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# SUPERVISORY ADJUDICATION OFFICER

DEPARTMENT OF HOMELAND SECURITY

Citizenship and Immigration Services

Field Operations Directorate, Headquarters

## Open & closing dates

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 02/28/2019 to 03/11/2019

## Service

Competitive

## Pay scale & grade

GS 15

## Salary

\$121,280 to \$157,663 per year

## Appointment type

Temporary - 1-4 Years

## Work schedule

Full-Time

## Location

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1 vacancy in the following location:

**Location Negotiable After Selection, United States**

## Relocation expenses reimbursed

No

## Telework eligible

Yes as determined by agency policy

## This job is open to



### Internal to an agency

Current federal employees of this agency.

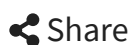
## Clarification from the agency

Current employees of the USCIS FIELD OPERATIONS DIRECTORATE (FOD) employees who report directly to a Field Operations Directorate Office with competitive status.

## Apply



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### Announcement number

CIS-10432639-OFS

### Control number

525708000

## Duties

## Summary

This position of SUPERVISORY ADJUDICATION OFFICER starts at a salary of \$121,280.00 GS-15 grade level, step 01, with promotion potential to \$157,663.00 GS-15 grade level, step 10.

**LOCATION NEGOTIABLE AFTER SELECTION.**

**THE ACTUAL SALARY MAY BE HIGHER DUE TO AN ADJUSTMENT FOR LOCALITY PAY.** To view the 2019 Locality Pay Charts click on the following link: <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2019/general-schedule/>

[Learn more about this agency](#)

## Responsibilities

- Supervising a staff responsible for interpreting, applying, and enforcing an intricate field of Immigration and Nationality laws.
- Overseeing the planning and conducting of independent research concerning eligibility entitlements of persons seeking immigration benefits, employment and/or legal status under the Immigration and Nationality Act.
- Directing, coordinating and overseeing the work of subordinate officers: making decisions on work problems presented by subordinate officers.
- Evaluating subordinate officers, identifying developmental training needs of employees, providing or arranging for needed development and training; and/or finding ways to improve productivity, promote team building, and improve business practices.
- Providing technical and administrative supervision, to include planning work to be accomplished, adjusting short-term priorities and preparing schedules.
- Developing performance standards and evaluating the work performance of subordinates and providing advice, counsel and/or instruction employees on work and administrative matters.
- Serving as an expert advisor on the evaluation of the effectiveness of fraud detection and public safety-related programs and operations.
- Determining the applicability and effect of new or proposed legislation, executive orders, agency directives, and other decisions on organizational operations, managerial programs and requirements.
- Exercising significant authority in dealing with officials of other units/organizations and in advising management officials of higher rank on operational issues.
- Planning, assigning and reviewing work; assuring all requirements are met; approving leave; giving advice, counsel, or instruction to employees on both work and administrative matters.
- Managing USCIS liaison activities with multiple federal agency's offices.
- Representing the division, directorate and agency and fostering effective relationships with governmental and non-governmental partners outside the U.S. to promote the agency's mission.

## Travel Required

Occasional travel - You may be expected to travel for this position.

### Supervisory status

Yes

### Promotion Potential

15

## Job family (Series)

1801 General Inspection, Investigation, Enforcement, And Compliance Series

### Requirements

### Required Documents

### Benefits

### How to Apply

### Fair & Transparent

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**U.S. Citizenship and  
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**Appendix 4-13 Supervisory Service Center Adjudications GS 1801-13 PD# HI013F (Grade Thirteen).**

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**Supervisory Service Center Adjudications GS 1801-13 PD# HI013F (Grade Thirteen)**

**POSITION SUMMARY**

Serves as a first line supervisor over a product line team in the Adjudications Division. Works directly for the Assistant Center Director for Adjudications in a Business, Resident or Family product line. The position supervises center adjudications officers who conduct investigation of, and make final determinations regarding, complex applications and petitions for various benefits and related entitlements. Also supervises immigration information officers, who review and process the more routine examination cases and applications clerks who provide clerical support to the team. The position assists in planning the examinations and related work for the product line based on Service requirements, workload and related considerations.

**Factor 1. PROGRAM SCOPE AND EFFECT, Level 1-2, 350 points**

A staff of center adjudications officers, immigration information officers and assistants carries out the work of the team. They determine and apply legal requirements and provisions of the Immigration and Nationality Act and related laws in a way that can be supported and understood by others. They accomplish this by researching, interpreting and applying the pertinent section(s) of the law and regulations to the issues. Through the application of INS law, the incumbent combats fraud and conspiracies, promotes crime detection and prevention, and affects the apprehension, prosecution or expulsion of inadmissible aliens.

The work significantly impacts other functions and activities throughout the INS. The decisions made affect current and future employment opportunities, business planning, foreign-based investments and foreign trade. The services provided may impact the work of other Federal state and local agencies

**Factor 2. ORGANIZATIONAL SETTING, Level 2-1, 100 points**

The incumbent has the responsibility for a Business, Resident or Family product line team. The Supervisory Center Adjudications Officer reports to the Assistant Center Director (ACD), Adjudications for policy direction and resolution of the most complex problems. The ACD for Adjudications in turn reports to the Deputy Service Center Director, who reports to the Director, a GS-15.

**Factor 3. SUPERVISORY AND MANAGERIAL AUTHORITY EXERCISED, Level 3.2, 450 points**

Provides technical and administrative supervision to the team. Plans work to be accomplished by subordinates, sets and adjusts short term priorities and prepares schedules for completion of work. Assigns work to subordinates based on priorities, selective consideration of the difficulty and requirements of assignments and the capabilities. Develops performance standards and evaluates the work performance of subordinates Gives advice, counsel, or instructions to employees on both work and administrative matters. Recommends appointments, promotions, or reassignments to positions, hears and resolves complaints from employees, refers group grievances and more serious unresolved complaints to a higher level supervisor. Effects minor disciplinary measures such as warnings and reprimands and recommends other action in more serious cases. Identifies and provides for the developmental and training needs of employees. Finds ways to improve production or increase the quality of work directed.

