

Table XX
Immigrant and Nonimmigrant Visa Ineligibilities
(by Grounds for Refusal Under the Immigration and Nationality Act)
Fiscal Year 2010

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	480	640	49	47
212(a)(1)(A)(ii)	Immigrant lacking required vaccinations	389	377	-	-
212(a)(1)(A)(iii)	Physical or mental disorder	294	157	269	40
212(a)(1)(A)(iv)	Drug Abuser or Addict	1,689	0	167	38
212(a)(2)(A)(i)(I)	Crime Involving Moral Turpitude	971	331	5,735	3,319
212(a)(2)(A)(i)(II)	Controlled Substance Violators	443	24	3,475	2,072
212(a)(2)(B)	Multiple Criminal Convictions	74	3	302	102
212(a)(2)(C)(i)	Illicit Trafficker in Any Controlled Substance	315	4	2,318	618
212(a)(2)(C)(ii)	Spouse, Son, or Daughter Who Benefited from Illicit Activities of Trafficker	11	0	472	30
212(a)(2)(D)(i)	Prostitution (within 10 years)	18	12	38	7
212(a)(2)(D)(ii)	Procuring (within 10 years)	2	4	24	6
212(a)(2)(D)(iii)	Unlawful Commercialized Vice	2	1	0	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	10	0
212(a)(2)(I)	Money Laundering	1	0	17	4
212(a)(3)(A)(i)	Espionage, sabotage, technology transfer, etc.	1	0	101	3
212(a)(3)(A)(ii)	Other Unlawful Activity	82	0	61	6
212(a)(3)(A)(iii)	Act to Overthrow U.S. Government	0	0	0	0
212(a)(3)(B)	Terrorist Activities	18	0	603	387
212(a)(3)(C)	Foreign Policy	0	0	1	0
212(a)(3)(D)	Immigrant Membership in Totalitarian Party	3	5	-	-
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	0	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	10,869	7,516	171	16
212(a)(5)(A)	Labor Certification (immigrants only)	15,905	1,676	-	-
212(a)(5)(B)	Unqualified Physician (immigrants only)	0	0	-	-
212(a)(5)(C)	Uncertified foreign health-care workers	2	1	31	8
212(a)(6)(B)	Failure to attend removal proceedings	89	0	24	7
212(a)(6)(C)(i)	Misrepresentation	6,088	1,450	9,259	2,637
212(a)(6)(C)(ii)	Falsely claiming citizenship	566	0	871	285
212(a)(6)(E)	Smugglers	1,638	449	2,081	640
212(a)(6)(F)	Subject of civil penalty (under INA 274C)	0	1	0	0
212(a)(6)(G)	Student visa abusers	1	0	18	9
212(a)(7)(B)	Documentation requirement for nonimmigrants	-	-	33	18
212(a)(8)(A)	Immigrant permanently ineligible for citizenship	0	0	-	-
212(a)(8)(B)	Draft evader	0	0	10	8
212(a)(9)(A)(i)	Ordered removed upon arrival	868	299	429	78

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212(a)(9)(A)(i)	Ordered removed upon arrival - multiple removals	57	13	41	12
212(a)(9)(A)(i)	Ordered removed upon arrival - convicted aggravated felony	22	1	22	5
212(a)(9)(A)(ii)	Ordered removed or departed while removal order outstanding	1,401	404	453	157
212(a)(9)(A)(ii)	Ordered removed or departed while removal order outstanding - multiple removals	142	39	103	23
212(a)(9)(A)(ii)	Ordered removed or departed while removal order outstanding - convicted aggravated felony	72	0	57	21
212(a)(9)(B)(i)(I)	Unlawfully present 181-364 days (within 3 years)	405	329	987	128
212(a)(9)(B)(i)(II)	Unlawfully present 365 or more days (within 10 years)	21,688	18,497	8,880	917
212(a)(9)(C)	Unlawfully present after previous immigration violations	2,295	1	1,552	145
212(a)(10)(A)	Practicing polygamist (immigrants only)	14	4	-	-
212(a)(10)(C)(i)	International child abductor	0	0	0	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	2	0
212(a)(10)(E)	Former U.S. citizen who renounced citizenship to avoid taxation	0	0	0	0
212(e)	Certain former exchange visitors	24	17	31	25
212(f)	Presidential proclamation	6	0	38	2
214(b)	Failure to establish entitlement to nonimmigrant status	-	-	1,159,519	16,457
221(g)	Application does not comply with provisions of INA or regulations issued pursuant thereto	286,889	185,880	694,620	617,155
222(g)(2)	Alien in illegal status, required to apply for new nonimmigrant visa in country of alien's nationality	-	-	54	8
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	70	2
Total Grounds of Ineligibility:		353,834	218,135	1,892,999	645,442
Number of Applications:¹		306,160	203,001	1,863,994	640,834

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 than one section of the Immigration and Nationality Act.

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	Ineligibility Finding¹	Ineligibility Overcome²	Ineligibility Finding¹	Ineligibility Overcome²

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.