

Table XIX
Immigrant and Nonimmigrant Visa Ineligibilities
(by Grounds for Refusal Under the Immigration and Nationality Act)
Fiscal Year 2020*

*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, as local conditions allowed.

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	56	0	0	0
204(a)(1)(I)	Failure to comply with Diversity Visa requirements/regulations	89	0	0	0
208(d)(6)	Knowingly Made Frivolous Application for Asylum	1	0	0	0
212(a)(1)(A)(i)	Communicable Disease	337	400	78	65
212(a)(1)(A)(ii)	Immigrant lacking required vaccinations	35	26	0	0
212(a)(1)(A)(iii)	Physical or mental disorder	152	96	80	7
212(a)(1)(A)(iv)	Drug Abuser or Addict	579	415	166	34
212(a)(2)(A)(i)(I)	Crime Involving Moral Turpitude	726	363	4,296	1,586
212(a)(2)(A)(i)(II)	Controlled Substance Violators	278	43	3,067	1,262
212(a)(2)(B)	Multiple Criminal Convictions	46	11	257	39
212(a)(2)(C)(i)	Illicit Trafficker in Any Controlled Substance	208	1	1,877	325
212(a)(2)(C)(ii)	Spouse, Son, or Daughter Who Benefited from Illicit Activities of Trafficker	25	2	393	13
212(a)(2)(D)(i)	Prostitution (within 10 years)	7	3	55	7
212(a)(2)(D)(ii)	Procuring (within 10 years)	3	1	11	1
212(a)(2)(D)(iii)	Unlawful Commercialized Vice	0	0	2	1
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	1	0
212(a)(2)(H)	Significant traffickers in persons	4	0	4	1
212(a)(2)(I)	Money Laundering	5	0	38	7
212(a)(3)(A)(i)	Espionage, sabotage, technology transfer, etc.	5	0	586	4
212(a)(3)(A)(ii)	Other Unlawful Activity	156	0	110	1
212(a)(3)(A)(iii)	Act to Overthrow U.S. Government	0	0	0	0
212(a)(3)(B)	Terrorist Activities	240	0	526	133
212(a)(3)(C)	Foreign Policy	0	0	1	0
212(a)(3)(D)	Immigrant Membership in Totalitarian Party	49	0	0	0
212(a)(3)(E)(i)	Participants in Nazi Persecutions	0	0	1	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	7	6
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	6,541	6,175	343	193
212(a)(5)(A)	Labor Certification (immigrants only)	6,274	227	1,126	38
212(a)(5)(B)	Unqualified Physician (immigrants only)	0	0	0	0
212(a)(5)(C)	Uncertified foreign health-care workers	2	0	1	0
212(a)(6)(B)	Failure to attend removal proceedings	28	6	4	1
212(a)(6)(C)(i)	Misrepresentation	2,877	1,883	8,139	1,907