In addition, advises other management officials in the program chain of command on administrative issues. Makes decisions on work and production problems within the Service Center that affect workload and administrative processes. Participates in selections for members of the team. Makes decisions on routine training needs and training requests related to the employees of the unit. Recommends awards or bonuses for employees and changes in position descriptions. Finds and implements ways to eliminate or reduce significant bottlenecks and barriers to production and promotes team building by establishing partnerships within the product line.

**Equal Employment Opportunity (EEO) Responsibilities:**

Integrates the following into all areas of personnel management and supervisory work.

Carries Out EEO policies and program activities and communicates support of these policies to subordinates. Encourages active participation in EEO program activities and training. Ensures equality in determining qualifications, selections, assignments, training, promotions, details, discipline and awards to employees. Cooperates in developing and carrying out affirmative action efforts regarding staffing, motivation and training to develop all employees. Cooperates in the investigation of formal or informal discrimination complaints, ensuring expeditious action. Cooperates and assists the EEO Counselor in constructing resolutions to informal complains of discrimination. Cooperates and participates fully in the development of an EEO Affirmative Action Plan and efforts in planning to provide equal opportunity in staffing, motivation and training to develop all employees.

#### **Factor 4. PERSONAL CONTACTS, Level 4a-2, 4b-2, 125 points**

Contacts are with Service Center management officials, members of the general public and business community and representatives from other government agencies. The contacts are for the purpose of addressing issues that support the immigration benefits program. Contact with Headquarters' management officials are primarily advisory in nature; contacts with Service Center management are advisory but also to plan and coordinate fiscal and human resource management in relation to established priorities, goals and objectives on workload. Contacts with the general public and business community are often quite conspicuous, particularly when a precedent decision is being made, or the applicant or petitioner is well known, or if the decision will have substantial impact on the economy of a community, state, or nation. Contacts are usually in writing or via telephone or facsimile machine; face-to-face meetings are rare. Each situation is analyzed and the sensitivity and impact is assessed.

#### **Factor 5. DIFFICULTY OR TYPICAL WORK DIRECTED, Level 5-7, 930 points**

The work which best characterizes the nature of the basic non-supervisory work performed is fact evaluation, decision making and analysis of evidence. The decisions emanate from an extensive spectrum of sources, including legislation, regulations operating conditions applications, documents and affidavits. At least 25% of the workload is at the GS-12 level.

#### **Factor 6. OTHER CONDITIONS, Level 6-4a, 1120 points**

Supervision at this level requires substantial coordination and integration among the Business,

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Resident and Family product lines, Based on workload analyses of receipts and production within product lines, as well as legislative mandates and available resources, the incumbent is responsible for leadership in developing, implementing, evaluating and improving processes and procedures to monitor the productivity of the team directed. The incumbent also integrates the work of the team with other product line teams and ensures compatibility and consistency of interpretation, judgment, logic and application of policy

Total Points: 3075 = GS-12 + Adjustment Factor = GS-13

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### **Appendix 4-13 Supervisory Service Center Adjudications GS 1801-13 PD# HI013F (Grade Thirteen).**

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#### **Supervisory Service Center Adjudications GS 1801-13 PD# HI013F (Grade Thirteen)**

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In addition, advises other management officials in the program chain of command on administrative issues. Makes decisions on work and production problems within the Service Center that affect workload and administrative processes. Participates in selections for members of the team. Makes decisions on routine training needs and training requests related to the employees of the unit. Recommends awards or bonuses for employees and changes in position descriptions. Finds and implements ways to eliminate or reduce significant bottlenecks and barriers to production and promotes team building by establishing partnerships within the product line.

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#### **Factor 4. PERSONAL CONTACTS, Level 4a-2, 4b-2, 125 points**

Contacts are with Service Center management officials, members of the general public and business community and representatives from other government agencies. The contacts are for the purpose of addressing issues that support the immigration benefits program. Contact with Headquarters' management officials are primarily advisory in nature; contacts with Service Center management are advisory but also to plan and coordinate fiscal and human resource management in relation to established priorities, goals and objectives on workload. Contacts with the general public and business community are often quite conspicuous, particularly when a precedent decision is being made, or the applicant or petitioner is well known, or if the decision will have substantial impact on the economy of a community, state, or nation. Contacts are usually in writing or via telephone or facsimile machine; face-to-face meetings are rare. Each situation is analyzed and the sensitivity and impact is assessed.

#### **Factor 5. DIFFICULTY OR TYPICAL WORK DIRECTED, Level 5-7, 930 points**

The work which best characterizes the nature of the basic non-supervisory work performed is fact evaluation, decision making and analysis of evidence. The decisions emanate from an extensive spectrum of sources, including legislation, regulations operating conditions applications, documents and affidavits. At least 25% of the workload is at the GS-12 level.

#### **Factor 6. OTHER CONDITIONS, Level 6-4a, 1120 points**

Supervision at this level requires substantial coordination and integration among the Business,

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Resident and Family product lines, Based on workload analyses of receipts and production within product lines, as well as legislative mandates and available resources, the incumbent is responsible for leadership in developing, implementing, evaluating and improving processes and procedures to monitor the productivity of the team directed. The incumbent also integrates the work of the team with other product line teams and ensures compatibility and consistency of interpretation, judgment, logic and application of policy

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**Appendix 4-12 Center Adjudications Officer GS-1801-12 PD# HI012F (Grade Twelve).**

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**Center Adjudications Officer GS-1801-12 PD# HI012F (Grade Twelve)**

**INTRODUCTION:**

This position has direct delegated authority of the U.S. Attorney General to interpret apply, and enforce an intricate field of immigration and nationality law The incumbent is directly responsible for conducting investigations of and making final determinations regarding complex applications and petitions for various benefits and related entitlements. Incumbent works closely with other Officer Corps functions of the Service to ensure compliance with, and enforcement of, the Immigration and Nationality Act , as amended.

