



UPDATE Immigration

OCTOBER 2010

Reminder: Annual Diversity Visa Lottery

The Diversity Immigrant Visa Lottery under the Immigration and Nationality Act of 1997 provides 50,000 immigrant visas each fiscal year to natives of countries from which immigration has been low over the preceding five years. Anyone who is selected in this random lottery is given the opportunity to apply for permanent residence. Individuals for whom permanent residence is granted are authorized to live and work permanently in the United States as well as to bring their spouses and minor children to the United States as permanent residents. Foreign national employees should be made aware of this opportunity immediately, as **registration for the 2012 Diversity Visa (DV-2012) Lottery will only be open from October 5, 2010, to November 3, 2010.**

WHEN TO APPLY

The registration period for the DV-2012 Lottery will be open from noon Eastern Daylight Time (EDT) (GMT - 4) on October 5, 2010, to noon Eastern Standard Time (EST) (GMT-5) on November 3, 2010. The registration is done electronically at the U.S. Department of State's Web site at www.dvlottery.state.gov. No entries will be accepted after noon on November 3, 2010. The Department of State recommends applying early to avoid Web site delays, which may occur toward the end of this period.

WHO CAN APPLY

The DV-2012 Lottery is open to natives of most countries, except for the following "high admission" countries that are excluded this year: Brazil, Canada, China (mainland-born), Colombia, the Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, India, Jamaica, Mexico, Pakistan, Peru, the Philippines, Poland, South Korea, the United Kingdom (except Northern Ireland) and its dependent territories, and Vietnam. Persons born in Hong Kong SAR, Macau SAR, and Taiwan are eligible.

For the DV-2012 Lottery, no countries have been removed or added to the previous year's list of eligible countries; those who applied last year (and were not selected) are eligible to apply again this year.

In most cases, to be a "native" of a country means to have been born in that country; however,

there are limited circumstances when an otherwise ineligible person may claim eligibility through the native country of a spouse or a parent. To obtain detailed instructions and to view the complete list of eligible and ineligible countries, please refer to the Department of State's Web sites at http://travel.state.gov/visa/immigrants/types/types_1318.html and <http://travel.state.gov/pdf/1318-DV2012Instructions-ENGL.pdf> for further instructions.

The DV-2012 Lottery also requires that applicants possess either a high school education, or its equivalent, or two years of experience in a qualified occupation. Please refer to the instructions for the DV-2012 Lottery at <http://travel.state.gov/pdf/1318-DV2012Instructions-ENGL.pdf> and http://travel.state.gov/visa/immigrants/types/types_1319.html to determine the qualified occupations.

A successful applicant's spouse and unmarried children under the age of 21 are automatically entitled to the same permanent resident status. Additionally, if otherwise eligible, a husband and wife may each submit a visa lottery application.

SELECTION

Applicants are selected at random from all qualified entries. Unlike in the previous years, the selected applicants are *not* notified by mail. Instead, **all DV-2012 entrants are required to go to the Electronic Diversity Visa (E-DV) Web site Entry Status Check to find out whether or not their entry has been selected in the DV lottery.** Selectees are notified of their selection through the online Entry Status Check system available starting May 1, 2011 at the E-DV Web site www.dvlottery.state.gov, and are subsequently directed to a confirmation page that will provide further instructions.

Importantly, the Entry Status Check is the *only* means by which selectees are notified of their selection for DV-2012. No notification letters are sent either by mail or e-mail. All applicants — both selected and not selected — are notified of their status through the Web-based Entry Status Check.

DV-2012 visas will be issued between October 1, 2011, and September 30, 2012. To actually receive a visa, the selected applicants must still meet all eligibility requirements under U.S. law.

HOW TO APPLY

There is only one way to enter the DV-2012 Lottery: by submitting the Electronic Diversity Visa Entry Form (**E-DV**), accessible only at www.dvlottery.state.gov. Failure to complete the form in its entirety disqualifies the entry. Paper entries are not accepted. This is a Web-based application; applicants are not able to download and save the form for later completion; the E-DV form must be filled out and submitted online. The department strongly encourages applicants not to wait until the last week of the registration period to enter, as heavy demand may result in Web site delays. No entries will be accepted after noon EDT on November 3, 2010.

