

# Preparation Manual for the Job Knowledge Promotional Assessment

## U.S. Border Patrol Agent Occupation



U.S. Customs and  
Border Protection



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## **Purpose of this Manual**

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The purpose of this manual is to prepare you to take the U.S. Border Patrol Job Knowledge Assessment. This assessment is part of the competency-based promotional assessment process for first-line supervisory positions in the U.S. Border Patrol.

In order to be eligible for first-line supervisory positions, qualified Border Patrol Agents must complete the Border Patrol Career Experience Inventory (CEI) and take the three-part promotional assessment battery consisting of the Critical Thinking Skills (CTS) Assessment, the Managerial Writing Skills (MWS) Exercise, and the Job Knowledge (JK) Assessment. Preparation materials for the CTS and MWS assessments are available separately.

The assessment described in this manual evaluates candidates' knowledge of regulations, laws, procedures, and processes related to the requirements of a first-line supervisor in the Border Patrol. The manual will familiarize you with the assessment and will provide you with an opportunity to study sample questions that are representative of the questions in the assessment. The manual outlines both the knowledge domains included in the Job Knowledge Assessment and the primary reference materials that cover the knowledge assessed.

## **Assessment Development**

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A recent job analysis of the Border Patrol Agent occupation identified the most critical knowledge areas that are required for effective performance in the Supervisory Border Patrol Agent (SBPA) position. A panel of experienced, highly qualified SBPAs was convened to confirm the knowledge areas to be covered in the assessment. After confirming the most important knowledge areas, the panel wrote questions to address each knowledge area under the direction of personnel research psychologists from the Personnel Research and Assessment Division.

To confirm the job-relatedness, accuracy, and importance of the knowledge areas measured, a second, independent panel of Supervisory Border Patrol Agents reviewed the questions. This panel agreed that each question assesses an important knowledge and that each question has a single, correct answer that is consistent with the policies and procedures across Border Patrol sectors.

All of the questions selected for the test address a specific knowledge area, and are tied to a reference. The knowledge areas covered on the test are provided on the next page. The primary references used to create the questions are listed in the [Reference Materials](#) section, on page 10. Note that information related to a particular knowledge area may be found in multiple locations. The majority of these references can be accessed via [CBPnet](#) and the [U.S. Border Patrol Reference Library](#). Candidates are responsible for obtaining their own copies of reference materials.

## Knowledge Areas Covered by the Assessment

The knowledge areas and approximate percentage of questions measuring each knowledge area are derived from the job analysis results. The table below displays the general knowledge areas, the type of information comprising each area, and the approximate percentage of test items measuring each knowledge area. This table should help you decide the amount of time to devote to studying each knowledge area.

<b>Administrative Policies &amp; Procedures</b>		<b>Approximate %</b>
<ul style="list-style-type: none"> <li>• Administrative Procedures and Reports</li> <li>• Strategic Plans, Goals, and Objectives for USBP, CBP, and DHS</li> <li>• Firearms Procedures</li> <li>• Knowledge of the Agency</li> <li>• Security Procedures</li> <li>• Freedom of Information Act (FOIA)</li> </ul>	<ul style="list-style-type: none"> <li>• Budget, Procurement, and Property Management</li> <li>• Ethics / Office of Inspector General (OIG) / Office of Professional Responsibility (OPR) Standards and Procedures</li> </ul>	24%
<b>Detention &amp; Processing</b>		
<ul style="list-style-type: none"> <li>• Administrative Policies and Procedures for Alien Processing and Removal</li> <li>• Detainee Escort and Transportation</li> <li>• Detention Policies and Procedures</li> </ul>	<ul style="list-style-type: none"> <li>• Procedures for Juvenile Aliens and Family Units</li> <li>• Custody and Removal Decisions</li> </ul>	11%
<b>Civil Rights Issues, Criminal Law and Procedure</b>		
<ul style="list-style-type: none"> <li>• Civil Rights Issues in Relation to Use of Authority</li> <li>• Criminal Law and Procedure</li> </ul>	<ul style="list-style-type: none"> <li>• Immigration and Nationality Law</li> <li>• Administrative Policies and Procedures for Civil Violations of the INA</li> </ul>	16%
<b>Operations</b>		
<ul style="list-style-type: none"> <li>• Policies and Procedures for Investigative Reports</li> <li>• Conducting Interviews of Witnesses and Suspects</li> <li>• Political, Social, and Economic Factors Impacting Illegal Immigration</li> <li>• Using Intrusive and Non-Intrusive Inspection Equipment</li> <li>• Critical/Significant Incident Reporting</li> <li>• Immigration Patterns and Trends</li> <li>• USBP Line Operations</li> <li>• The Use of Force Policy</li> <li>• Accident Investigation Procedures</li> </ul>	<ul style="list-style-type: none"> <li>• Using Law Enforcement-Related Computer Systems</li> <li>• Policies and Procedures for Tactical and Operational Plans</li> <li>• Policies for Interactions with Domestic and Foreign Government Agencies</li> <li>• Vehicle Pursuit Policy</li> <li>• Observational Techniques</li> <li>• Detecting Fraud</li> <li>• Using Firearms</li> <li>• Search, Seizure, and Evidence</li> <li>• Types of Contraband</li> </ul>	38%
<b>Personnel Management</b>		
<ul style="list-style-type: none"> <li>• Policies, Principles, and Objectives of Equal Employment Opportunity (EEO) and Diversity and Inclusion Programs</li> <li>• Disciplinary Action Procedures and the Code of Conduct</li> <li>• Policies and Procedures for Training</li> <li>• Employee Performance Appraisal Procedures</li> <li>• Collective Bargaining Agreement</li> </ul>	<ul style="list-style-type: none"> <li>• Personnel Staffing Procedures/Issues</li> <li>• Labor and Employee Relations</li> <li>• Leave Policies</li> <li>• CBP Uniform Policy</li> <li>• Policies and Procedures for Responding to Special Requests</li> <li>• Workers' Compensation Regulations and Procedures</li> </ul>	11%
<b>Total</b>		<b>100%</b>

