

Table XX
Immigrant and Nonimmigrant Visa Ineligibilities
(by Grounds for Refusal Under the Immigration and Nationality Act)
Fiscal Year 2003

Grounds for Refusal Under the Immigration and Nationality Act		<u>Immigrant</u>	<u>Nonimmigrant</u>		
		Ineligibility Finding	Ineligibility Overcome	Ineligibility Finding	Ineligibility Overcome
212(a)(1)(A)(i)	Communicable Disease	622	183	131	65
212(a)(1)(A)(ii)	Immigrant lacking required vaccinations	30	32	0	0
212(a)(1)(A)(iii)	Physical or mental disorder	62	23	21	5
212(a)(1)(A)(iv)	Drug Abuser or Addict	565	7	158	3
212(a)(2)(A)(i)(I)	Crime Involving Moral Turpitude	461	183	2,097	761
212(a)(2)(A)(i)(II)	Controlled Substance Violators	351	40	990	351
212(a)(2)(B)	Multiple Criminal Convictions	46	3	167	39
212(a)(2)(C)	Controlled Substance Trafficker	146	0	1,090	72
212(a)(2)(C)(i)	Illicit Trafficker in Any Controlled Substance	0	0	93	17
212(a)(2)(C)(ii)	Spouse, Son, or Daughter Who Benefited from Illicit Activities of Trafficker	0	0	2	0
212(a)(2)(D)(i)	Prostitution (within 10 years)	14	1	18	3
212(a)(2)(D)(ii)	Procuring (within 10 years)	1	2	4	2
212(a)(2)(E)	Asserted immunity to avoid prosecution	1	0	0	0
212(a)(2)(I)	Money Laundering	0	0	10	0
212(a)(3)(A)(i)	Espionage, sabotage, technology transfer, etc.	3	0	60	0
212(a)(3)(A)(ii)	Other Unlawful Activity	2	0	43	3
212(a)(3)(B)	Terrorist Activities	2	0	98	15
212(a)(3)(D)	Immigrant Membership in Totalitarian Party	22	7	0	0
212(a)(3)(F)	Association with Terrorist Organizations	0	0	2	0
212(a)(4)	Public Charge	10,301	13,988	3,033	296
212(a)(5)(A)	Labor Certification	10,142	320	0	0
212(a)(5)(B)	Unqualified Physician	56	13	0	0
212(a)(5)(C)	Uncertified foreign health-care workers	2	1	42	20
212(a)(6)(B)	Failure to attend removal proceedings	7	0	6	0
212(a)(6)(C)(i)	Misrepresentation	2,720	521	9,140	501
212(a)(6)(C)(ii)	Falsely claiming citizenship	238	0	653	17
212(a)(6)(E)	Smugglers	344	27	1,826	68
212(a)(6)(F)	Subject of civil penalty (under INA 274C)	1	1	0	0
212(a)(6)(G)	Student visa abusers	0	0	33	5
212(a)(7)(B)	Documentation requirement for nonimmigrants	0	0	874	493
212(a)(8)(B)	Draft evader	2	0	16	3
212(a)(9)(A)(i)	Ordered removed upon arrival	473	177	416	21

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Immigrant and Nonimmigrant Visa Ineligibilities (Continued)
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Fiscal Year 2003

Grounds for Refusal Under the Immigration and Nationality Act		Immigrant	Nonimmigrant		
		Ineligibility Finding	Ineligibility Overcome	Ineligibility Finding	Ineligibility Overcome
212(a)(9)(A)(i)	Ordered removed upon arrival - multiple removals	10	6	78	6
212(a)(9)(A)(i)	Ordered removed upon arrival - convicted aggravated felony	49	0	8	0
212(a)(9)(A)(ii)	Ordered removed or departed while removal order outstanding	246	94	259	23
212(a)(9)(A)(ii)	Ordered removed or departed while removal order outstanding multiple removals	45	15	79	7
212(a)(9)(A)(ii)	Ordered removed or departed while removal order outstanding convicted aggravated felony	63	2	21	2
212(a)(9)(B)(i)(I)	Unlawfully present 181-364 days (within 3 years)	284	201	1,065	81
212(a)(9)(B)(i)(II)	Unlawfully present 365 or more days (within 10 years)	3,017	1,563	2,252	170
212(a)(9)(C)	Unlawfully present after previous immigration violations	485	1	104	0
212(a)(10)(A)	Practicing polygamist	9	5	0	0
212(a)(10)(C)(1)	International child abductor	0	0	5	0
212(a)(10)(C)(2)	Aliens supporting abductors and relatives of abductors	0	0	5	0
212(e)	Certain former exchange visitors	19	23	43	21
214(b)	Failure to establish entitlement to nonimmigrant status	0	0	1,513,241	25,050
221(g)	Application does not comply with provisions of INA or regulations issued pursuant thereto	208,466	138,900	677,695	524,155
222(g)(2)	Alien in illegal status, required to apply for new NIV in country of alien's nationality	0	0	320	33
Total Grounds of ineligibility:		239,307	156,339	2,216,198	552,308

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.