



United States
Department of
the Interior
FISH AND WILDLIFE SERVICE
Washington, D.C. 20240



DIRECTOR'S ORDER NO.: 213

Subject: Waiver Process for Pre-Appointment Background Investigation Requirement to Attend Law Enforcement Training

Sec. 1 What is the purpose of this Order? This Order describes the requirements and process to request waivers of Background Investigations (BI) under the National Recruiting and Hiring Program for U.S. Fish and Wildlife Service (Service) Federal Wildlife Officers (FWO) and Office of Law Enforcement Special Agents who are scheduled to attend any or all of the following training programs:

- a. The Federal Law Enforcement Training Center (FLETC) and the Land Management Training Program,
- b. The Federal Wildlife Officer Basic Training,
- c. The Criminal Investigator Training Program, and
- d. Special Agent Basic School.

Sec. 2 What are the authorities for the Order?

- a. [446 DM 2](#), Law Enforcement, Personnel Qualifications and Standards.
- b. Department of the Interior Memorandum, June 24, 2015, "Outlining the Criteria to Obtain Waivers for the Law Enforcement Pre-Appointment Background Investigation Requirement to Attend the Federal Law Enforcement Training Program."

Sec. 3 Does this Order supersede or amend any other policy? Yes. This Order amends section 8c of [Director's Order 205](#), Training Requirements for Refuge's Federal Wildlife Officers, dated August 6, 2012, by removing existing language regarding background investigations and inserting a cross-reference to this Order. This Order also supersedes amendment 1 to Director's Order 205, dated February 9, 2015.

Sec. 4 Why is this Order necessary? The current process for newly-hired law enforcement officers to attend training requires that an adjudicated background investigation be completed prior to attendance. The processing period to complete background investigations has made the process impossible to meet the requirement for all applicants and has created hiring delays.

Sec. 5 What are the procedures employees must follow to obtain a waiver?

- a. Before a waiver can be requested, the candidate must have already gone through and passed a preliminary background check through the Office of Law Enforcement (OLE) Professional Responsibility Unit (PRU). This involves:
 - (1) Signing a PRU waiver. The PRU will give the employee the 1-page document used in their preliminary background check.
 - (2) PRU staff finding no significant negative findings.
- b. The candidate must then complete a [Standard Form \(SF\) 86](#), Questionnaire for National Security Positions.
- c. For candidates of the Division of Refuge Law Enforcement (DRLE), the waiver questionnaire must be reviewed by the appropriate Regional Chief-DRLE, followed by the Regional Chief-Division of Human Resources.
- d. The questionnaire must be reviewed by the Chief, Division of Human Resources, PRU, and a Personnel Security Specialist. The Chief, Division of Refuge Law Enforcement reviews the form for FWOs, and the Chief - Office of Law Enforcement reviews the form for Special Agents.
- e. After all the parties listed above come to agreement, the Division of Human Resources sends a written request for the waiver to the Director, Department of the Interior Office of Law Enforcement and Security for approval. The waiver request must include:
 - (1) A copy of the results from the candidate's Special Agreement Check (SAC). The Division of Human Resources Specialist will obtain this form from the Office of Personnel Management;
 - (2) A copy of the [SF 86](#), Questionnaire for National Security Positions;
 - (3) Form DI 1912, Department of the Interior Request for Waiver of Pre-Appointment Investigative

Requirement for a NonCritical/Critical-Sensitive Position;

(4) Form DI 1990, Department of the Interior Pre-Appointment Background Check;

(5) A resumé; and

(6) A written justification for the waiver. The justification must be signed by the HQ Chief, DRLE.

Sec. 6 What happens if the adjudication is not completed by the time an FWO or a Special Agent completes FLETC?

a. The waiver only allows FWOs to attend the Land Management Training Program and FWO Basic Training at FLETC. For Special Agents, it only allows them to attend the Criminal Investigator Training Program and Special Agent Basic School at FLETC.

b. The FWO or Special Agent must not attend the Field Training Evaluation Program or participate in any field law enforcement training until the BI has been favorably adjudicated.

Sec. 7 Can an FWO or Special Agent attend other training or participate in non-field law enforcement activities? Yes. An FWO or a Special Agent can attend non-field law enforcement training and assist with non-law enforcement activities while waiting for positive results on the pre-appointment background investigation requirement.

Sec. 8 When is this Order effective? This Order is effective immediately. It remains in effect until we incorporate it into the Fish and Wildlife Service Manual or until we amend, supersede, or revoke it, whichever comes first. If we do not amend, supersede, or revoke it, the provisions of this Order terminate 18 months from the date it was signed.

/sgd/ James W. Kurth
DEPUTY DIRECTOR

Date: December 11, 2015

For more information about this policy, contact the Division of Refuge Law Enforcement. For more information about this Web site, contact [Krista Bibb](#) in the Division of Policy, Performance, and Management Programs.

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