## **Preparing for the Assessment**

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After reviewing the knowledge areas covered by the test, you should decide how much time to study each knowledge area. If you are comfortable with your level of knowledge in a particular area, you can devote more time and effort to the study of materials related to the other knowledge areas. A list of the core reference materials from which the knowledge can be studied is found in the [Reference Materials](#) section.

The Job Knowledge Assessment questions are multiple-choice. Each has a question and four choices consisting of a correct answer and three incorrect answers. Points are calculated based on the total number of correct answers, and there is no penalty for guessing. Therefore, you should select a response for every question, even if you are not absolutely certain that it is the correct response.

Reading the sample questions and the ensuing discussion for each should also help you to prepare for the assessment. The sample questions illustrate the format and style of questions that will appear on the assessment. These items may reflect outdated content, as they are provided only to familiarize you with the types of questions you may encounter on your assessment.

## Sample Questions

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1. Agents working near a port of entry apprehend a U.S. citizen attempting to smuggle 10 pounds of marijuana into the United States. During the interview, they discover that the U.S. citizen has a vehicle parked in a lot approximately one-half mile from the arrest site. The agents seek your advice regarding a search of the vehicle. What should you advise the agents to do?
  - A) Search the vehicle, because it is related to the subject's arrest.
  - B) Search the vehicle, because it is being used to further the commission of a crime.
  - C) Do not search the vehicle.
  - D) Seize the vehicle and search it at the station.
2. You are the supervisor in the station when an individual from a local immigrant rights group states that she is authorized by the Mexican Consul to inspect the detention facility on behalf of the Mexican government. What action should you take?
  - A) Allow her to conduct the inspection in the interest of international relations.
  - B) Allow the inspection but escort the individual while in the secure area.
  - C) Deny the request until you verify with the Mexican Consul.
  - D) Deny the request until it is authorized by someone at the appropriate level.
3. Which of the following court decisions applies to the treatment of unaccompanied juveniles?
  - A) Flores v. Reno
  - B) Orantes decision
  - C) Sanchez v. United States
  - D) Colorado v. Bertine
4. An agent is interviewing a suspect at the request of local law enforcement authorities. During the course of the interview, several facts are revealed. The alien originally entered the country illegally in 1988. His family made application to adjust his status in 1990, and he was granted an employment authorization. In January 1997, the alien was arrested for burglary shortly after he was granted legal resident status and an I-551 was issued. In June 1997, the alien was convicted of a felony burglary and sentenced to one year in jail. Which section of the INA applies in this scenario?
  - A) 212
  - B) 237
  - C) 245
  - D) 287
5. What action would be appropriate if you find out that an alien who entered the United States illegally today had been deported within the last five years?
  - A) Issue a Notice to Appear.
  - B) Reinstate the prior order.
  - C) Administratively remove the alien.
  - D) Recommend a voluntary departure.