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	Ineligibility Finding¹	Ineligibility Overcome²	Ineligibility Finding¹	Ineligibility Overcome²
212(a)(6)(C)(ii) Falsely claiming citizenship	191	0	844	182
212(a)(6)(E) Smugglers of aliens	1,887	1,697	1,878	359
212(a)(6)(F) Subject of civil penalty (under INA 274C)	2	0	2	0
212(a)(6)(G) Student visa abusers	0	0	14	0
212(a)(7)(B) Documentation requirement for nonimmigrants	0	0	128	86
212(a)(8)(A) Immigrant permanently ineligible for citizenship	0	0	0	0
212(a)(8)(B) Draft evader	0	0	2	3
212(a)(9)(A)(i) Ordered removed upon arrival	238	229	915	55
212(a)(9)(A)(i) Ordered removed upon arrival - multiple removals	124	50	281	3
212(a)(9)(A)(i) Ordered removed upon arrival - convicted aggravated felony	7	1	66	6
212(a)(9)(A)(ii) Ordered removed or departed while removal order outstanding	396	372	332	37
212(a)(9)(A)(ii) Ordered removed or departed while removal order outstanding - multiple removals	147	43	208	13
212(a)(9)(A)(ii) Ordered removed or departed while removal order outstanding - convicted aggravated felony	94	12	188	13
212(a)(9)(B)(i)(I) Unlawfully present 181-364 days (within 3 years)	52	63	277	40
212(a)(9)(B)(i)(I) Unlawfully present 181-364 days (within 3 years) (provisional waiver)	36	36	0	0
212(a)(9)(B)(i)(II) Unlawfully present 365 or more days (within 10 years)	3,020	3,501	4,378	430
212(a)(9)(B)(i)(II) Unlawfully present 365 or more days (within 10 years) (provisional waiver)	13,714	13,683	0	1
212(a)(9)(C) Unlawfully present after previous immigration violations	1,259	592	5,298	1,143
212(a)(10)(A) Practicing polygamist (immigrants only)	12	7	0	0
212(a)(10)(C)(i) International child abductor	0	0	4	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	2	0
212(a)(10)(E) Former U.S. citizen who renounced citizenship to avoid taxation	0	0	0	0
212(e) Foreign residence requirement: Former exchange visitors	18	12	19	5
212(f) Presidential proclamation suspending the entry of any class of aliens	32	2	206	28
214(b) Failure to establish entitlement to nonimmigrant status	0	0	1,204,880	8,112
221(g) Application does not comply with provisions of INA or regulations issued pursuant thereto	114,784	106,987	451,357	381,689
222(g)(2) Alien in illegal status, required to apply for new nonimmigrant visa in country of alien's nationality	0	0	58	3
243(d) National of a country denying or delaying accepting an alien	8	0	14	2
501 Iranian Citizen Studying in Certain Energy-Related Fields	0	0	49	1

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Grounds for Refusal Under the Immigration and Nationality Act		Immigrant		Nonimmigrant	
		Ineligibility Finding¹	Ineligibility Overcome²	Ineligibility Finding¹	Ineligibility Overcome²
801	Any person who has been directly involved in the establishment or enforcement of forced abortion or sterilization	0	0	17	0
EXOR	Treasury or State Designation for Sanctions	0	0	4	0
HC1	Suspending Admission of Immigrants Who Are Unable to Demonstrate Coverage by or the Ability and Intention to Pay for Appropriate Healthcare	5	4	1	1
MCF	Military-Civil Fusion Proclamation Under INA 212(f)	0	0	107	3
IVPP	Immigrant Who Presents Risk to the U.S. Labor Market During the Economic Recovery Following the COVID-19 Outbreak	8,934	4,318	9	3
NVPP	Nonimmigrant Harm to Labor Market	0	0	1,922	268
2017 E.O. on Immigration ³	Subject to 2017 Executive Order on Immigration	6,713	12,450	4,641	2,401
Sec. 5(a)(1) of the JADE Act	Visa restrictions for certain Burmese nationals under the JADE Act of 2008	1	1	38	10
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	306	10
Sec. 3205 Pub. Law 106-246	Individuals who aided and abetted Colombian insurgent and paramilitary groups	1	1	1	0
Sec. 7031(c), Pub. Law 116-94	Corruption and Gross Violation of Human Rights by Government Officials	0	0	14	9
Total Grounds of Ineligibility:		170,399	153,713	1,699,630	400,547

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.

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	Immigrant		Nonimmigrant	
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³ Listed total ineligibility findings pursuant to the 2017 E.O. on Immigration are not directly comparable to refusal counts provided in the Department of State’s Quarterly/Monthly Report of Implementation of Presidential Proclamation (P. P.) 9645. Refusal statistics in the Quarterly/Monthly Reports do not include applications subsequently issued, and are reported cumulatively from December 8, 2017, the date of full P. P. 9645 implementation, through the end of the stated reporting period, rather than by fiscal year as in the table above. Counts of monthly new subject applications provided in the Quarterly/Monthly Reports include not only applications found ineligible on P. P. 9645-grounds, as above, but also those issued pursuant to an exception or waiver or refused on non-P. P. 9645 grounds. President Biden signed PP 10141 on January 20, 2021, ending the travel restrictions under P. P. 9645.