

**Table XX**  
**Immigrant and Nonimmigrant Visa Ineligibilities**  
**(by Grounds for Refusal Under the Immigration and Nationality Act)**  
**Fiscal Year 2001**

Grounds for Refusal Under the Immigration and Nationality Act		Immigrant		Nonimmigrant	
		Ineligibility Finding <sup>1</sup>	Ineligibility Overcome <sup>2</sup>	Ineligibility Finding <sup>1</sup>	Ineligibility Overcome <sup>2</sup>
<b>Section</b>					
212(a)(1)(A)(i)	Communicable Disease	733	147	202	53
212(a)(1)(A)(ii)	Immigrant Lacking Required Vaccinations	29	16	<sup>3</sup>	<sup>3</sup>
212(a)(1)(A)(iii)	Physical or Mental Disorder	81	59	28	4
212(a)(1)(A)(iv)	Drug Abuser or Addict	525	9	116	7
212(a)(2)(A)(i)(I)	Crime Involving Moral Turpitude	457	206	2,292	524
212(a)(2)(A)(i)(II)	Controlled Substance Violators	156	25	1,344	393
212(a)(2)(B)	Multiple Criminal Convictions	37	6	146	29
212(a)(2)(C)	Controlled Substance Traffickers	117	0	1,336	50
212(a)(2)(D)(i)	Prostitution (Within 10 Years)	8	4	37	11
212(a)(2)(D)(ii)	Procuring (Within 10 Years)	2	1	10	0
212(a)(2)(D)(iii)	Unlawful Commercialized Vice	0	0	1	0
212(a)(2)(E)	Certain Aliens Involved In Serious Criminal Activity Who Have Asserted Immunity From Prosecution	1	0	2	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	0	0
212(a)(3)(A)(i)	Espionage, Sabotage, Technology Transfer	1	0	18	1
212(a)(3)(A)(ii)	Other Unlawful Activity	3	0	94	4
212(a)(3)(A)(iii)	Activity to Overthrow U.S. Government	1	0	0	0
212(a)(3)(B)	Terrorist Activities	1	0	83	0
212(a)(3)(C)	Foreign Policy	0	0	3	0
212(a)(3)(D)	Immigrant Membership in Totalitarian Party	14	4	<sup>3</sup>	<sup>3</sup>
212(a)(3)(E)(i)	Participation in Nazi Persecutions	0	0	4	0
212(a)(3)(E)(ii)	Participation in Genocide	0	0	0	0
212(a)(4)	Public Charge	27,580	21,689	1,182	210
212(a)(5)(A)	Labor Certification	9,217	322	<sup>3</sup>	<sup>3</sup>
212(a)(5)(B)	Unqualified Physicians	26	0	<sup>3</sup>	<sup>3</sup>
212(a)(5)(C)	Uncertified Foreign Health-Care Workers	3	0	3	0
212(a)(6)(B)	Failure to Attend Removal Proceedings	13	0	3	2
212(a)(6)(C)(i)	Misrepresentation	2,570	593	14,364	234
212(a)(6)(C)(ii)	False Claim to U.S. Citizenship	177	1	625	2
212(a)(6)(E)	Smugglers of Aliens	405	22	2,112	21
212(a)(6)(F)	Subject of Civil Penalty (Under INA 274C)	1	0	3	0
212(a)(6)(G)	Student Visa Abusers	1	0	42	3
212(a)(7)(B)	Nonimmigrant Documentation Requirement	<sup>4</sup>	<sup>4</sup>	1,171	845
212(a)(8)(A)	Ineligible for Citizenship: In General	2	0	<sup>3</sup>	<sup>3</sup>
212(a)(8)(B)	Draft Evaders	0	0	13	3
212(a)(9)(A)(i)	Ordered Removed Upon Arrival	395	144	865	9
212(a)(9)(A)(i)	Ordered Removed Upon Arrival – Multiple Removals	15	11	106	0
212(a)(9)(A)(i)	Ordered Removed Upon Arrival – Convicted of Aggravated Felony	24	1	33	0

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		Ineligibility Finding <sup>1</sup>	Ineligibility Overcome <sup>2</sup>	Ineligibility Finding <sup>1</sup>	Ineligibility Overcome <sup>2</sup>
<b>Section</b>					
212(a)(9)(A)(ii)	Ordered Removed or Departed While Removal Order Outstanding	229	90	364	9
212(a)(9)(A)(ii)	Ordered Removed or Departed While Removal Order Outstanding – Multiple Removals	33	42	93	2
212(a)(9)(A)(ii)	Ordered Removed or Departed While Removal Order Outstanding – Convicted of Aggravated Felony	36	3	68	1
212(a)(9)(B)(i)(I)	Unlawfully Present 181–364 Days (Within 3 Years)	537	818	583	32
212(a)(9)(B)(i)(II)	Unlawfully Present 365 or More Days (Within 10 Years)	4,847	5,339	1,406	62
212(a)(9)(C)	Unlawfully Present After Previous Immigration Violations	212	0	21	1
212(a)(10)(A)	Practicing Polygamists	14	3	3	3
212(a)(10)(C)(i)	International Child Abduction	3	0	4	0
212(a)(10)(C)(ii)	Aliens Supporting Abductors and Relatives of Abductors	0	0	1	0
212(a)(10)(D)	Unlawful Voters	0	0	5	0
212(a)(10)(E)	Former U.S. Citizens Who Renounced Citizenship to Avoid Taxation	0	0	0	0
212(e)	Foreign Residence Requirement: Former Exchange Visitor	50	45	75	28
212(f)	Presidential Proclamation Suspending the Entry of Any Class of Aliens	0	0	0	0
214(b)	Failure to Establish Entitlement to Nonimmigrant Status	4	4	2,276,611	69,319
221(g)	Applications Do Not Comply With the Provisions of the Immigration and Nationality Act or Regulations Issued Pursuant Thereto	183,480	134,289	578,784	299,309
222(g)	Alien in Illegal Status Required to Apply for New Nonimmigrant Visa in Country of Nationality	4	4	534	16
	<b>Total Grounds of Ineligibility:</b>	<b>232,036</b>	<b>163,889</b>	<b>2,884,787</b>	<b>371,184</b>
	<b>Number of Applications:<sup>1</sup></b>	<b>217,402</b>	<b>143,477</b>	<b>2,879,474</b>	<b>370,859</b>

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.

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At some posts with automated visa systems, the data base does not reflect complete nonimmigrant visa refusals **overcome** statistics. Therefore, the nonimmigrant visa refusals **overcome** figures may be somewhat understated.

- <sup>1</sup> 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.
- <sup>2</sup> The total 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.
- <sup>3</sup> N/A - Not applicable because the cited ground of ineligibility does not apply to nonimmigrants.
- <sup>4</sup> N/A - Not applicable because the cited ground of ineligibility does not apply to immigrants.