

USCIS Basic - Block 3 Practice Exam (Sample)

Study Guide



Everything you need from our exam experts!

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Introduction

Preparing for a certification exam can feel overwhelming, but with the right tools, it becomes an opportunity to build confidence, sharpen your skills, and move one step closer to your goals. At Examzify, we believe that effective exam preparation isn't just about memorization, it's about understanding the material, identifying knowledge gaps, and building the test-taking strategies that lead to success.

This guide was designed to help you do exactly that.

Whether you're preparing for a licensing exam, professional certification, or entry-level qualification, this book offers structured practice to reinforce key concepts. You'll find a wide range of multiple-choice questions, each followed by clear explanations to help you understand not just the right answer, but why it's correct.

The content in this guide is based on real-world exam objectives and aligned with the types of questions and topics commonly found on official tests. It's ideal for learners who want to:

- Practice answering questions under realistic conditions,
- Improve accuracy and speed,
- Review explanations to strengthen weak areas, and
- Approach the exam with greater confidence.

We recommend using this book not as a stand-alone study tool, but alongside other resources like flashcards, textbooks, or hands-on training. For best results, we recommend working through each question, reflecting on the explanation provided, and revisiting the topics that challenge you most.

Remember: successful test preparation isn't about getting every question right the first time, it's about learning from your mistakes and improving over time. Stay focused, trust the process, and know that every page you turn brings you closer to success.

Let's begin.

How to Use This Guide

This guide is designed to help you study more effectively and approach your exam with confidence. Whether you're reviewing for the first time or doing a final refresh, here's how to get the most out of your Examzify study guide:

1. Start with a Diagnostic Review

Skim through the questions to get a sense of what you know and what you need to focus on. Your goal is to identify knowledge gaps early.

2. Study in Short, Focused Sessions

Break your study time into manageable blocks (e.g. 30 - 45 minutes). Review a handful of questions, reflect on the explanations.

3. Learn from the Explanations

After answering a question, always read the explanation, even if you got it right. It reinforces key points, corrects misunderstandings, and teaches subtle distinctions between similar answers.

4. Track Your Progress

Use bookmarks or notes (if reading digitally) to mark difficult questions. Revisit these regularly and track improvements over time.

5. Simulate the Real Exam

Once you're comfortable, try taking a full set of questions without pausing. Set a timer and simulate test-day conditions to build confidence and time management skills.

6. Repeat and Review

Don't just study once, repetition builds retention. Re-attempt questions after a few days and revisit explanations to reinforce learning. Pair this guide with other Examzify tools like flashcards, and digital practice tests to strengthen your preparation across formats.

There's no single right way to study, but consistent, thoughtful effort always wins. Use this guide flexibly, adapt the tips above to fit your pace and learning style. You've got this!

Questions

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- 1. Which category does the INA define as ineligible for certain immigration benefits?**
 - A. A. Lawful Permanent Residents**
 - B. B. Non-immigrants**
 - C. C. Certain crimes involving moral turpitude**
 - D. D. Refugees**

- 2. Which action does NOT require the issuance of a Notice to Appear (NTA)?**
 - A. Expedited Removal**
 - B. Reinstatement of Removal**
 - C. Judicial Removal**
 - D. Visa Overstay**

- 3. Can an alien in K-1 status who fails to marry their fiancée adjust status based on employment?**
 - A. Yes**
 - B. No**
 - C. Only under special circumstances**
 - D. Only if a waiver is granted**

- 4. Can an EB-3 skilled worker adjust status if they have worked without authorization for up to 90 days before filing for adjustment?**
 - A. No, working without authorization disqualifies them**
 - B. Yes, as long as they can prove compelling circumstances**
 - C. Yes, under the provision of 245(k)**
 - D. No, they must apply for a waiver first**

- 5. Which regulation mandates that all INA § 245 adjustment of status applicants must be interviewed by an officer, unless the interview is waived?**
 - A. INA § 245(a)**
 - B. 8 CFR § 245.4**
 - C. 8 CFR § 245.6**
 - D. 8 CFR § 316.14**

