

Table XX
Immigrant and Nonimmigrant Visa Ineligibilities
(by Grounds for Refusal Under the Immigration and Nationality Act)
Fiscal Year 2002

Grounds for Refusal Under the Immigration and Nationality Act		Immigrant		Nonimmigrant	
		Ineligibility Finding ¹	Ineligibility Overcome ²	Ineligibility Finding ¹	Ineligibility Overcome ²
Section					
212(a)(1)(A)(i)	Communicable Disease	589	182	238	62
212(a)(1)(A)(ii)	Immigrant Lacking Required Vaccinations	14	14	3	3
212(a)(1)(A)(iii)	Physical or Mental Disorder	63	56	62	6
212(a)(1)(A)(iv)	Drug Abuser or Addict	391	1	210	3
212(a)(2)(A)(i)(I)	Crime Involving Moral Turpitude	426	231	2,068	519
212(a)(2)(A)(i)(II)	Controlled Substance Violators	251	32	1,611	295
212(a)(2)(B)	Multiple Criminal Convictions	29	5	292	45
212(a)(2)(C)	Controlled Substance Traffickers	127	0	2,567	61
212(a)(2)(D)(i)	Prostitution (Within 10 Years)	7	2	20	7
212(a)(2)(D)(ii)	Procuring (Within 10 Years)	1	0	7	0
212(a)(2)(D)(iii)	Unlawful Commercialized Vice	1	0	2	0
212(a)(2)(E)	Certain Aliens Involved In Serious Criminal Activity Who Have Asserted Immunity From 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	0	0
212(a)(2)(I)	Money Laundering	0	0	17	3
212(a)(3)(A)(i)	Espionage, Sabotage, Technology Transfer	4	1	45	1
212(a)(3)(A)(ii)	Other Unlawful Activity	7	0	63	6
212(a)(3)(A)(iii)	Activity to Overthrow U.S. Government	0	0	0	0
212(a)(3)(B)	Terrorist Activities	2	0	47	0
212(a)(3)(C)	Foreign Policy	0	0	0	0
212(a)(3)(D)	Immigrant Membership in Totalitarian Party	13	5	3	3
212(a)(3)(E)(i)	Participation in Nazi Persecutions	0	0	3	0
212(a)(3)(E)(ii)	Participation in Genocide	0	0	0	0
212(a)(3)(F)	Association with Terrorist Organizations	0	0	25	0
212(a)(4)	Public Charge	17,511	17,825	2,472	300
212(a)(5)(A)	Labor Certification	9,368	173	3	3
212(a)(5)(B)	Unqualified Physicians	406	5	3	3
212(a)(5)(C)	Uncertified Foreign Health-Care Workers	4	1	0	0
212(a)(6)(B)	Failure to Attend Removal Proceedings	18	0	12	1
212(a)(6)(C)(i)	Misrepresentation	5,961	773	13,569	403
212(a)(6)(C)(ii)	False Claim to U.S. Citizenship	212	2	933	5
212(a)(6)(E)	Smugglers of Aliens	285	30	2,729	32
212(a)(6)(F)	Subject of Civil Penalty (Under INA 274C)	1	0	0	0
212(a)(6)(G)	Student Visa Abusers	1	0	30	5
212(a)(7)(B)	Nonimmigrant Documentation Requirement	4	4	1,121	705
212(a)(8)(A)	Ineligible for Citizenship: In General	1	0	3	3
212(a)(8)(B)	Draft Evaders	2	0	12	5
212(a)(9)(A)(i)	Ordered Removed Upon Arrival	440	255	1,092	26
212(a)(9)(A)(i)	Ordered Removed Upon Arrival – Multiple Removals	11	4	137	3

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		Ineligibility Finding ¹	Ineligibility Overcome ²	Ineligibility Finding ¹	Ineligibility Overcome ²
Section					
212(a)(9)(A)(i)	Ordered Removed Upon Arrival – Convicted of Aggravated Felony	22	0	21	1
212(a)(9)(A)(ii)	Ordered Removed or Departed While Removal Order Outstanding	212	108	304	16
212(a)(9)(A)(ii)	Ordered Removed or Departed While Removal Order Outstanding – Multiple Removals	33	14	98	3
212(a)(9)(A)(ii)	Ordered Removed or Departed While Removal Order Outstanding – Convicted of Aggravated Felony	35	1	62	0
212(a)(9)(B)(i)(I)	Unlawfully Present 181–364 Days (Within 3 Years)	296	372	811	66
212(a)(9)(B)(i)(II)	Unlawfully Present 365 or More Days (Within 10 Years)	2,259	3,162	2,142	127
212(a)(9)(C)	Unlawfully Present After Previous Immigration Violations	294	0	61	0
212(a)(10)(A)	Practicing Polygamists	12	6	3	3
212(a)(10)(C)(i)	International Child Abduction	1	0	13	1
212(a)(10)(C)(ii)	Aliens Supporting Abductors and Relatives of Abductors	0	0	2	0
212(a)(10)(D)	Unlawful Voters	0	0	0	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	46	27	69	21
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	1,890,995	51,846
221(g)	Applications Do Not Comply With the Provisions of the Immigration and Nationality Act or Regulations Issued Pursuant Thereto	183,862	142,744	676,022	388,671
222(g)	Alien in Illegal Status Required to Apply for New Nonimmigrant Visa in Country of Nationality	4	4	383	37
	Total Grounds of Ineligibility:	223,218	166,031	2,600,367	443,282
	Number of Applications:¹	209,703	132,130	2,595,373	443,177

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.

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.

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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.

² 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.

³ N/A - Not applicable because the cited ground of ineligibility does not apply to nonimmigrants.

⁴ N/A - Not applicable because the cited ground of ineligibility does not apply to immigrants.