal Investigator  
GS-1811-11  
SPD: S000392

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 complicates 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 an investigator responsible for independently conducting investigations regarding laws, rules, regulations, and treaties administered by the U.S. Fish and Wildlife Service. The incumbent serves as an expert when testifying in court or administrative proceedings. Frequent travel is required. Pursuit of investigations requires unscheduled overtime.

**Major Duties**

1. Investigation: 85%

Independently conducts investigations or serves on multi-function teams. Investigations deal with alleged or suspected violations of Federal laws, rules, and/or regulations relative to U.S. Fish and Wildlife Service. 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.

Plans and conducts surveillance and undercover work and secures and executes search and seizure warrants.

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

2. Outreach/Partnership Support: 15%

Promotes compliance with fish and wildlife laws and regulations through education and other outreach activities.

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.

Supports enforcement of State game and fish laws is within the scope of the incumbent's official duties.

Performs other related duties as required.

**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 be qualified and licensed to carry firearms and 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.
- Must be able to obtain and maintain a current Secret/Critical Sensitive background clearance or higher.
- 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).

### **Factor Level Descriptions**

Factor 1. Knowledge Required (Level 1-7, 1250 points)

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.

Skill in oral communication to present findings in clear, concise, and accurate briefings and presentations to a variety of audiences.

Skill in written communication to establish the interrelationship of facts and evidence and to organize reports and presentations.

#### Factor 2. Supervisory Controls (Level 2-4, 450 points)

The Resident Agent in Charge or higher-level investigator 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; 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 (Level 3-3, 275 points)

The Special Agent uses a variety of guidelines, manuals, and standard reference materials; however, they are not completely applicable to the work or have gaps in specificity. The employee uses judgment in interpreting, adapting, applying, and deviating from guidelines, based on unusual circumstances. The investigator analyzes the results of such adaptations and recommends changes in established methods and procedures.

#### Factor 4. Complexity (Level 4-4, 225 points)

The incumbent is assigned to investigations that may involve 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 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 and the presence of international components and multiple targets and/or subjects. 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 (Level 5-3, 150 points)

Work involves independently conducting and completing typical investigations, inspections, enforcement activities, or evaluations relating to alleged or suspected violations of Federal laws, rules, and/or regulations relative to FWS responsibilities. Works with higher-grade investigators on larger, more complex or sensitive cases. The incumbent's work contributes to the effective administration and/or enforcement of FWS laws and regulations and to the prevention and detection of illegal activities relating to the importation/exportation or interstate commerce of endangered fish and wildlife species.

#### Factors 6 and 7. Personal Contacts and Purpose of Contacts (Level 3-C, 180 points)

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 non-routine 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 (Level 8-3, 50 points)

Duties involve performing physically rigorous assignments, oftentimes in isolated outdoor environments, frequently while exposed to severe weather conditions. Working conditions may be dangerous, and pose the potential risk of loss of life or serious injury to the Incumbent. Dangerous persons, many of whom are known to be combative and carry weapons, must be physically confronted, subdued, and apprehended, sometimes with no backup, far from assistance or help. Prisoners must be kept under physical restraint during transport and processing.

Incumbent must be capable of engaging in maximum physical exertion without warning, pursuing perpetrators on foot, or responding to life threatening emergencies. Incumbent must possess sufficient aerobic capacity and muscular strength to subdue perpetrators or participate in sustained emergency or rescue efforts.

Criminal investigations often must be conducted without regard to fixed work schedules, days off, or opportunities for proper rest or nutrition. Long hours conducting surveillance, investigations, apprehension, transport of prisoners, etc. are required of the Incumbent. Carrying heavy objects and traversing long distances over difficult or hazardous terrain in extreme weather conditions are normal requirements for the position.

Incumbent is required to participate in the assigned Bureau's mandatory physical fitness program that equips the incumbent to perform all physical aspects of the position. The requirement to maintain a minimum level of physical fitness is a condition of employment and Incumbent will be required to demonstrate his/her physical qualifications on a regular recurring basis.

There is a high-stress component to much of the incumbent's work assignment.

**Factor 9. Work Environment (Level 9-3, 50 points)**

While some work may be performed in an office setting, most of the work is performed outdoors in all kinds of weather and climatic conditions. The work is performed at various hours of the day and night and for prolonged periods during emergency situations. Long periods of surveillance work may be required in cramped or unpleasant locations and under unpleasant conditions during investigations.

The incumbent is frequently exposed to high-risk and potentially dangerous situations in law enforcement and emergency types of situations requiring use of a wide-range of personal protective gear (some of which may be uncomfortable, hot, or inconvenient to wear), adherence to specific safety procedures, and other precautions.

Incumbent is required to operate motor vehicles of various types, may be required to fly in small fixed-wing or rotary-wing aircraft, and may be required to operate and/or ride in/on snowmobiles, and various sizes of watercraft.

Total points awarded: 2630

Falls within the GS-11 point range (2355-2750)

## Evaluation

**Reference:** Job Family Position Classification Standard for Administrative Work in the Inspection, Investigation, Enforcement and Compliance Group, 1800, dated March 2009.

**Background:** 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.

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**Series determination:** The incumbent of this position plans and conducts investigation of alleged or suspected violations of FWS laws, rules, and/or regulations. This work is comparable to that described in the Criminal Investigation Series, GS-1811. Positions in that Series involve planning, conducting, or managing investigations related to alleged or suspected criminal violations of Federal laws. Positions in the Criminal Investigation Series require, as does the subject position, knowledge of criminal investigative techniques, rules of criminal procedures, laws, and precedent court decisions concerning the admissibility of evidence, constitutional rights, search and seizure, and related issues in the conduct of investigations.

**Title determination:** The basic title for position in this Series is Criminal Investigator.

**Grade determination:** The Job Family Position Classification Standard for Administrative Work in the Inspection, Investigation, Enforcement and Compliance Group, 1800 contains grade-level criteria for evaluating positions in the GS-1811 Series. The Standard is written in the Factor Evaluation System (FES) format. Below is a summary of the Factor Levels and points assigned.

Factor	Level	Points
1. Knowledge Required by the Position	1-7	1250
2. Supervisory Controls	2-4	450
3. Guidelines	3-3	275
4. Complexity	4-4	225
5. Scope and Effect	5-3	150
6/7. Personal Contacts and Purpose of Contacts	3-C	180
8. Physical Demands	8-3	50
9. Work Environment	9-3	50
Total		2630

The total points awarded are 2673, which falls within the range for GS-11 (2355-2750).

**Conclusion:** The appropriate classification for this position is Criminal Investigator, GS-1811-11.