

**Table XX**  
**Immigrant and Nonimmigrant Visa Ineligibilities**  
**(by Grounds for Refusal Under the Immigration and Nationality Act)**  
**Fiscal Year 2005**

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>
212(a)(1)(A)(i) Communicable Disease	798	310	145	95
212(a)(1)(A)(ii) Immigrant lacking required vaccinations	26	23	-	-
212(a)(1)(A)(iii) Physical or mental disorder	160	38	26	14
212(a)(1)(A)(iv) Drug Abuser or Addict	984	8	67	19
212(a)(2)(A)(i)(I) Crime Involving Moral Turpitude	717	205	4,277	2,373
212(a)(2)(A)(i)(II) Controlled Substance Violators	421	33	1,873	1,014
212(a)(2)(B) Multiple Criminal Convictions	55	4	170	54
212(a)(2)(C)(i) Illicit Trafficker in Any Controlled Substance	177	1	909	252
212(a)(2)(C)(ii) Spouse, Son, or Daughter Who Benefited from Illicit Activities of Trafficker	6	0	171	7
212(a)(2)(D)(i) Prostitution (within 10 years)	21	3	23	8
212(a)(2)(D)(ii) Procuring (within 10 years)	4	1	20	6
212(a)(2)(D)(iii) Unlawful Commercialized Vice	0	0	2	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	2	0
212(a)(2)(I) Money Laundering	0	0	7	1
212(a)(3)(A)(i) Espionage, sabotage, technology transfer, etc.	3	0	188	14
212(a)(3)(A)(ii) Other Unlawful Activity	3	0	41	5
212(a)(3)(A)(iii) Act to Overthrow U.S. Government	0	0	0	0
212(a)(3)(B) Terrorist Activities	10	0	102	37
212(a)(3)(C) Foreign Policy	0	0	0	0
212(a)(3)(D) Immigrant Membership in Totalitarian Party	47	12	-	-
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	2	1
212(a)(4) Public Charge	9,559	13,665	1341	223
212(a)(5)(A) Labor Certification (immigrants only)	11,717	214	-	-
212(a)(5)(B) Unqualified Physician (immigrants only)	1	0	-	-
212(a)(5)(C) Uncertified foreign health-care workers	3	1	1	0
212(a)(6)(B) Failure to attend removal proceedings	34	0	6	1
212(a)(6)(C)(i) Misrepresentation	3,626	565	6,885	742
212(a)(6)(C)(ii) Falsely claiming citizenship	341	0	571	37
212(a)(6)(E) Smugglers	501	19	1,339	136
212(a)(6)(F) Subject of civil penalty (under INA 274C)	0	0	1	0
212(a)(6)(G) Student visa abusers	2	0	20	6
212(a)(7)(B) Documentation requirement for nonimmigrants	-	-	42	9
212(a)(8)(A) Immigrant permanently ineligible for citizenship	1	0	-	-
212(a)(8)(B) Draft evader	1	0	4	3
212(a)(9)(A)(i) Ordered removed upon arrival	551	112	186	19
212(a)(9)(A)(i) Ordered removed upon arrival - multiple removals	21	1	140	2

212(a)(9)(A)(i)	Ordered removed upon arrival - convicted aggravated felony	9	0	6	0
212(a)(9)(A)(ii)	Ordered removed or departed while removal order outstanding	452	101	161	35
212(a)(9)(A)(ii)	Ordered removed or departed while removal order outstanding - multiple removals	63	14	61	6
212(a)(9)(A)(ii)	Ordered removed or departed while removal order outstanding - convicted aggravated felony	15	1	22	1
212(a)(9)(B)(i)(I)	Unlawfully present 181-364 days (within 3 years)	393	175	1,553	133
212(a)(9)(B)(i)(II)	Unlawfully present 365 or more days (within 10 years)	6,747	1,973	4,465	302
212(a)(9)(C)	Unlawfully present after previous immigration violations	944	1	383	6
212(a)(10)(A)	Practicing polygamist (immigrants only)	21	1	-	-
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	0	1
212(a)(10)(D)	Unlawful voter	0	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	24	10	23	15
212(f)	Presidential proclamation	1	0	249	6
214(b)	Failure to establish entitlement to nonimmigrant status	-	-	1,484,342	28,919
221(g)	Application does not comply with provisions of INA or regulations issued pursuant thereto	270,590	156,456	456,732	399,101
222(g)(2)	Alien in illegal status, required to apply for new nonimmigrant visa in country of alien's nationality	-	-	300	17
<b>Total Grounds of ineligibility:</b>		<b>309,049</b>	<b>173,947</b>	<b>1,966,858</b>	<b>433,620</b>
<b>Number of Applications<sup>1</sup>:</b>		<b>283,344</b>	<b>163,553</b>	<b>1,958,018</b>	<b>431,712</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.

<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 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.