6. While performing checkpoint backup duties, agents observe a vehicle pulling onto the shoulder of the highway two miles north of the checkpoint. The vehicle matches the description of a vehicle that had just passed through the checkpoint. The checkpoint agent states that the vehicle was occupied by one person. The agents observe several individuals run from the brush and climb into the vehicle, after which the vehicle leaves the area. The agents subsequently stop the vehicle. The driver is determined to be a resident of Puerto Rico and the passengers are determined to be illegal aliens. The driver could be charged with committing a/an:
  - A) felony.
  - B) misdemeanor.
  - C) petty offense.
  - D) administrative proceeding.
7. If an agent is injured while off-duty and is required by a doctor to stay at home for more than three days to recuperate, what form must be completed upon the agent's return to duty?
  - A) CA-1
  - B) CA-3
  - C) CA-16
  - D) A medical release from the physician
8. When is an agent authorized to carry a firearm onboard a commercial airplane?
  - A) When traveling on official orders
  - B) At any time
  - C) When authorized by the PAIC
  - D) At any time, as long as the weapon is unloaded
9. At what interval should informal progress reviews regarding an agent's performance be completed by the supervisor?
  - A) once in each appraisal cycle
  - B) twice in each appraisal cycle
  - C) as needed
  - D) as regularly scheduled
10. Under what circumstance can an agent perform liaison activities in a foreign territory?
  - A) When it is crucial to the resolution of a situation
  - B) When acting as a media representative
  - C) In any Agency-related circumstance
  - D) Only when assigned to do so by the Chief Patrol Agent
11. According to statutory authority, Border Patrol Agents may access private lands for the purpose of patrolling the border within what distance from the border?
  - A) 15 miles
  - B) 25 miles
  - C) 50 miles
  - D) 100 miles

## Answers and Explanations for Sample Questions

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1. The correct answer is choice C, “Do not search the vehicle.” According to the M-69, The Law of Arrest, Search, and Seizure Manual, this scenario is an example of a warrantless search. Because the vehicle was one-half mile away from the site of the apprehension, it was not used in furtherance of the crime. Therefore, the vehicle search does not fall under the warrantless search criteria. This question addresses the Operations content area.
2. The correct answer is choice D, “Deny the request until it is authorized by someone at the appropriate level.” Non-agent personnel are never allowed on station property without an escort. This question addresses the Operations content area.
3. The correct answer is choice A, “Flores v. Reno.” The Flores v. Reno case resulted in a stipulated settlement agreement that addresses the handling of unaccompanied juvenile aliens. This question addresses the Civil Rights Issues, Criminal Law and Procedure content area.
4. The correct answer is choice B, “237.” Section 237 of the INA deals with general classes of deportable aliens. Because the subject in this scenario is a legal permanent resident and was convicted of two crimes of moral turpitude, he is subject to deportation based on section 237 of the INA. Section 212 of the INA covers admissibility, section 245 of the INA deals with adjustment of status from a nonimmigrant to a legal permanent resident, and section 287 of the INA covers the powers of immigration officers. The question addresses the Civil Rights Issues, Criminal Law and Procedure content area.
5. The correct answer is choice B, “Reinstate the prior order.” The question was based on information in Section 247(a)(5) and Section 212(a)(9)(A)(i) of the INA. The question addresses the Civil Rights Issues, Criminal Law and Procedure content area.
6. The correct answer is A, “felony.” The driver in this scenario would be charged with Section 274 of the INA, Bringing In and Harboring Certain Aliens. The driver could receive a sentence of 5 or more years of imprisonment for transporting illegal aliens within the United States; therefore, classifying the charge as a felony. The question addresses the Civil Rights Issues, Criminal Law and Procedure content area.
7. The correct answer is D, “a medical release from the physician.” The CA forms would only be completed for on-duty injuries/occupational safety and health issues. The question addresses the Administrative Policies & Procedures content area.
8. The correct answer is B, “at any time.” According to the memorandum of February 7, 2008, from Chief Aguilar, the policy of flying armed was changed from being allowed only when on official orders to anytime. This question addresses the Operations content area.
9. The correct answer is C, “as needed.” According to the DHS Performance Management Program, Employee Guide, an informal progress review should occur on an as needed basis. The formal mid-year and end-of-year progress reviews should occur once each during the performance management cycle. This question addresses the Personnel Management content area.
10. The correct answer is D, “Only when assigned to do so by the CPA.” This question addresses the Administrative Policies & Procedures content area.
11. The correct answer is B, “25 miles.” According to Chapter 2 (Jurisdiction) of the Border Patrol Handbook, Border Patrol Agents have statutory authority under 8 USC 1357(a)(3) to access “...private lands but not dwellings for the purpose of patrolling the border to prevent illegal entry of aliens into the United States.” This question addresses the Operations content area.

## Reference Materials

Listed below are the primary reference materials from which items were developed. Materials covered in the assessment include, *but are not limited to*, the references listed below. Note that information related to a particular knowledge area may be found in multiple locations. The majority of these references can be accessed via [CBPnet](#) and the [U.S. Border Patrol Reference Library](#). Candidates are responsible for obtaining copies of the materials listed.

