

Table XIX
Immigrant and Nonimmigrant Visa Ineligibilities
(by Grounds for Refusal Under the Immigration and Nationality Act)
Fiscal Year 2022*

*Due to the COVID-19 pandemic, posts were instructed to suspend routine visa services and provide only mission critical and emergency services in late March 2020. This had a significant impact on the provision of Immigrant and Nonimmigrant Visa-related services. Posts were only able to resume limited services on a post-by-post basis beginning in July 2020, as local conditions allowed.

		Immigrant		Nonimmigrant	
Grounds for Refusal Under the Immigration and Nationality Act		Ineligibility Finding¹	Ineligibility Overcome²	Ineligibility Finding¹	Ineligibility Overcome²
203(c)	Failure to fulfill education and work experience requirement for Diversity Visa	1,373	62	-	-
204(a)(1)(I)	Failure to comply with Diversity Visa requirements/regulations	3,098	217	-	-
208(d)(6)	Knowingly Made Frivolous Application for Asylum	1	0	0	0
212(a)(1)(A)(i)	Communicable Disease	167	246	12	44
212(a)(1)(A)(ii)	Immigrant lacking required vaccinations	997	472	-	-
212(a)(1)(A)(iii)	Physical or mental disorder	581	160	185	18
212(a)(1)(A)(iv)	Drug Abuser or Addict	1,140	514	207	65
212(a)(2)(A)(i)(I)	Crime Involving Moral Turpitude	1,375	231	4,448	1,759
212(a)(2)(A)(i)(II)	Controlled Substance Violators	489	37	2,763	1,198
212(a)(2)(B)	Multiple Criminal Convictions	104	6	276	69
212(a)(2)(C)(i)	Illicit Trafficker in Any Controlled Substance	360	5	1,704	410
212(a)(2)(C)(ii)	Spouse, Son, or Daughter Who Benefited from Illicit Activities of Trafficker	40	5	369	21
212(a)(2)(D)(i)	Prostitution (within 10 years)	15	5	84	5
212(a)(2)(D)(ii)	Procuring (within 10 years)	5	0	11	1
212(a)(2)(D)(iii)	Unlawful Commercialized Vice	2	1	7	0
212(a)(2)(E)	Asserted immunity to avoid prosecution	0	0	1	0
212(a)(2)(G)	Foreign government officials who have engaged in violations of religious freedom	0	0	2	0
212(a)(2)(H)	Significant traffickers in persons	1	0	9	2
212(a)(2)(I)	Money Laundering	1	0	33	7
212(a)(3)(A)(i)	Espionage, sabotage, technology transfer, etc.	0	0	351	9
212(a)(3)(A)(ii)	Other Unlawful Activity	51	0	116	13
212(a)(3)(A)(iii)	Act to Overthrow U.S. Government	0	0	0	0
212(a)(3)(B)	Terrorist Activities	244	0	469	274
212(a)(3)(C)	Foreign Policy	0	0	4	0
212(a)(3)(D)	Immigrant Membership in Totalitarian Party	104	4	-	-
212(a)(3)(E)(i)	Participants in Nazi Persecutions	0	0	0	0
212(a)(3)(E)(ii)	Participants in Genocide	0	0	0	0
212(a)(3)(E)(iii)	Commission of Acts of Torture or Extrajudicial Killings	0	0	5	2
212(a)(3)(F)	Association with Terrorist Organizations	0	0	0	0
212(a)(3)(G)	Recruitment or Use of Child Soldiers	0	0	2	0
212(a)(4)	Public Charge	678	2,063	93	21
212(a)(5)(A)	Labor Certification (immigrants only)	945	540	-	-
212(a)(5)(B)	Unqualified Physician (immigrants only)	0	0	-	-