- 6. Who is the current President of the United States as of October 2023?**
- A. Joe Biden**
 - B. Donald Trump**
 - C. Barack Obama**
 - D. Kamala Harris**
- 7. What regulation governs the BIA's standard of review (de novo) for appeals?**
- A. 8 C.F.R. § 103.5(a)(3)**
 - B. 8 C.F.R. § 103.5(a)(5)**
 - C. 8 C.F.R. § 103.7(c)**
 - D. 8 C.F.R. § 1003.1(d)(3)(iii)**
- 8. Who has the power to declare war according to the Constitution?**
- A. The President**
 - B. The Senate**
 - C. The House of Representatives**
 - D. Both the Senate and House of Representatives**
- 9. What are two USCIS form types that can be appealed to the BIA?**
- A. Form I-485 and N-600**
 - B. Form I-821 and Form I-765**
 - C. Form I-130 and Form I-360 (widow(er))**
 - D. Form I-589 and Form I-590**
- 10. What occurs if an alien is granted Advance Parole?**
- A. A. Is guaranteed admission to the United States.**
 - B. B. May be paroled into the United States by CBP.**
 - C. C. Must be paroled into the United States by CBP.**
 - D. D. Should not leave the United States.**

Answers

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1. C
2. C
3. B
4. C
5. C
6. A
7. D
8. D
9. C
10. B

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Explanations

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1. Which category does the INA define as ineligible for certain immigration benefits?

- A. A. Lawful Permanent Residents**
- B. B. Non-immigrants**
- C. C. Certain crimes involving moral turpitude**
- D. D. Refugees**

The Immigration and Nationality Act (INA) specifies that individuals who have committed certain crimes involving moral turpitude can be ineligible for various immigration benefits. Moral turpitude generally refers to conduct that is considered contrary to community standards of justice, honesty, or good morals. Certain offenses classified under this category can impact a person's immigration status, including their ability to obtain visas, adjust their status, or achieve lawful permanent residency. Those who fall under this definition may be denied certain immigration benefits because the U.S. government has a vested interest in ensuring that individuals with such behaviors do not gain legal status or protection in the country. This is rooted in the principle of maintaining the moral fabric of society and protecting public safety. In contrast, lawful permanent residents, non-immigrants, and refugees are not automatically categorized as ineligible for immigration benefits based on the same standards. While they also have specific rules governing their immigration status, it is the actions related to crimes involving moral turpitude that distinctly highlight a reason for ineligibility.

2. Which action does NOT require the issuance of a Notice to Appear (NTA)?

- A. Expedited Removal**
- B. Reinstatement of Removal**
- C. Judicial Removal**
- D. Visa Overstay**

The action that does not require the issuance of a Notice to Appear (NTA) is judicial removal. In the context of immigration proceedings, judicial removal refers to a process initiated by the immigration courts where an individual faces removal under specific statutory grounds due to a prior conviction. This process is typically initiated by the Justice Department rather than immigration enforcement authorities, and as such, does not require a formal NTA as part of the initiation of proceedings. On the other hand, actions like expedited removal, reinstatement of removal, and visa overstays generally trigger the formal process that includes the issuance of a Notice to Appear. An NTA is crucial for starting removal proceedings, as it outlines the specifics of the case against the individual and serves as the formal notice of the government's intent to begin immigration proceedings. Therefore, understanding the context of these processes helps clarify why judicial removal stands apart in terms of the procedural requirements related to an NTA.

3. Can an alien in K-1 status who fails to marry their fiancée adjust status based on employment?

A. Yes

B. No

C. Only under special circumstances

D. Only if a waiver is granted

An alien in K-1 status, commonly known as a fiancé(e) visa, is granted this status specifically to enter the United States for the purpose of marrying their U.S. citizen sponsor. The terms of the K-1 visa are contingent upon a marriage to that U.S. citizen within 90 days of arrival. If the K-1 visa holder fails to marry their fiancée during this time period, they lose the basis for their K-1 status. Under immigration law, this individual cannot adjust their status based on employment because their initial entry into the U.S. was solely for the purpose of marrying the U.S. citizen. The K-1 status does not provide any independent path to adjustment of status or employment-based visas if the marriage does not occur. Thus, unless they marry their fiancée or gain another valid status, they do not have the legal basis to pursue adjustment of status for employment or for any other reason. This framework highlights the specific limitations placed on K-1 visa holders regarding their status and the requirements that must be fulfilled for them to maintain lawful status in the U.S.