<b>CBP DIRECTIVES</b>
Anti-Discriminatory Harassment Directive
Arrest of CBP Employees
Border Patrol Agent Pay Reform Act
Border Search of Electronic Devices Containing Information
Claims
Emergency Driving and Vehicular Pursuits by CBP Personnel
Limited Personal Use of Government Office Equipment Including Information Technology
Performance Management Program
Radiation Detection Standard Operating Procedures Directive
Reporting Significant Incidents to the Commissioner's Situation Room
Temporary Light Duty
Travel Charge Card
U.S. Customs and Border Protection Standards of Conduct
<b>CODES / CASE LAW / REGULATIONS / AGREEMENTS</b>
5 United States Code
8 United States Code
18 United States Code
19 United States Code
5 Code of Federal Regulations, Part 2635
28 Code of Federal Regulations, Part 14
41 Code of Federal Regulations, Chapter 301
CBP Law Enforcement Course. Fifteenth Edition.
Collective Bargaining Agreement between the National Border Patrol Council and Immigration and Naturalization Service. American Federation of Government Employees. AFL-CIO
Graham v. Connor, 490 U.S. 386 (1989)
Illegal Immigration Reform and Immigrant Responsibility Act of 1996
Immigration and Nationality Act (INA)
Memorandum of Understanding (MOU) between the Drug Enforcement Administration (DEA) and Immigration and Naturalization Service (INS) regarding Title 21 authority
The Law of Arrest, Search and Seizure Manuel, M-69. Immigration and Naturalization Service
TN vs Garner, 471 U.S. 1 (1985)
U.S. Constitution
U.S. Customs and Border Protection, Office of Assistant Chief Counsel, Case Law Companion, Volume 3
<b>DHS DIRECTIVES</b>
DHS Directives System. MD Number: EMPLOYEE ASSISTANCE PROGRAM
Policy Directive 044-04 from DHS Secretary Jeh Johnson: Policies for the Apprehension, Detention and Removal of Undocumented Immigrants

<b>HANDBOOKS / GUIDES / TRAINING MATERIALS</b>
Expedited Removal Guidebook
Injury Compensation Program: Resource Hand Book
List of Countries Requiring Consular Notification.
Occupational Safety and Health Handbook. Office of Human Resources Management. HB 5200-08B
Public Affairs Field Guide
Seized Asset Management and Enforcement Procedures Handbook. HB 4400-01B
Supervisor Desk Reference Guide (SDRG). Office of Training and Development
Targeting Systems Tools
U.S. Border Patrol Correspondence Manual
U.S. Customs and Border Protection, National Standards on Transport, Escort, Detention and Search (TEDS).
U.S. Customs and Border Protection: Leave Handbook. Office of Human Resources Management. HB 51600-01B
U.S. Border Patrol Handbook
Use of Force Policy, Guidelines and Procedures Handbook. Office of Training and Development. HB 4500-01C
<b>MEMORANDUMS - <i>memorandums are inclusive of attached policies, forms &amp; documents.</i></b>
Acting Chief Self's Memorandum: Emergency Driving and Vehicular Pursuits by CBP Personnel
Assistant Commissioner, OTD's Memorandum: Reporting Requirements for Lost or Stolen CBP Firearms and Body Armor
Chief Aguilar's Memorandum: Clarification Regarding the Carrying of Concealed Weapons
Chief Aguilar's Memorandum: Handling of Seized Property
Chief Aguilar's Memorandum: Arrests of Aliens from Special Interest Countries
Chief Aguilar's Memorandum: Adherence to the Significant Incident Report (SIR) Reporting Procedures
Chief Aguilar's Memorandum: Hold Rooms and Short Term Custody
Chief Counsel Alfonso Robles's Memorandum: Holiday Gifts and Reception Guidance
Chief De La Vina's Memorandum: Border Patrol Traffic Checkpoint Policy
Chief Fisher's Memorandum: Body Armor Inspection and Replacement
Chief Fisher's Memorandum: Guidance on Noncompliant Motorists Encountered at U.S. Border Patrol Checkpoints
Chief Fisher's Memorandum: Operation Order Creation and Approval Guidance
Chief Fisher's Memorandum: Vehicles Authorized for Pursuits and Offensive Driving Techniques
Use of Force Center of Excellence Director Austin L Skero II's Memorandum: Patrol Canine Use of Force Reporting
<b>POLICIES / PROCEDURES / PLANS</b>
2012 - 2016 Border Patrol Strategic Plan. The Mission: Protect America
BPA Pay Reform Act and Travel
Home-to-Work Transportation Program. Management Internal Controls and Compliance Program
Injury Compensation for Federal Employees Publication CA-810. U.S. Department of Labor
Intelligence Reporting System. IOP 4320-101
Office of Border Patrol Intelligence Program, Standard Operation Procedures
Supervisor Checklist for eComp
The Supervisor's Guide to Workers' Compensation: What to Do When an Injury Occurs
U.S. Border Patrol Evidence Policy
U.S. Border Patrol Uniform and Grooming Standards. IOP 5230-034