

Table XX
Immigrant and Nonimmigrant Visa Ineligibilities
(by Grounds for Refusal Under the Immigration and Nationality Act)
Fiscal Year 2011

Grounds for Refusal Under the Immigration and Nationality Act		Immigrant		Nonimmigrant	
		Ineligibility Finding ¹	Ineligibility Overcome ²	Ineligibility Finding ¹	Ineligibility Overcome ²
212(a)(1)(A)(i)	Communicable Disease	552	517	10	1
212(a)(1)(A)(ii)	Immigrant lacking required vaccinations	1,361	1,299	-	-
212(a)(1)(A)(iii)	Physical or mental disorder	275	164	302	23
212(a)(1)(A)(iv)	Drug Abuser or Addict	1,166	0	84	15
212(a)(2)(A)(i)(I)	Crime Involving Moral Turpitude	1,062	326	5,811	3,142
212(a)(2)(A)(i)(II)	Controlled Substance Violators	456	41	3,827	2,174
212(a)(2)(B)	Multiple Criminal Convictions	113	4	294	101
212(a)(2)(C)(i)	Illicit Trafficker in Any Controlled Substance	368	0	2,367	708
212(a)(2)(C)(ii)	Spouse, Son, or Daughter Who Benefited from Illicit Activities of Trafficker	28	0	475	34
212(a)(2)(D)(i)	Prostitution (within 10 years)	13	6	25	3
212(a)(2)(D)(ii)	Procuring (within 10 years)	2	1	26	5
212(a)(2)(D)(iii)	Unlawful Commercialized Vice	0	0	6	2
212(a)(2)(E)	Asserted immunity to avoid prosecution	0	0	2	1
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	1	0	5	1
212(a)(2)(I)	Money Laundering	1	0	26	3
212(a)(3)(A)(i)	Espionage, sabotage, technology transfer, etc.	6	0	262	8
212(a)(3)(A)(ii)	Other Unlawful Activity	124	0	64	2
212(a)(3)(A)(iii)	Act to Overthrow U.S. Government	0	0	0	0
212(a)(3)(B)	Terrorist Activities	44	0	646	483
212(a)(3)(C)	Foreign Policy	0	0	1	0
212(a)(3)(D)	Immigrant Membership in Totalitarian Party	14	4	-	-
212(a)(3)(E)(i)	Participants in Nazi Persecutions	1	0	0	0
212(a)(3)(E)(ii)	Participants in Genocide	1	0	1	0
212(a)(3)(E)(iii)	Commission of Acts of Torture or Extrajudicial Killings	0	0	7	0
212(a)(3)(F)	Association with Terrorist Organizations	0	0	0	0
212(a)(3)(G)	Recruitment of Use of Child Soldiers	0	0	0	0
212(a)(4)	Public Charge	6,861	6,742	208	17
212(a)(5)(A)	Labor Certification (immigrants only)	14,817	1,420	-	-
212(a)(5)(B)	Unqualified Physician (immigrants only)	0	0	-	-
212(a)(5)(C)	Uncertified foreign health-care workers	0	1	6	1
212(a)(6)(B)	Failure to attend removal proceedings	97	0	15	2
212(a)(6)(C)(i)	Misrepresentation	6,667	1,429	9,852	3,075
212(a)(6)(C)(ii)	Falsely claiming citizenship	620	0	992	339
212(a)(6)(E)	Smugglers	2,593	727	2,251	786
212(a)(6)(F)	Subject of civil penalty (under INA 274C)	2	0	3	0
212(a)(6)(G)	Student visa abusers	0	0	19	6
212(a)(7)(B)	Documentation requirement for nonimmigrants	-	-	34	27
212(a)(8)(A)	Immigrant permanently ineligible for citizenship	0	0	-	-
212(a)(8)(B)	Draft evader	0	0	6	6
212(a)(9)(A)(i)	Ordered removed upon arrival	817	301	465	70

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		Ineligibility Finding ¹	Ineligibility Overcome ²	Ineligibility Finding ¹	Ineligibility Overcome ²
212(a)(9)(A)(i)	Ordered removed upon arrival - multiple removals	84	16	56	8
212(a)(9)(A)(i)	Ordered removed upon arrival - convicted aggravated felony	21	1	19	3
212(a)(9)(A)(ii)	Ordered removed or departed while removal order outstanding	1,478	597	457	148
212(a)(9)(A)(ii)	Ordered removed or departed while removal order outstanding - multiple removals	168	55	107	17
212(a)(9)(A)(ii)	Ordered removed or departed while removal order outstanding - convicted aggravated felony	92	1	64	16
212(a)(9)(B)(i)(I)	Unlawfully present 181-364 days (within 3 years)	389	267	775	153
212(a)(9)(B)(i)(II)	Unlawfully present 365 or more days (within 10 years)	25,790	16,406	9,585	1,130
212(a)(9)(C)	Unlawfully present after previous immigration violations	2,667	0	1,539	268
212(a)(10)(A)	Practicing polygamist (immigrants only)	20	4	-	-
212(a)(10)(C)(i)	International child abductor	0	0	2	1
212(a)(10)(C)(ii)	Aliens supporting abductors and relatives of abductors	0	0	4	0
212(a)(10)(D)	Unlawful voter	0	0	0	1
212(a)(10)(E)	Former U.S. citizen who renounced citizenship to avoid taxation	0	0	0	0
212(e)	Certain former exchange visitors	11	13	15	9
212(f)	Presidential proclamation	4	0	35	4
214(b)	Failure to establish entitlement to nonimmigrant status	-	-	1,218,324	15,868
221(g)	Application does not comply with provisions of INA or regulations issued pursuant thereto	312,968	190,248	837,477	743,524
222(g)(2)	Alien in illegal status, required to apply for new nonimmigrant visa in country of alien's nationality	-	-	34	5
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	0	0	118	2
Total Grounds of Ineligibility:		381,754	220,590	2,096,703	772,192
Number of Applications:¹		323,523	204,544	2,067,262	767,170

The figures at the end of this table show totals of **applications** refused and refusals overcome. The total of applications refused does not necessarily reflect the number of persons refused during the year. One applicant can apply and be found ineligible more than one time in a fiscal year.

¹ The total grounds of ineligibility may exceed the number of applications refused because one applicant may be found ineligible under more

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	Ineligibility Finding¹	Ineligibility Overcome²	Ineligibility Finding¹	Ineligibility Overcome²

than one section of the Immigration and Nationality Act.

² The total of ineligibilities overcome may not necessarily represent the same visa applicants found ineligible and 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.