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Grounds for Refusal Under the Immigration and Nationality Act		Ineligibility Finding¹	Ineligibility Overcome²	Ineligibility Finding¹	Ineligibility Overcome²
212(a)(5)(C)	Uncertified foreign health-care workers	1	0	0	0
212(a)(6)(B)	Failure to attend removal proceedings	133	19	11	1
212(a)(6)(C)(i)	Misrepresentation	4,896	1,210	8,103	2,560
212(a)(6)(C)(ii)	Falsely claiming citizenship	332	0	769	289
212(a)(6)(E)	Smugglers of aliens	2,511	910	1,778	449
212(a)(6)(F)	Subject of civil penalty (under INA 274C)	0	0	0	0
212(a)(6)(G)	Student visa abusers	0	0	3	0
212(a)(7)(B)	Documentation requirement for nonimmigrants	-	-	180	160
212(a)(8)(A)	Immigrant permanently ineligible for citizenship	0	0	-	-
212(a)(8)(B)	Draft evader	0	0	4	3
212(a)(9)(A)(i)	Ordered removed upon arrival - expedited removal	550	318	1,060	127
212(a)(9)(A)(i)	Ordered removed upon arrival - multiple removals	253	77	493	12
212(a)(9)(A)(i)	Ordered removed upon arrival - convicted aggravated felony	23	0	95	4
212(a)(9)(A)(ii)	Ordered removed or departed while removal order outstanding	642	430	328	53
212(a)(9)(A)(ii)	Ordered removed or departed while removal order outstanding - multiple removals	220	61	201	7
212(a)(9)(A)(ii)	Ordered removed or departed while removal order outstanding - convicted aggravated felony	135	22	181	14
212(a)(9)(B)(i)(I)	Unlawfully present 181-364 days (within 3 years)	141	68	824	134
212(a)(9)(B)(i)(I)	Unlawfully present 181-364 days (within 3 years) (provisional waiver)	42	39	-	-
212(a)(9)(B)(i)(II)	Unlawfully present 365 or more days (within 10 years)	4,771	2,778	4,126	604
212(a)(9)(B)(i)(II)	Unlawfully present 365 or more days (within 10 years) (provisional waiver)	26,622	26,662	-	-
212(a)(9)(C)	Unlawfully present after previous immigration violations	3,013	1,381	7,280	2,919
212(a)(10)(A)	Practicing polygamist (immigrants only)	9	4	-	-
212(a)(10)(C)(i)	International child abductor	0	0	2	0
212(a)(10)(C)(ii)	Aliens supporting abductors and relatives of abductors	0	0	0	0
212(a)(10)(D)	Unlawful voter	0	0	3	1

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Grounds for Refusal Under the Immigration and Nationality Act		Ineligibility Finding¹	Ineligibility Overcome²	Ineligibility Finding¹	Ineligibility Overcome²
212(a)(10)(E)	Former U.S. citizen who renounced citizenship to avoid taxation	0	0	1	0
212(e)	Foreign residence requirement: Former exchange visitors	7	9	37	28
212(f)	Presidential proclamation suspending the entry of any class of aliens	7	1,851	1,764	123
214(b)	Failure to establish entitlement to nonimmigrant status	-	-	1,024,270	7,016
221(g)	Application does not comply with provisions of INA or regulations issued pursuant thereto	217,826	203,434	728,558	585,467
222(g)(2)	Alien in illegal status, required to apply for new nonimmigrant visa in country of alien's nationality	-	-	206	2
243(d)	National of a country denying or delaying accepting an alien	0	250	175	318
22 U.S.C. § 8771	Iranian Citizen Studying in Certain Energy-Related Fields	0	0	107	2
8 U.S.C. § 1182e	Any person who has been directly involved in the establishment or enforcement of forced abortion or sterilization	19	0	40	0
Misc. Executive Orders	Treasury or State Designation for Sanctions	0	0	1	0
22 U.S.C. § 10102	Sergei Magnitsky Rule of Law Accountability Act of 2012	0	0	0	0
Sec. 5(a)(1) of the JADE Act	Visa restrictions for certain Burmese nationals under the JADE Act of 2008	1	0	8	4
Sec. 103 Pub. Law 105-227	Disclosure/trafficking of confidential U.S. business information	0	0	0	0
Sec. 401 Pub. Law 104-114	Helms-Burton refusal	0	0	0	0
Sec. 402 Pub. Law 104-114	Conversion of confiscated U.S. property for gain	0	0	0	0
Sec. 306 Pub. Law 107-173	Inadmissible alien from a country that is a state sponsor of terrorism	1	0	148	1
Sec. 3205 Pub. Law 106-246	Individuals who aided and abetted Colombian insurgent and paramilitary groups	0	0	0	0
Sec. 7031(c), Pub. Law 116-94	Corruption and Gross Violation of Human Rights by Government Officials	0	0	7	6
Total Grounds of Ineligibility:		273,926	244,091	1,791,914	604,222

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Grounds for Refusal Under the Immigration and Nationality Act	Ineligibility Finding ¹	Ineligibility Overcome ²	Ineligibility Finding ¹	Ineligibility Overcome ²

¹ The table above reflects the number of unique applications found ineligible for issuance based on a given ineligibility ground during the listed fiscal year. The total of ineligibility findings does not necessarily reflect the number of applications refused because an application may be found ineligible under more than one ground of ineligibility during a fiscal year.

² The ineligibilities overcome may not necessarily represent the same ineligibilities recorded in the total of ineligibility findings. A visa may be refused in one fiscal year and the refusal overcome in a subsequent fiscal year. Each action will be separately recorded as part of the appropriate statistical report for the year in which it occurred. A refusal can be overcome by evidence that the ineligibility does not apply, by approval of a waiver, or by other relief as provided by law.