

Table XIX
Immigrant and Nonimmigrant Visa Ineligibilities
(by Grounds for Refusal Under the Immigration and Nationality Act)
Fiscal Year 2023*

Grounds for Refusal Under the Immigration and Nationality Act		Immigrant		Nonimmigrant	
		Ineligibility Finding ¹	Ineligibility Overcome ²	Ineligibility Finding ¹	Ineligibility Overcome ²
203(c)	Failure to fulfill education and work experience requirement for Diversity Visa	1,411	53	-	-
204(a)(1)(I)	Failure to comply with Diversity Visa requirements/regulations	1,391	24	-	-
208(d)(6)	Knowingly Made Frivolous Application for Asylum	1	0	0	0
212(a)(1)(A)(i)	Communicable Disease	218	234	5	6
212(a)(1)(A)(ii)	Immigrant lacking required vaccinations	835	577	-	-
212(a)(1)(A)(iii)	Physical or mental disorder	783	319	211	22
212(a)(1)(A)(iv)	Drug Abuser or Addict	1,563	687	245	51
212(a)(2)(A)(i)(I)	Crime Involving Moral Turpitude	1,681	178	7,764	2,475
212(a)(2)(A)(i)(II)	Controlled Substance Violators	619	19	5,104	1,783
212(a)(2)(B)	Multiple Criminal Convictions	138	5	503	102
212(a)(2)(C)(i)	Illicit Trafficker in Any Controlled Substance	431	5	3,286	610
212(a)(2)(C)(ii)	Spouse, Son, or Daughter Who Benefited from Illicit Activities of Trafficker	32	3	693	25
212(a)(2)(D)(i)	Prostitution (within 10 years)	11	0	169	16
212(a)(2)(D)(ii)	Procuring (within 10 years)	2	2	29	2
212(a)(2)(D)(iii)	Unlawful Commercialized Vice	1	0	7	0
212(a)(2)(E)	Asserted immunity to avoid prosecution	0	0	0	0
212(a)(2)(G)	Foreign government officials who have engaged in violations of religious freedom	0	0	0	0
212(a)(2)(H)	Significant traffickers in persons	0	0	26	5
212(a)(2)(I)	Money Laundering	6	0	49	11
212(a)(3)(A)(i)	Espionage, sabotage, technology transfer, etc.	5	0	223	14
212(a)(3)(A)(ii)	Other Unlawful Activity	42	0	162	6
212(a)(3)(A)(iii)	Act to Overthrow U.S. Government	0	0	0	0
212(a)(3)(B)	Terrorist Activities	131	0	562	290
212(a)(3)(C)	Foreign Policy	0	0	8	1
212(a)(3)(D)	Immigrant Membership in Totalitarian Party	67	9	-	-
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	1	0
212(a)(3)(F)	Association with Terrorist Organizations	0	0	0	0
212(a)(3)(G)	Recruitment or Use of Child Soldiers	0	0	0	0
212(a)(4)	Public Charge	452	766	86	8
212(a)(5)(A)	Labor Certification (immigrants only)	280	283	-	-
212(a)(5)(B)	Unqualified Physician (immigrants only)	0	0	-	-
212(a)(5)(C)	Uncertified foreign health-care workers	1	0	0	0
212(a)(6)(B)	Failure to attend removal proceedings	74	50	11	6
212(a)(6)(C)(i)	Misrepresentation	5,706	972	17,080	4,618
212(a)(6)(C)(ii)	Falsely claiming citizenship	426	0	1,686	657

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212(a)(6)(E)	Smugglers of aliens	3,186	965	3,968	1,076
212(a)(6)(F)	Subject of civil penalty (under INA 274C)	2	0	2	0
212(a)(6)(G)	Student visa abusers	0	0	1	0
212(a)(7)(B)	Documentation requirement for nonimmigrants	-	-	323	310
212(a)(8)(A)	Immigrant permanently ineligible for citizenship	0	0	-	-
212(a)(8)(B)	Draft evader	0	0	3	2
212(a)(9)(A)(i)	Ordered removed upon arrival - expedited removal	583	291	1,499	126
212(a)(9)(A)(i)	Ordered removed upon arrival - multiple removals	355	71	568	20
212(a)(9)(A)(i)	Ordered removed upon arrival - convicted aggravated felony	33	3	158	12
212(a)(9)(A)(ii)	Ordered removed or departed while removal order outstanding	594	299	470	64
212(a)(9)(A)(ii)	Ordered removed or departed while removal order outstanding - multiple removals	339	73	296	13
212(a)(9)(A)(ii)	Ordered removed or departed while removal order outstanding - convicted aggravated felony	175	16	356	24
212(a)(9)(B)(i)(I)	Unlawfully present 181-364 days (within 3 years)	157	81	980	147
212(a)(9)(B)(i)(I)	Unlawfully present 181-364 days (within 3 years) (provisional waiver)	20	17	-	-
212(a)(9)(B)(i)(II)	Unlawfully present 365 or more days (within 10 years)	3,883	2,190	5,810	539
212(a)(9)(B)(i)(II)	Unlawfully present 365 or more days (within 10 years) (provisional waiver)	13,199	13,217	-	-
212(a)(9)(C)	Unlawfully present after previous immigration violations	3,878	1,099	10,357	1,915
212(a)(10)(A)	Practicing polygamist (immigrants only)	19	3	-	-
212(a)(10)(C)(i)	International child abductor	0	0	1	0
212(a)(10)(C)(ii)	Aliens supporting abductors and relatives of abductors	0	0	1	0
212(a)(10)(D)	Unlawful voter	0	0	1	2
212(a)(10)(E)	Former U.S. citizen who renounced citizenship to avoid taxation	0	0	0	1
212(e)	Foreign residence requirement: Former exchange visitors	20	13	27	14
212(f)	Presidential proclamation suspending the entry of any class of aliens	9	450	1,209	75
214(b)	Failure to establish entitlement to nonimmigrant status	-	-	2,231,447	11,570
221(g)	Application does not comply with provisions of INA or regulations issued pursuant thereto	220,430	198,217	829,164	731,596

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222(g)(2)	Alien in illegal status, required to apply for new nonimmigrant visa in country of alien's nationality	-	-	153	2
243(d)	National of a country denying or delaying accepting an alien	0	6	231	211
8 U.S.C. § 1182e	Any person who has been directly involved in the establishment or enforcement of forced abortion or sterilization	19	0	479	4
8 U.S.C. § 1182f	Direct Involvement in Coerced Organ/Tissue Transplantation	1	0	0	0
Misc. Executive Orders	Treasury or State Designation for Sanctions	2	1	0	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	0	0	6	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. 501 Pub. Law 112-158	Iranian Citizen Studying in Certain Energy-Related Fields	0	0	140	5
Sec. 306 Pub. Law 107-173	Inadmissible alien from a country that is a state sponsor of terrorism	0	0	250	3
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	1	0	10	7
Total Grounds of Ineligibility:		263,212	221,198	3,125,820	758,450

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.

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²The 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.