**MAJOR DUTIES AND RESPONSIBILITIES:**

1. Adjudication Functions (80%)

a) The incumbent develops and interprets an intricate field of immigration and nationality law. Develops an expertise in foreign and domestic religious and customary laws; foreign customs, tribal traditions; and domestic (federal and state laws concerning adoption, legitimation, marriage, divorce, citizenship, and especially, legislative Zeitgeist spanning years and various political environments. Ongoing changes to immigration and nationality laws, conflicts between the Administration and sessions of Congress, and special interests, require the incumbent to make decisions based on often vague legislation which dictates extensive Interpretation, judgment. and legal research.

b) Adjudicates difficult, convoluted and/or sensitive cases; often these are discretionary, precedent

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setting, have high visibility; and are of great importance to the Immigration and Naturalization Service, Department of Justice, and the Administration. The incumbent performs legal and other research, conducts inspections, investigations, analyses, and renders final adjudication of applications and petitions. Incumbent has authority to prepare and present Notices to Appear, revoke parole status, and by issuance of subpoenas, compel the production of documents. Decides when a verbatim record is required, rules on objections, grants continuance, and receives evidence. Decisions have substantial impact on a wide range of agencies at the Federal, state, and local levels; the national and international industrial, corporate, and economic levels; and all social levels.

c) The incumbent grants and denies applications or petitions based on evidence presented. Takes action when fraud is suspected, i.e., initiates investigations and further action; where deportability can be established, takes action as may be appropriate to enforce compliance with INS laws and regulations and also with the laws of other Federal agencies. Prepares decisions involving novel and/or unprecedented issues for certification to the Administrative Appeals Office (AAO) and/or the Board of Immigration Appeals (BIA).

d) Adjudicates appeals and decides on motions to reopen or reconsider cases. Incumbent is empowered to initiate a complete and independent re-examination of the findings of fact, documentary evidence, and case information used by the deciding official and may reverse, approve, or sustain the decision. The incumbent also has discretionary authority to receive new evidence, take additional testimony, and/or redetermine the original decision, in whole or in part. Ensures that documentary evidence and reports of investigation used to substantiate denials are of a sufficient and adequate nature to meet the requirements for presentation in court.

e) Prepares briefs or a memorandum of facts for litigation on appeals. Performs final check of citations in closing briefs and proposed findings of fact and conclusions of law. Organizes documents and exhibits to be introduced as evidence at hearings or in the appeal process. Makes decisions and recommendations on appeals. Submits motions to be considered for pre-trial review. Appeals submitted to the AAO, BIA, or through Judicial Review require complex investigation, legal research and preparation of complicated legal briefs.

f) Plans and conducts independent Investigations concerning the eligibility and entitlement of persons seeking benefits, employment, and/or legal status under the Immigration and Nationality Act. Develops and authors comprehensive reports and gathers and protects evidence and related case material. The employee synthesizes and evaluates information from a variety of sources (aliens, foreign interests, informants, etc.) and makes independent judgments as to the validity and reliability of the information. Determines the exact information and/or evidence needed, the best approach to obtain it, and the relevance and admissibility of facts/evidence uncovered. Fact finding investigations may include search of Federal, state, and local automated data systems; alien files and other records maintained in the U.S., and records and/or documents maintained by foreign countries. To gather information, contacts are made with applicants, employers, corporate administrators, legal and accounting representatives, fiduciaries, friends, relatives, acquaintances, educators, clergy and municipal and similar officials and individuals.

## 2. Special Projects (20%)

a) Performs special assignments, projects, studies or reviews to explore and resolve major problems, including those involving INS-wide Adjudications Program operations and enforcement activities; and, to develop new operational procedures and techniques which will result in more efficient and effective program operations. Special assignments may entail work involving joint agency or special INS task force operations, rotation to FINCEN (Financial Crimes, Narcotics and National Security and Intelligence), or Duty Officer 'point of contact' for the Service Center. Projects may include review of Service Center Operations developing improvements in processes, and designing more efficient ways to utilize personnel and facilities. Studies may involve identifying workload processes having an impact on resources (human, financial, and material). Provides written recommendations on ways to improve work quality and overall productivity

b) Regularly receives intelligence reports and scrutinizes applications in relation to targeted profiles. Develops positive leads and, as appropriate, disseminates data to other INS and government entities. Incumbent has intrinsic exposure to raw data having substantial influence on Service Center Operations, other law enforcement agencies, and to the intelligence community, as a whole. This requires the incumbent to be vigilant of indicators identifying trends and/or situations, i.e., political, social and economic factors, both domestic and international in scope, which could have significant repercussions on the Service, the United States, and on international interests. Uses available information systems and other national and international law enforcement data bases in the investigation and adjudication of applications and enforcement of INS-related laws.

c) Draws upon a wide range of available data to derive conclusions on applications. Analyzes and develops profiles for eligibility determinations, develops and projects data, draws conclusions, and estimates probabilities based on the facts available. Reconstructs events, and establishes relationships (often of a complex derivative nature) utilizing fragmentary information or evidence spanning a substantial time period which meets the requirements for presentation in administrative hearings and judicial court proceedings.

d) Keeps abreast of current policies, regulations and procedures, proposed legislation, changes in law, court decisions, special intelligence, and technological changes, directly impacting Service Center Operations. Interprets and submits information and maintains a professional working relationship with various social service organizations, special interest attorneys, foreign consulates, and the U.S. Departments of State, Labor, Commerce, Agriculture, and Education. Resolves or prevents problems involving the interpretation, enforcement, or entitlement provisions of the Act.

Performs other duties as assigned.

## **FACTOR 1. KNOWLEDGE REQUIRED BY THE POSITION, Level 1-7, 1250 points**

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A comprehensive and authoritative knowledge and understanding of the Immigration and Nationality Act, as amended, and all related rules, regulations, policies, and operating procedures, impacting court decisions, related foreign Laws customs, and tribal traditions, and binding state laws pertaining to.