4. Can an EB-3 skilled worker adjust status if they have worked without authorization for up to 90 days before filing for adjustment?

A. No, working without authorization disqualifies them

B. Yes, as long as they can prove compelling circumstances

C. Yes, under the provision of 245(k)

D. No, they must apply for a waiver first

The option stating that an EB-3 skilled worker can adjust status under the provision of 245(k) is accurate because this provision provides a pathway for certain individuals who may have engaged in unauthorized employment. Specifically, Section 245(k) allows individuals to adjust their status without a disqualification for having worked without authorization when the unauthorized work was for a period not exceeding 180 days and if they meet other requirements for adjustment of status. This provision recognizes that circumstances may lead to the temporary engagement in unauthorized employment, and it provides a degree of leniency, thereby allowing those who have only worked without authorization for a short duration—like up to 90 days—to still qualify for adjustment of status, provided they fulfill other eligibility criteria. Thus, individuals in this situation would not be barred from adjusting status because of their unauthorized work within that limited timeframe.

5. Which regulation mandates that all INA § 245 adjustment of status applicants must be interviewed by an officer, unless the interview is waived?

- A. INA § 245(a)**
- B. 8 CFR § 245.4**
- C. 8 CFR § 245.6**
- D. 8 CFR § 316.14**

The regulation that requires all adjustment of status applicants under INA § 245 to be interviewed, unless the interview is waived, is found in 8 CFR § 245.6. This regulation outlines the procedures for applicants seeking to adjust their status to lawful permanent residency and emphasizes the importance of an interview as a means of verifying the applicant's eligibility and assessing the authenticity of the application. While there are other relevant provisions, 8 CFR § 245.6 specifically addresses the interview requirement, setting a clear precedent for how the adjustment of status process is to be conducted. This ensures that officers can evaluate applicants directly and resolve any questions regarding their applications, which is a critical part of the process to maintain the integrity of immigration proceedings. The other options relate to different aspects of immigration law and do not encompass the specific requirement for an interview for adjustment of status applicants. For example, INA § 245(a) provides the general basis for adjusting status but does not detail the interview process. Similarly, 8 CFR § 245.4 discusses other procedural aspects, and 8 CFR § 316.14 addresses naturalization interviews, making them less relevant in this specific context of adjustment of status.

6. Who is the current President of the United States as of October 2023?

- A. Joe Biden**
- B. Donald Trump**
- C. Barack Obama**
- D. Kamala Harris**

Joe Biden is the current President of the United States as of October 2023. He was inaugurated on January 20, 2021, following the 2020 presidential election. Biden, a member of the Democratic Party, previously served as Vice President from 2009 to 2017 under President Barack Obama before running for the presidency himself. His administration has focused on various issues, including the COVID-19 pandemic response, economic recovery, and climate change. This context helps clarify why the other candidates listed are not the current president. Donald Trump served as the 45th president from 2017 to 2021. Barack Obama was the 44th president and served two terms from 2009 to 2017. Kamala Harris, while a significant figure as the Vice President, is not the president herself.

7. What regulation governs the BIA's standard of review (de novo) for appeals?

- A. 8 C.F.R. § 103.5(a)(3)**
- B. 8 C.F.R. § 103.5(a)(5)**
- C. 8 C.F.R. § 103.7(c)**
- D. 8 C.F.R. § 1003.1(d)(3)(iii)**

The regulation that governs the Board of Immigration Appeals (BIA)'s standard of review as de novo for appeals is outlined in 8 C.F.R. § 1003.1(d)(3)(iii). This section establishes that when the BIA reviews appeals, it does so without deference to the findings of the lower authority, evaluating the factual and legal issues anew as if the case had not been previously adjudicated. This standard allows the BIA to make independent decisions based on the information presented, ensuring a thorough examination of the case. In the context of my examination, other choices relate to different aspects of immigration regulations but do not specifically address the de novo standard of review applicable to BIA appeals. For instance, one of those options may reference procedural matters or other types of reviews but not the direct standard of review that applies specifically to the BIA's handling of appeals under the regulations established in 8 C.F.R. § 1003.1(d)(3)(iii). Understanding this specific regulatory framework is crucial for practitioners and individuals engaged with immigration law, as it frames how appeals will be handled at the BIA.