Entries for the DV-2012 must be submitted electronically between noon, EDT (GMT-4), on Tuesday, October 5, 2010 and noon, EST (GMT-5), on Wednesday, November 3, 2010.

Only one application may be submitted for each applicant. All entries by an individual are disqualified if *more than one* entry for that individual is received, regardless of who submitted the entry. Applicants may prepare and submit their own entry or have someone else submit the entry for them.

A confirmation screen containing the applicant's name and a unique confirmation number is displayed after a successfully registered entry. Applicants should print this confirmation screen for their records. Starting May 1, 2011, applicants will be able to check the status of their DV-

2011 Lottery entry by returning to the Entry Status Check Web site and entering their unique confirmation number and personal information. **An important new feature of the DV-2012 is that the Entry Status Check is the sole means of informing the applicants of their selection for DV-2012 (no separate notifications are mailed or e-mailed), providing instructions on how to proceed with the application, and notifying the applicants of the appointments for the immigrant visa interview; it is essential to retain the confirmation number.**

At the time of registration, applicants must be prepared to submit an electronic file containing their digital photo image that conforms to specific parameters indicated in the instructions for the DV-2012 Lottery at <http://travel.state.gov/pdf/1318-DV2012Instructions-ENGL.pdf>. It is very important to submit all required photographs; otherwise, the entry is disqualified. Recent photographs of the following people must be submitted electronically with the Electronic Diversity Visa Entry Form: the applicant, the applicant's spouse, and each unmarried child under 21 years of age at the time of the electronic entry (including natural children, legally adopted children, and stepchildren). A photo of a child who is already a U.S. citizen or permanent resident is not required.

There is *no* fee to enter the visa lottery program. The Department of State does not endorse, recommend, or sponsor any information or material from outside entities. The department alerts that there have been many Web sites and e-mails masquerading as official Diversity Visa Lottery facilitators, but the department continues to emphasize that the registration is done through the official U.S. government Web site at <http://www.dvlottery.state.gov> and that no fee is charged. To learn more, see fraud warnings issued by the [Department of State](#) and the [Federal Trade Commission](#).

WHAT HAPPENS AFTER SUBMISSION OF APPLICATION

The computer selects at random individuals from among all qualified entries. **Notably, the new DV-2012 Lottery process requires all entrants to go to the E-DV Web site Entry Status Check at www.dvlottery.state.gov to find out whether their entry has been selected in the DV lottery.** Selectees are notified of their selection through the Entry Status Check, available starting May 1, 2011. Selectees are directed to a confirmation page that provides further instructions, including information on fees connected with immigration to the United States. **The Entry Status Check is the *only* means by which selectees are notified of their selection for DV-2012. Notification letters are no longer mailed or e-mailed. Individuals, both selected and not selected, are notified of their status through the Web-based Entry Status Check.** Further, U.S. embassies and consulates do not provide a list of selectees.

DV-2012 Lottery visas will be issued between October 1, 2011, and September 30, 2012. Processing of entries and issuance of diversity visas to successful individuals and their eligible family members must occur by midnight on September 30, 2012. Under no circumstances will diversity visas be issued or adjustments be approved after this date.

Complete instructions for the DV-2011 lottery program can be found at the U.S. Department of State's Web site:

DV Program — overview

http://travel.state.gov/visa/immigrants/types/types_1322.html

2011 Diversity Visa Lottery Instructions

http://travel.state.gov/visa/immigrants/types/types_1318.html or

<http://travel.state.gov/pdf/1318-DV2012Instructions-ENGL.pdf>

Occupations Requiring at Least Two Years of Training or Experience to Perform

http://travel.state.gov/visa/immigrants/types/types_1319.html

Fraud Warning — U.S. Department of State

http://travel.state.gov/visa/immigrants/types/types_1749.html

Fraud Warning — Federal Trade Commission

<http://www.ftc.gov/bcp/edu/pubs/consumer/alerts/alt003.shtm>

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