- adjudicating applications for various benefits, entitlements, and privileges available under the Immigration and Nationality Act, as amended;
- the granting or denial of business and investor applications;
- adoption, legitimation, marriage, divorce, etc., in making determination on applications;
- the gathering analysis, and evaluation of raw data in order to target fraud and produce fraud profile; and
- injunctive compliance or precedent court, AAO and BIA decisions governing the adjudications process.

Extensive knowledge of legal proceedings and case preparation for trial and/or the trial of cases before a court or an administrative body.

Knowledge of precedent decisions in order to render advice and services with respect to questions, regulations, practices, or other matters relating to the Immigration and Nationality Act, as amended.

Knowledge of a variety of sources of information such the Library of Congress, Department of Labor jobs directories, Internal Revenue Service, State Employment Commissions, and others, and substantial experience in the use of such automated data bases as LEXIS/NEXIS, CLAIMS, CIS, NCIC, EPIC, etc., to gather information required for facilitating decisions.

Knowledge of political, social and economic factors which could have an effect on both the domestic and international labor markets, trade agreements, and corporate finances.

Knowledge of regulations/procedures and demonstrated knowledge and competence in the:

- a) issuance of subpoenas to compel the production of documents, and notices to appear;
- b) application of rules of evidence and criminal procedures, and administering oaths;
- c) inspection of documents and analysis of complex records and ADP systems;
- d) participation in specialized law enforcement operations and effective liaison with other government jurisdictions that have primary responsibility to particular kinds of cases; and
- e) utilization of selective enforcement/intelligence profiling techniques.

Ability to administer specific laws, rules, and regulations related to Department of State, Social Security Administration, HHS, IRS, and the Selective Service.

Ability to:

- a) perform technical research of complex financial records and business structures and gather pertinent information, documentation, and/or other evidence/material facts;
- b) prepare briefs and evidentiary documents in final form for presentation in administrative or criminal proceedings; and
- c) locate, identify, and evaluate other evidence for successful prosecution.

Ability to analyze and determine the validity of documents.

Ability to identify and take appropriate action in sensitive situations which are significant in scope and impact on international relations, e.g., petitions for specialized labor, petitions/applications involving multi-national corporate executives; review of national/ international financial investments, and analyses of assets belonging to complex organizational structures.

Ability to deal tactfully with and gain cooperation of aliens, special interest groups, attorneys, social service organizations etc., and various law enforcement personnel and resolve sensitive and often vitriolic contentions about facts or opinions related to the adjudication functions.

Ability to make accurate judgments and decisive, prompt decisions for facilitation purposes. Ability to detect unusual conditions or trends indicating possible violations and take appropriate action to enforce INS related laws and those related to other agencies.

Skill in:

- a) distinguishing between relevant and irrelevant information or evidence and developing facts/leads;
- b) recognizing, collecting, and preserving physical evidence utilizing specialized law enforcement techniques, devices and procedures; and
- c) carrying out specialized work assignments, task force operations, and utilizing electronic/ADP equipment.

The incumbent uses authoritative knowledge of adjudications and is skilled in the investigation of legal or illegal businesses, financial institutions, and non-profit organizations that are very complex in structure and have national and international subsidiaries and high level political or special interest concerns. Often the suspected violators are highly organized crime groups or influential foreign officials whose criminal activities are interwoven with legitimate business activities.

The incumbent must draw upon skills acquired from first-hand adjudications experience in order to distinguish

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between relevant and irrelevant information, binding facts pertinent evidence and to develop leads necessary to achieve a successful adjudications prosecution or final judgment. The employee must be able to determine the exact information and/or evidence needed the best approach to obtain it and the relevance, validity and admissibility of that which is found in criminal or administrative proceedings .

Ability to communicate orally and in writing present briefings to management and to write legal briefs and other reports. The employee must be able to coordinate efforts with other agencies and national/international groups, etc.

NOTE: Many positions may require the ability to learn to speak and read one or more languages in addition to English. The exact language requirements differ from place to place and may constitute one element in selective placement actions to fill positions in the occupation.

## **FACTOR 2. SUPERVISORY CONTROLS, Level 2-4, 450 points**

The supervisor gives general guidance in terms of policies and goals. The employee independently plans legal and other research, initiates investigations, develops intelligence, and adjudicates cases including any new or ancillary subjects emanating from original case work. The employee independently works out any coordinating aspects with other public and private organizations and individuals. Since the employee is considered an authority empowered to render virtually unreviewed decisions, no technical instruction is expected to be given. The employee, supervisor,

and working peer group together settle any deadlines, quality assurance issues, and priorities.

## **FACTOR 3. GUIDELINES, Level 3-4, 450 points**

The incumbent handles unusually complex cases involving widespread public interest and those which are vigorously contested by expert legal counsel. The guidelines are the immigration and nationality laws, CFR 8, 20, 22, 41, Field Manuals, precedent case laws, and international treaties.

The employee must research agency guidelines and available legislation, regulations, customs and related items. Incumbent may query such sources as law libraries and automated law systems (e.g., LEXIS/NEXIS) the Supreme Court Reporter, Administrative Decisions under Immigration and Nationality laws of the U.S., the Foreign Affairs Manual, Interpreter Releases, the Library of Congress, and the Federal Register.

Research of various foreign religious and customary laws, regulations and provisions is also necessary. Many

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pertinent and pivotal cases are unpublished or unreported. Accuracy of decisions is made extremely difficult because the guides available are usually quite unclear and often conflict and there are often no applicable precedents.

The employee is expected to independently sift through a myriad of legislation, regulation and information and embrace the correct course of action including that which could establish future precedent/case law. Since the cases are often problematical or outright dubious, interpretation and use of guidelines requires a great deal of acumen, inventiveness, and initiative. The incumbent must use authoritative knowledge and ingenuity in interpreting the intent of the guidelines that do exist and in developing applications to specific cases.

