

Table XX
Immigrant and Nonimmigrant Visa Ineligibilities
(by Grounds for Refusal Under the Immigration and Nationality Act)
Fiscal Year 2008

Grounds for Refusal Under the the Immigration and Nationality Act		Immigrant		Nonimmigrant	
		Ineligibility Finding	Ineligibility Overcome	Ineligibility Finding	Ineligibility Overcome
212(a)(1)(A)(i)	Communicable Disease	832	437	219	187
212(a)(1)(A)(ii)	Immigrant lacking required vaccinations	29	26	0	0
212(a)(1)(A)(iii)	Physical or mental disorder	479	89	329	135
212(a)(1)(A)(iv)	Drug Abuser or Addict	2,457	0	189	56
212(a)(2)(A)(i)(I)	Crime Involving Moral Turpitude	1,196	202	5,308	3,290
212(a)(2)(A)(i)(II)	Controlled Substance Violators	465	22	2,841	1,867
212(a)(2)(B)	Multiple Criminal Convictions	90	6	309	123
212(a)(2)(C)(i)	Illicit Trafficker in Any Controlled Substance	384	3	1,607	499
212(a)(2)(C)(ii)	Spouse, Son, or Daughter Who Benefited from Illicit Activities of Trafficker	20	1	381	27
212(a)(2)(D)(i)	Prostitution (within 10 years)	17	9	27	2
212(a)(2)(D)(ii)	Procuring (within 10 years)	5	1	33	7
212(a)(2)(D)(iii)	Unlawful Commercialized Vice	1	1	3	2
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	1	0	2	0
212(a)(2)(I)	Money Laundering	2	0	24	5
212(a)(3)(A)(i)	Espionage, sabotage, technology transfer, etc.	4	0	212	5
212(a)(3)(A)(ii)	Other Unlawful Activity	23	0	41	7
212(a)(3)(A)(iii)	Act to Overthrow USG	0	0	0	0
212(a)(3)(B)	Terrorist Activities	17	0	401	266
212(a)(3)(C)	Foreign Policy	0	0	0	0
212(a)(3)(D)	Immigrant Membership in Totalitarian Party	19	11	0	0
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)(4)	Public Charge	6,862	5,198	743	52
212(a)(5)(A)	Labor Certification	18,025	464	0	0
212(a)(5)(B)	Unqualified Physician	2	1	0	0
212(a)(5)(C)	Uncertified foreign health-care workers	13	33	0	0
212(a)(6)(B)	Failure to attend removal proceedings	33	0	28	14
212(a)(6)(C)(i)	Misrepresentation	6,045	1,280	7,977	1,968
212(a)(6)(C)(ii)	Falsely claiming citizenship	992	0	981	258
212(a)(6)(E)	Smugglers	1,104	86	1,963	507
212(a)(6)(F)	Subject of civil penalty (under INA 274C)	0	1	0	0
212(a)(6)(G)	Student visa abusers	1	0	14	3
212(a)(7)(B)	Documentation requirement for nonimmigrants	-	-	22	12
212(a)(8)(A)	Immigrant permanently ineligible for citizenship (IV only)	0	0	-	-
212(a)(8)(B)	Draft evader	0	0	6	7
212(a)(9)(A)(i)	Ordered removed upon arrival	1,340	220	494	110
212(a)(9)(A)(i)	Ordered removed upon arrival - multiple removals	73	7	45	7

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212(a)(9)(A)(i)	Ordered removed upon arrival - convicted aggravated felony	22	0	20	7
212(a)(9)(A)(ii)	Ordered removed or departed while removal order outstanding	934	247	481	223
212(a)(9)(A)(ii)	Ordered removed or departed while removal order outstanding multiple removals	165	34	89	16
212(a)(9)(A)(ii)	Ordered removed or departed while removal order outstanding convicted aggravated felony	68	1	66	6
212(a)(9)(B)(i)(I)	Unlawfully present 181-364 days (within 3 years)	503	333	1,509	133
212(a)(9)(B)(i)(II)	Unlawfully present 365 or more days (within 10 years)	30,566	16,589	7,849	784
212(a)(9)(C)	Unlawfully present after previous immigration violations	4,267	0	1,189	55
212(a)(10)(A)	Practicing polygamist	23	5	0	0
212(a)(10)(C)(1)	International child abductor	0	0	0	0
212(a)(10)(C)(2)	Aliens supporting abductors and relatives of abductors	0	0	0	0
212(a)(10)(D)	Unlawful voter	1	0	1	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	11	7	20	8
212(f)	Presidential proclamation	0	0	373	11
214(b)	Failure to establish entitlement to nonimmigrant status	-	-	1,481,471	19,837
221(g)	Application does not comply with provisions of INA or regulations issued pursuant thereto	257,177	169,334	589,418	510,549
222(g)(2)	Alien in illegal status, required to apply for new NIV in country of alien's nationality	-	-	144	20
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	65	5
Total Grounds of Ineligibility:		334,268	194,648	2,106,894	541,070
Number of Applications:¹		291,792	184,457	2,083,726	538,129

The figures at the end of this table show totals of **applications** refused and reufsals 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.