8. Who has the power to declare war according to the Constitution?

- A. The President**
- B. The Senate**
- C. The House of Representatives**
- D. Both the Senate and House of Representatives**

The Constitution grants Congress the authority to declare war, which includes both the Senate and the House of Representatives. This power is outlined in Article I, Section 8, where it explicitly states that Congress has the power "to declare war." This provision was established to ensure that the decision to engage in military conflict is a collective one, reflecting the will of the elected representatives of the people, rather than being vested solely in the executive branch. The President, as the Commander in Chief of the armed forces, does have significant authority to direct military operations once war is declared, but the initial decision to declare war requires congressional approval. This framework is designed to provide a system of checks and balances between the legislative and executive branches of government.

9. What are two USCIS form types that can be appealed to the BIA?

- A. Form I-485 and N-600**
- B. Form I-821 and Form I-765**
- C. Form I-130 and Form I-360 (widow(er))**
- D. Form I-589 and Form I-590**

The choice of Form I-130 and Form I-360 (widow(er)) as USCIS forms that can be appealed to the Board of Immigration Appeals (BIA) is correct because both forms are related to family-based immigration and humanitarian considerations, which are areas that the BIA has jurisdiction over when dealing with appeals. Form I-130 is the Petition for Alien Relative, which allows U.S. citizens and lawful permanent residents to petition for their foreign relatives to immigrate to the United States. If an I-130 petition is denied, the petitioner can appeal that decision to the BIA, allowing for a review of the case to ensure that proper legal standards were applied. Form I-360 is used for special immigration petitions, including those for widows or widowers of U.S. citizens. A denied petition under this form can also be appealed to the BIA. This avenue for appeal is critical for individuals seeking protection under humanitarian grounds, such as those that apply to widowed spouses. Both forms relate directly to immigration petitions, reflecting the broader scope of family reunification and humanitarian principles that the BIA oversees in its appellate processes. This makes them suitable for appeal, unlike other forms listed in the options, which either do not fall under

10. What occurs if an alien is granted Advance Parole?

- A. A. Is guaranteed admission to the United States.**
- B. B. May be paroled into the United States by CBP.**
- C. C. Must be paroled into the United States by CBP.**
- D. D. Should not leave the United States.**

When an alien is granted Advance Parole, it specifically means they are permitted to travel outside the United States and return without losing their application for a status adjustment or other immigration benefits. However, this does not ensure their automatic admission upon return. Instead, it indicates that when the individual returns, they may be paroled into the United States by Customs and Border Protection (CBP). Parole does not equate to a visa; it allows CBP to permit entry to the individual at the port of entry but does not guarantee it. The final decision rests with the CBP officer who reviews the circumstances of each case upon re-entry. This is important as it highlights that Advance Parole facilitates re-entry but does not assure it. The other responses do not accurately reflect the nature of Advance Parole. While some may imply guarantees or absolutes, they overlook the discretionary aspect inherent in how CBP operates regarding paroled entries.

Next Steps

Congratulations on reaching the final section of this guide. You've taken a meaningful step toward passing your certification exam and advancing your career.

As you continue preparing, remember that consistent practice, review, and self-reflection are key to success. Make time to revisit difficult topics, simulate exam conditions, and track your progress along the way.

If you need help, have suggestions, or want to share feedback, we'd love to hear from you. Reach out to our team at hello@examzify.com.

Or visit your dedicated course page for more study tools and resources:

<https://uscisbasicblock3.examzify.com>

We wish you the very best on your exam journey. You've got this!

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