#### **FACTOR 4. COMPLEXITY, Level 4-5, 325 points**

Case work and/or special assignments are often extremely complex, diverse, and difficult due to the lack of objective information concerning the principals and the problems of assessing conflicting and often misleading information. The employee decides on information and evidence emanating from an extensive spectrum of sources including legislation regulations, operating conditions, applications, documents and affidavits. In the employment-based product line, the adjudicator must research and solicit evidence in support of their cases. There is a vast quantity of extremely differing types of cases. The incumbent writes many complex decisions: denials, motions to reopen or reconsider, certifications, approvals, and revocations based on investigations and consulate returns. The adjudicator authors complex certifications to the AAO and the BIA, with the intent of clarifying the interpretation of the immigration-related statutes and regulations enacted by Congress. Their

decisions often evolve into published, precedent-setting decisions, binding upon any further interpretation of law.

#### **FACTOR 5. SCOPE AND EFFECT, Level 5-4, 225 points**

The purpose of the work is to determine and apply legal requirements and provisions of the Immigration and Nationality Act and related laws in a way that can be supported and understood by others. The incumbent accomplishes this by researching, interpreting and applying the pertinent section(s) of the law and regulations to the issues. Through the application of INS law, the incumbent combats fraud and conspiracies, promotes crime detection and prevention and affects the apprehension, prosecution and expulsion of inadmissible aliens.

The work affects current and future employment opportunities, business planning, foreign-based investments and foreign trade. The services affect a wide range of agency activities, major activities of industrial concerns and the budgets and mission effectiveness of Federal, state and local governmental organizations.

#### **FACTOR 6. PERSONAL CONTACTS, Level 6-2, 25 points**

Contacts are in moderately unstructured situations where each is different and the employee must define the purpose of the action taken. However, persons and cases are often quite conspicuous, particularly when a precedent decision is being made or the applicant or petitioner is well known (nationally or internationally) or will have substantial impact on the economy of a community, state or the nation. Contacts may be initiated by the employee, either in writing or telephonically, but face-to-face meetings are rare. Each situation is analyzed and the sensitivity/impact assessed.

#### **FACTOR 7. PURPOSE OF CONTACTS, Level 7-2, 50 points**

The purpose of contacts is to influence, persuade or gain voluntary compliance of or agreement with employers, attorneys, special interest groups, etc., who have conflicting interests or objectives.

Case work includes contacts geared to investigative fact finding and inspection of documents to glean necessary information to successfully support decisions. Situations are often emotionally charged due to the importance and impact of decisions. In addition to the applicants, the employee frequently attempts to convince attorneys/representatives and high level judicial officials of the merit of their decisions

#### **FACTOR 8. PHYSICAL DEMANDS, Level 8-2, 20 points**

The work is mainly sedentary however, there is a requirement for long periods a standing, walking, or lifting and carrying of moderately heavy items such as boxes of records, files, and/or evidence.

#### **FACTOR 9. WORK ENVIRONMENT, Level 9-1, 5 points**

The work is generally performed in an office environment. However, some travel and rotational assignments to other units, field support activities, and special joint operations are involved.

Total Points: 2800 GS-12

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**Appendix 4-11 Center Adjudications Officer GS-1801-11 PD# HI011F (Grade Eleven).**

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**Center Adjudications Officer GS-1801-11 PD# HI011F (Grade Eleven)**

(This Statement of Difference should be filed with the GS-1801-12 position description.)

This position is identical to the GS-12 full performance level position except for the supervisory controls.

**FACTOR 2. SUPERVISORY CONTROLS, Level 2-3, 275 points**

The supervisor at the GS-11 level indicates overall objectives and in many instances establishes priorities and/or deadlines. When precedents are unavailable or unclear, the supervisor is available to render assistance. The incumbent independently conducts research and prepares advisory opinions; resolves problems and deviations in line with previous training and pertinent policies, precedents directives and practices. Completed cases and other work are reviewed for technical soundness and the thoroughness of the end product.

Total Points, 2625 = GS-11



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## U.S. Citizenship and Immigration Services

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### Appendix 4-10 Center Adjudications Officer GS-1801-9 PD# HI010F (Grade Nine).

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#### Center Adjudications Officer GS-1801-9 PD# HI010F (Grade Nine)

#### INTRODUCTION

This is an intermediate level position in a career ladder with promotion potential to the GS-1801- 11 and a target grade of GS-1801-12.

The position has direct delegated authority of the U.S. Attorney General to interpret apply and enforce an intricate field of immigration and nationality law. The incumbent is directly responsible for conducting inquiries and making final determinations regarding complex applications and petitions for various benefits and related entitlements. The incumbent works closely with other officer corps functions of the Service to ensure compliance with and enforcement of the Immigration and Nationality Act, as amended.

#### MAJOR DUTIES

1) The incumbent interprets, applies, and enforces an intricate field of immigration and nationality law. Performs legal and other research, analyses, and final adjudication of all types of applications and petitions for benefits. Determines the scope of the required review and decides when a verbatim record is required, rules on objections, grants continuances and receives evidence. Incumbent conducts preliminary fact finding and initiates action where information indicates fraud has been detected, where deportability can be established, and takes such other action as appropriate to enforce compliance with not only laws and regulations pertaining to INS, but the laws of IRS, HHS, Social Security Administration, Selective Service, and the Departments of

Labor, Treasury and State. Incumbent works closely with other officer corps functions of the Service and is aware of and alert to the total responsibility for considering any of the operations that relate to compliance with or enforcement of the Immigration and Nationality Act, as amended. Furnishes technical interpretation, explanation and provisos regarding the application of foreign laws, custom tribal traditions, etc., and domestic state laws concerning adoption legitimation, marriage divorce, etc. Assists in preparing cases for certification to the Board of Immigration Appeals (BIA) and/or the Administrative Appeals Office (AAO). Exercise of authority and decisions made by the incumbent have far-reaching personal and public and/or social impact. (50%)

