

Table XX
Immigrant and Nonimmigrant Visa Ineligibilities
(by Grounds for Refusal Under the Immigration and Nationality Act)
Fiscal Year 2012

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	421	507	14	3
212(a)(1)(A)(ii)	Immigrant lacking required vaccinations	1,566	1,519	-	-
212(a)(1)(A)(iii)	Physical or mental disorder	186	73	417	55
212(a)(1)(A)(iv)	Drug Abuser or Addict	1,523	0	112	13
212(a)(2)(A)(i)(I)	Crime Involving Moral Turpitude	1,331	328	6,647	2,580
212(a)(2)(A)(i)(II)	Controlled Substance Violators	557	78	4,155	1,619
212(a)(2)(B)	Multiple Criminal Convictions	85	5	376	107
212(a)(2)(C)(i)	Illicit Trafficker in Any Controlled Substance	432	0	2,833	585
212(a)(2)(C)(ii)	Spouse, Son, or Daughter Who Benefited from Illicit Activities of Trafficker	23	1	658	42
212(a)(2)(D)(i)	Prostitution (within 10 years)	20	17	35	3
212(a)(2)(D)(ii)	Procuring (within 10 years)	4	2	35	8
212(a)(2)(D)(iii)	Unlawful Commercialized Vice	0	0	5	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	0	0
212(a)(2)(H)	Significant traffickers in persons	1	0	4	0
212(a)(2)(I)	Money Laundering	1	0	20	7
212(a)(3)(A)(i)	Espionage, sabotage, technology transfer, etc.	11	0	249	8
212(a)(3)(A)(ii)	Other Unlawful Activity	223	0	73	7
212(a)(3)(A)(iii)	Act to Overthrow U.S. Government	0	0	0	0
212(a)(3)(B)	Terrorist Activities	76	0	814	470
212(a)(3)(C)	Foreign Policy	0	0	0	0
212(a)(3)(D)	Immigrant Membership in Totalitarian Party	19	8	-	-
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	6	2
212(a)(3)(F)	Association with Terrorist Organizations	0	0	0	0
212(a)(3)(G)	Recruitment of Use of Child Soldiers	0	0	5	2
212(a)(4)	Public Charge	4,901	5,218	261	19
212(a)(5)(A)	Labor Certification (immigrants only)	11,386	1,386	-	-
212(a)(5)(B)	Unqualified Physician (immigrants only)	0	0	-	-
212(a)(5)(C)	Uncertified foreign health-care workers	2	0	0	0
212(a)(6)(B)	Failure to attend removal proceedings	172	0	10	2
212(a)(6)(C)(i)	Misrepresentation	7,436	1,737	12,754	3,390
212(a)(6)(C)(ii)	Falsely claiming citizenship	687	0	1,592	386
212(a)(6)(E)	Smugglers	3,634	1,424	3,052	856
212(a)(6)(F)	Subject of civil penalty (under INA 274C)	0	0	0	0
212(a)(6)(G)	Student visa abusers	1	0	10	4
212(a)(7)(B)	Documentation requirement for nonimmigrants	-	-	63	46
212(a)(8)(A)	Immigrant permanently ineligible for citizenship	0	0	-	-
212(a)(8)(B)	Draft evader	1	0	13	8
212(a)(9)(A)(i)	Ordered removed upon arrival	903	326	668	66

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212(a)(9)(A)(i)	Ordered removed upon arrival - multiple removals	103	16	39	9
212(a)(9)(A)(i)	Ordered removed upon arrival - convicted aggravated felony	20	0	17	5
212(a)(9)(A)(ii)	Ordered removed or departed while removal order outstanding	1,631	700	594	107
212(a)(9)(A)(ii)	Ordered removed or departed while removal order outstanding - multiple removals	188	35	95	18
212(a)(9)(A)(ii)	Ordered removed or departed while removal order outstanding - convicted aggravated felony	96	5	71	13
212(a)(9)(B)(i)(I)	Unlawfully present 181-364 days (within 3 years)	440	285	778	99
212(a)(9)(B)(i)(II)	Unlawfully present 365 or more days (within 10 years)	27,524	21,673	13,954	969
212(a)(9)(C)	Unlawfully present after previous immigration violations	2,964	0	2,653	304
212(a)(10)(A)	Practicing polygamist (immigrants only)	44	6	-	-
212(a)(10)(C)(i)	International child abductor	0	0	5	1
212(a)(10)(C)(ii)	Aliens supporting abductors and relatives of abductors	0	0	0	0
212(a)(10)(D)	Unlawful voter	1	0	0	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	26	9	10	5
212(f)	Presidential proclamation	2	0	70	5
214(b)	Failure to establish entitlement to nonimmigrant status	-	-	1,308,983	16,563
221(g)	Application does not comply with provisions of INA or regulations issued pursuant thereto	303,166	197,489	806,773	724,217
222(g)(2)	Alien in illegal status, required to apply for new nonimmigrant visa in country of alien's nationality	-	-	106	7
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	1	0
Sec. 306 Pub. Law 107-173	Inadmissible alien from a country that is a state sponsor of terrorism	0	0	155	7
Total Grounds of Ineligibility:		371,807	232,847	2,169,186	752,618
Number of Applications:¹		311,835	215,321	2,132,149	749,257

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.