

Table V (Part 1)
Immigrant Visas Issued and Adjustments of Status
Subject to Numerical Limitations
Fiscal Year 2011

Family Preferences

Foreign State	2A		2A	2A Total	2B	3rd	4th	Family Pref. Total
	1st	Exempt	Subject					
Chile	21	17	13	30	9	24	84	168
Colombia	761	417	543	960	469	570	1,903	4,663
Ecuador	458	452	489	941	608	465	1,123	3,595
Guyana	1,303	315	209	524	219	758	614	3,418
Paraguay	16	4	3	7	1	0	22	46
Peru	529	409	313	722	522	375	1,173	3,321
Suriname	18	3	10	13	3	13	4	51
Uruguay	10	3	5	8	2	7	29	56
Venezuela	137	126	67	193	54	85	216	685
Region Total For South America	3,452	1,924	1,742	3,666	1,942	2,426	5,608	17,094
Grand Totals	23,976	56,833	24,895	81,728	25,351	23,672	66,315	221,042

*Total FA# 2011
 out of 88,000 per year*

Good afternoon. I am writing in response to your correspondence (attached) to the Ombudsman's Office. Thank you for contacting our office and raising these concerns. We have communicated with the U.S. Department of State, and Mr. Charlie Oppenheim, Chief of Immigrant Visa Control, has provided the following response:

Your message was forwarded to me and I will try to address your concerns. I must start by pointing out that if intended to represent number use, the totals you listed are incorrect, and I am not sure how you arrived at them. My records show the approximate amount of F2A number use in recent years as:

FY-2006: 86,500

FY-2007: 66,500

FY-2008: 82,800

FY-2009: 75,000

FY-2010: 60,700

FY-2011: 88,200

I share your concern with number use in all of the numerically limited visa categories. Every attempt is made to fully utilize all of the numbers available to each preference category. Unfortunately in recent years the lack of demand by qualified F2A applicants who were proceeding with action on their cases had been very low. There are a number of potential reasons for that, such as: 1) economic issues in the U.S. which may have caused some applicants to feel they should delay action, 2) economic issues preventing applicants from being able to meet the Affidavit of Support requirements, 3) economic issues which prevented applicants from being able to afford filing fees, 4) applicants were not able to pursue action because they had been in the U.S. illegally, and 5) applicants may not have been receiving notifications regarding their case because they had not provided updated information regarding their current address.

The lack of demand resulted in the cut-off dates being advanced at an extremely rapid pace during FY-2009 and FY-2010 in an effort to generate additional demand. At the times when there is not sufficient demand to fully utilize all available F2A numbers (or any other category), they were made available to other categories in an attempt to reach the overall Family annual limit. During FY-2011 the amount of demand by F2A applicants pursuing final action on their case has already allowed that F2A limit to be reached. The current rate of demand being received should allow the F2A annual limit to be fully utilized for the foreseeable future.

One final item needs to be mentioned. It is extremely important to remember that not all eligible applicants, with a priority date which is earlier than the applicable cut-off date, have acted on their case. As mentioned above, there may be a multitude of reasons action is delayed. In "normal" times of demand we received thousands of applicants who are finally acting on their case, and have priority dates which are often significantly earlier than the established cut-off date.

I have attached a document which explains how the Numerical Control process works. This may provide you with some additional insight into the issue, and help answer some of the questions you may have.

Again, thank you for contacting the Ombudsman's Office. I hope this addresses your concerns.

Regards,

Gary

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