2) Keeps abreast of current policies, regulations and procedures, proposed legislation changes in law, court decisions, special intelligence and of technological changes, directly impacting the Service Center operations. Interprets and submits information and maintains a professional working relationship with various social service organizations, attorneys, foreign consulates, and the U.S. Departments of State, Labor, Commerce, Treasury, Agriculture and Education. (20%)

3) Prepares briefs or a memorandum of facts for litigation on appeals. Reviews citations closing briefs and proposed findings of fact and conclusions of law. Organizes documents and exhibits for evidence at hearings or in the appeal process. Makes recommendations on appeals and submits motions to be considered for pre-trial review. (15%)

4) Plans and implements special assignments, projects and studies to explore and resolve problems, including those involving Service Center operations and enforcement activities; and, to develop new operational procedures and techniques which will result in more efficient and effective program operations. Special assignments may entail work involving special INS task force operations, rotation to FINCEN (Financial Crime, Narcotics and national Security and Intelligence), or Duty Officer "point of contact" for the Service Center. Projects may include review of Service Center operations, developing improvements in processes, and designing more efficient ways to utilize personnel and facilities. Studies may involve identifying workload processes having an impact on resources (human, financial and material). Provides written recommendations on ways to improve work quality and overall productivity. (15%)

Performs other duties as assigned.

#### **FACTOR 1. KNOWLEDGE REQUIRED BY THE POSITION, Level 1-6, 950 points**

Knowledge and understanding of the Immigration and Nationality Act, as amended, and all related rules,

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regulations, policies, and operating procedures, impacting court decisions, related foreign laws, customs, and tribal traditions, and binding state laws to adjudicate a variety of applications and petitions.

Knowledge of legal proceedings and case preparation for trial and/or the trial of cases before a court or an administrative body.

Knowledge of precedent decisions in order to render advice and services with respect to questions, regulations, practices, or other matters relating to the Immigration and Nationality Act, as amended.

Knowledge of a variety of sources of information such as the Library of Congress, Department of Labor jobs directories, IRS, State Employment Commission, and others; and substantial experience in their use, particularly such automated data bases as LEXIS/NEXIS, CLAIMS, CIS, NCIC, EPIC, etc., to gather information required for facilitating decisions.

Knowledge of information gathering techniques in order to coordinate and evaluate on a continuing basis, information derived from diverse sources. Knowledge of political, social and economic factors, both domestic and international in scope, which may affect operating procedures

Knowledge of jurisdictional entities among state, local, and Federal agencies and within the Service in order accurately refer and deal with matters which extend beyond the purview of the Adjudications Program.

Ability to analyze and determine the validity of documents. Ability to provide accurate and credible testimony criminal and/or administrative hearings, regarding the validity of the documents encountered or oral and/or sworn statements made during the adjudications process.

Ability to communicate orally and in writing to write legal briefs and other reports and to coordinate efforts with other INS, Federal, state and local law enforcement agencies and national/international groups, governments, and representatives and other organizations.

NOTE: Many positions in this occupation require the ability to learn to speak and to read one or more languages in addition to English. The exact language requirements differ from place to place and may constitute one element in selective placement actions to fill positions in the occupation

## **FACTOR 2. SUPERVISORY CONTROLS, Level 2-3, 325 points**

The supervisor indicates overall objectives and in many instances establishes priorities and/or deadlines. When precedents are unavailable or unclear, the supervisor is available to render assistance. The employee independently plans and performs legal and other research, and adjudicates cases including the processing of any new or ancillary subjects matter emanating from original case work. The employee independently works out any coordinating aspects with colleagues and with other public and private organizations and individuals. Completed cases and other work are reviewed for technical requirements and soundness of the end product

## **FACTOR 3. GUIDELINES, Level 3-3, 275 points**

The employee researches INS guidelines and available legislation, regulations, customs and related items. Incumbent may query such sources as law libraries and automated law systems (e.g., LEXIS/NEXIS, the Supreme Court Reporter, Administrative Decisions under Immigration and Nationality Laws of the U.S., the Foreign Affairs Manual, Interpreter Releases, the Library of Congress, and the Federal Register. Research of various foreign religious and customary laws, regulations, and provisions is also necessary. Many pertinent and pivotal cases are unpublished or unreported. Accuracy of decisions is made extremely difficult because the guides available may not be clear and there are often no applicable precedents. The employee uses judgment in selecting and adapting guidelines to specific situations and cases.

The employee relies on a myriad of legislation, regulations and other forms of information to choose the correct course of action. Since the cases are often heavily problematical or dubious, interpretation and use of guidelines requires a great deal of acumen, inventiveness, and initiative.

## **FACTOR 4. COMPLEXITY, Level 4-4, 225 points**

The incumbent performs a variety of examination and adjudication duties encompassing diverse and complex legal issues. Factual situations vary significantly from case to case and are difficult to ascertain because of the mass of interrelated facts to analyze, information from different sources is often in conflict. The employee must evaluate and adapt previous precedent cases and review often voluminous documentation to develop the case.

The employee must reconcile conflicting facts, identify additional information and make a number of decisions at various stages. The work is further complicated by the volume of case work and the need to remain aware of current legal interpretations.

**FACTOR 5. SCOPE AND EFFECT, Level 5-3, 150 points**

The purpose of the work is to interpret, apply, and enforce the Immigration and Nationality and other U.S. civil and criminal statutes through the identification, apprehension and/or removal of persons who may be in violation of law.

Decisions made by the incumbent have public, national and serious and irreversible personal, family, economic, political and/or social impact. This is particularly true in regard to the granting or denial of the great U.S. privilege, citizenship. Many cases are new in nature, very complicated and particularly resistant to equitable solution. This employee has adjudicating authority for the types of cases shown.

**FACTOR 6. PERSONAL CONTACTS, Level 6-2, 25 points**

Contacts are in moderately unstructured situations where each is different and the employee must define the purpose of the action taken. However, persons and cases are often quite conspicuous, particularly when a precedent decision is being made or the applicant or petitioner is well know (nationally or internationally), or will have substantial impact on the economy of a community, state or the nation.

Contacts may be initiated by the employee or by an individual requesting information or assistance, but are rarely face-to-face meetings. Each situation is analyzed and the sensitivity/impact assessed.

**FACTOR 7. PURPOSE OF CONTACTS, Level 7-2, 50 points**

The purpose of contacts is to influence persuade or gain voluntary compliance of, or agreement, with employers, attorneys, special interests groups. etc., who have conflicting interests or objectives. Case work includes contacts which are geared to investigative fact finding and inspection of documents to glean necessary information to successfully support decisions. Situations are often emotionally charged due to the

importance and impact of decisions. In addition to applicants and petitioners, the employee must often attempt to convince attorneys/representatives and judicial officials of the merit of their decisions.

#### **FACTOR 8. PHYSICAL DEMANDS, Level 8-2, 20 points**

While much of the work is sedentary some physical exertion is required such as long periods of standing, walking, running, lifting moderately heavy items such as boxes of records, files, and/or evidence and carrying moderately heavy or unwieldy objects into courtrooms.

#### **FACTOR 9. WORK ENVIRONMENT, Level 9-I, 5 points**

The work is generally performed in an office environment. However, some travel and rotational assignments to other units, field support activities, and special joint operations may occur.

Total Points: 1925 = GS-9

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**Appendix 4-9 Center Adjudications Officer GS-1801-7 PD# HI009F (Grade Seven).**

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**Center Adjudications Officer GS-1801-7 PD# HI009F (Grade Seven)**

(This Statement of Difference should be filed with the **GS-1801-9** position description PD# HI0010.)

This is a developmental level position with promotion potential to GS-9, GS-11 and a target grade of GS-12. The duties performed are the same as at the GS-9 level, however, the nature and extent of supervision over the position is greater and the level of interpretation required of the guidelines is less. In addition, the complexity of cases reviewed and adjudicated is less than at the GS-9 level and, therefore, the scope and effect of the work performed is diminished. Following is a description of those factors which differ from the GS-9 position:

**FACTOR 2. SUPERVISORY CONTROLS, Level 2-2, 125 points**

The supervisor, or higher level officer, provides regular and recurring guidance, indicating what cases and work are to be done, the overall objectives, quality and quantity expected, and priorities and deadlines. Problems and work not covered by instructions are reported to the supervisor. The supervisor is available to render assistance, particularly for new or difficult assignments. At this level, completed cases and other work are reviewed for technical accuracy and compliance with instructions.

**FACTOR 3. GUIDELINES, Level 3-2, 125 points**



Guidelines include the Federal immigration law text and related regulations, as well as the Adjudicator's Field Manual, Visa Bulletins, INS directives, bulletins, fact sheets and memos.

The incumbent continually gains knowledge in the law and regulations. The incumbent uses judgment in locating and selecting guidelines for application to individual cases. When located, the guidelines are usually specific to the situation at hand. However, in some instances the incumbent applies judgment in making minor deviations. Situations to which existing guidelines cannot be applied, which require significant deviations, or situations for which the guidelines are conflicting or ambiguous, are referred to the supervisor.

#### **FACTOR 4. COMPLEXITY, Level 4-2, 75 points**

Assignments are typically selected to provide specific types of practical experience and exposure to particular legal situations and problems. The incumbent learns to determine the legal, policy and administrative or judicial issues involved in cases and the legal research required as well as additional information that must be obtained to make a decision and to support and defend decisions. Work requires the timely completion of multiple developmental assignments. Actions to be taken are limited and choices of a course of action are also limited. The employee learns to synthesize and decide on information/evidence from a spectrum of public and private sources including legislation regulations, operating conditions, witnesses' testimony, applications, documents, affidavits, medical records and tests, e.g., psychological or psychiatric testing. The employee researches and extracts statistical data and narrative information relating to specified matters from records; summarizes findings orally and in writing.

#### **FACTOR 5. SCOPE AND EFFECT, Level 5-2, 75 points**

The types of cases assigned, while having a potential for serious impact on the applicants and petitioners, are not expected to result in conflicts, contests or hardships. Much of the work at this level involves identification of the issues involved and obtaining the appropriate information and documentation needed for analysis or adjudication. Due to their seriousness, complexity or sensitivity, some cases at this level may be referred to the supervisor, or higher level officers, for assistance.

Total Points: 1405 = GS-7

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### Appendix 4-8 Center Adjudications Officer GS-1801-5 PD# HI008F (Grade Five).

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#### Center Adjudications Officer GS-1801-5 PD# HI008F (Grade Five)

#### INTRODUCTION

This is an entry level position with promotion potential to GS-7, GS-9, GS-11 and a target grade of GS-12. The incumbent is assigned a variety of duties intended to provide a good working knowledge of INS programs, policy, regulations and related legislation. Training and development will be particularly related to immigration laws and adjudicating petitions and applications that are less complex than those adjudicated by journey level positions.

#### MAJOR DUTIES

As a trainee, the incumbent learns to interpret, apply, and enforce an intricate field of immigration and nationality law and learns to adjudicate cases. Learns to perform legal and other research, analyses, and adjudication of applications and petitions for benefits.

Learns such processes as determining the scope of the required review and the hearing process, deciding when a verbatim record is required, ruling on objections, granting continuances, and receiving evidence. Incumbent learns to exercise discretion to grant or tantamount to deny applications based on evidence adduced at hearings or interviews and takes action when fraud is suspected, i.e conducts preliminary fact finding and initiates action where information indicates fraud has been detected, where deport ability can be established, and takes such other action as may be appropriate to enforce compliance with INS and other Federal laws and regulations. Incumbent learns to be vigilant of the concerns of other government entities, e.g., state and local governments, the U.S. Departments of Justice, State, Labor, Treasury, Commerce, Education, Agriculture and Defense and the intelligence community at large, and coordinates activities, as appropriate. (30%)

The incumbent works closely with other officer corps functions of the Service maintains an awareness of the total responsibility for considering any of the operations that relate to compliance with, or enforcement of, the Immigration and Nationality Act, as amended. Learns to furnish technical interpretation, explanation and provisos regarding the application of foreign laws, customs, tribal traditions, etc., and domestic state laws concerning adoption, legitimation, marriage, divorce, etc. May assist in or perform preparation of cases for certification to the Board of Immigration Appeals (BIA) and/or the Administrative Appeals Office (AAO). (30%)

Through developmental assignments or training the incumbent will perform some or all of the following duties:

- Learn to review and recommend or make determinations on cases involving naturalization, citizenship at abroad, derivative citizenship, congressional grants of nationality, determination on citizenship, expatriation, and repatriation matters.
- Learn to hear and adjudicate appeals and decide on motions to reopen and reconsider.
- Learn about appearing in court as the representative of the Attorney General in naturalization proceeding appearing as a witness at removal hearings as well as in Federal, state, and local administrative civil, and criminal proceedings, and as an officer of the court in presentation and prosecution of fraud cases.
- Learn about reviewing intelligence reports/data, scrutinizing applicants in relation to targeted profiles and available information systems, e.g., LEXIS/NEXIS, CLAIMS, NCIC, CIS, NIIS, NACS, Interpol and other national and international law enforcement data bases in the adjudication of applications and enforcement of INS related laws.
- Learn about developing and authoring reports and gathering and protecting evidence and related case m the rules of evidence and criminal procedure and precedent court decisions concerning admissibility of evidence, constitutional rights, search and seizure, and related issues.
- Learn to carry out representational and advisory duties.

- Assist in, plan and/or implement special assignments, projects, studies or reviews related to Adjudication Program operations and/or enforcement activities. (40%)

Performs other duties as assigned.

#### **FACTOR 1. KNOWLEDGE REQUIRED BY THE POSITION, Level 1-5, 750 points**

A foundation of basic knowledge (such as may have been gained through a baccalaureate education program or its equivalent in experience, training, or self study) and sufficient skill to perform developmental assignments, rapidly learn the technical work, and advance to higher level work in the occupation.

Ability to:

- a) communicate, orally and in writing, is essential for adequate performance and needed for such requirements as writing legal briefs and other reports and briefing management, etc.
- b) elicit pertinent information and material facts.
- c) analyze information and make accurate judgments and decisive, prompt decisions
- d) deal tactfully with and gain cooperation of others.

Many positions in this occupation require the ability to learn to speak and to read one or more languages in addition to English. The exact language requirements differ from place to place and may constitute one element in the selective placement factor to fill positions in the occupation.

#### **FACTOR 2. SUPERVISORY CONTROLS, Level 2-1, 25 points**

The incumbent is given assignments with specific instructions on how to complete the assignment and guidance on the application and interpretation of law, regulations and procedures. The incumbent works as instructed, consulting with the supervisor or higher graded officer on any problems that arise. The supervisor reviews the completed work for accuracy, proper presentation and conformance to instructions.

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**FACTOR 3. GUIDELINES. Level 3-1, 25 points**

The supervisor provides guidelines for each assignment and the trainee works in strict adherence to them. Deviations must be authorized by the supervisor.

The employee may be tasked to research agency guidelines and available legislation, regulations, customs and related items. Incumbent may query such sources as law libraries and automated law systems (e.g., LEXIS/NEXIS), the Supreme Court Reporter, Administrative Decisions under Immigration and Nationality Laws of the U.S., the Foreign Affairs Manual, Interpreter Releases, the Library of Congress, and the Federal Register.

Research of various foreign religious and customary laws, regulations, and provisions may be necessary.

**FACTOR 4. COMPLEXITY, Level 4-2, 75 points**

Assignments are typically selected to provide specific types of practical experience and exposure to particular legal situations and problems. The incumbent learns to determine the legal, policy, and administrative or judicial issues involved in cases and the legal research required as well as additional information that must be obtained to make a decision and to support and defend decisions. Work requires the timely completion of multiple developmental assignments.

Actions to be taken are limited and choices of a course of action are also limited. The employee learns to synthesize and decide on information and evidence emanating from a spectrum of public and private sources including legislation, regulation, operating conditions, witnesses, testimony, applications, documents, affidavits, observation, medical records and tests. e.g., psychological or psychiatric testing.

**FACTOR 5. SCOPE AND EFFECT, Level 5-1, 25 points**

The primary purpose of the position is to gain on-the-job training in the use of research and analytical tools and the mission of the INS. The trainee learns to interpret, apply, and enforce the Immigration and Nationality Act and other U.S. civil and criminal statutes. The trainee is given specific, well-defined tasks, comprising one or more segments of small to medium sized cases. In completing assignments, the incumbent provides assistance to other employees in the unit by performing the more routine aspects of operations. Through the application of the INS law, the incumbent learns to combat fraud and conspiracies; promote crime detection and prevention within assigned areas; and effect the apprehension, prosecution, and expulsion of inadmissible aliens.

**FACTOR 6. PERSONAL CONTACTS, Level 6-1, 10 points**

Contacts are primarily with employees within the immediate work unit and with Adjudications Program and similar INS personnel.

**FACTOR 7. PURPOSE OF CONTACTS, Level 7-1, 20 points**

Contacts are primarily for the purpose of learning the occupation and to obtain, clarify, or give facts or information relating to such matters as work assignments and types and status of cases.

**FACTOR 8. PHYSICAL DEMANDS, Level 8-1, 20 points**

While much of the work's sedentary some physical exertion is required such as: long period of standing walking, running; lifting moderately heavy items such as boxes of records, files and/or evidence; and, carrying moderately heavy or unwieldy objects.

**FACTOR 9. WORK ENVIRONMENT, Level 9-1, 5 points**

The work is generally performed in an office environment.

Total Points: 955 = GS-5

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