

Immigration Alert - Diversity Visa FY 2017

10/1/2015

Practices: Immigration

GREEN CARD LOTTERY FOR FY2017 NOW OPEN THROUGH NOVEMBER 3rd

The U.S. Department of State (DOS) has released its instructions for the Diversity Immigrant Visa Lottery Program ("Lottery Program") (DV-2017) for fiscal year 2017 (October 1, 2016 through September 30, 2017). **The Lottery Program will be open for only 33 days from October 1, 2015 at noon (EDT/GMT-4) through November 3, 2015 at noon (EST/GMT-5).** There are no significant changes from last year's Lottery Program, except that applicants who lose their confirmation number can now use a new tool on the DOS website by entering certain identifying information to retrieve their confirmation number via the email they used at the initial registration.

The DOS makes 50,000 "green cards" available annually to persons from countries with low rates of immigration to the United States. Applicants are chosen by a computer-generated random lottery drawing and starting on **May 3, 2016** they can check the status of their registration online via Entry Status Check at www.dvlottery.state.gov to determine whether they were selected. Entry Status Check will also notify selected participants and provide them with instructions on the procedures for the application process and will confirm appointments for visa interviews. **All entrants must check on the DOS website via the Entry Status Check to determine whether they have been selected to participate in the Lottery. The Entry Status Check is the ONLY manner in which entrants will be notified of their selection. The DOS will NOT mail any correspondence to the selected applicants nor will it send out an email. Furthermore, the Entry Status Check will be the only way in which selected individuals will be provided further instructions on immigrant visa procedures.**

COUNTRIES INELIGIBLE TO PARTICIPATE IN DV-2017 LOTTERY PROGRAM

Natives of the following countries are not eligible to apply for the DV-2017 Lottery Program because they are the principal source countries of Family-Sponsored and Employment-Based immigration, or "high admission" countries: Bangladesh, Brazil, Canada, China (mainland-born), Colombia, Dominican Republic, Ecuador, El Salvador, Haiti, India, Jamaica, Mexico, Nigeria, Pakistan, Peru, Philippines, South Korea, United Kingdom (which includes Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Falkland Islands, Gibraltar, Montserrat, Pitcairn, St. Helena, Turks and Caicos Islands – but not Northern Ireland) and Vietnam. Foreign nationals born in Hong Kong SAR, Macau SAR and Taiwan **are eligible** for the Lottery Program. **There are**

no changes in the countries of eligibility from last year. For a list of countries that ARE eligible please go to: http://travel.state.gov/content/dam/visas/Diversity-Visa/DV-Instructions-Translations/DV-2016-Instructions-Translations/DV_2016_Instructions_English.pdf

NOTE: Even if you were born in one of the ineligible countries you may still qualify for a Diversity Visa if your spouse was born in an eligible country (and you are applying for the visa together) or if one of your parents was either born in or at the time of your birth was a legal resident of an eligible country.

REGISTRATION PROCEDURES

The entries for the Lottery Program must be submitted **electronically** between **noon (EDT/GMT-4) Thursday, October 1, 2015 and noon (EST/GMT-5) Tuesday, November 3, 2015**. The DOS will only accept entries made on an electronic diversity entry form which is available at www.dvlottery.state.gov during the registration period. The DOS will not accept mail-in entries. Only one entry by and for each person during each registration period is permitted. Receipt of more than one entry per person will disqualify the person from registration, regardless of the source of the entry.

Entry Form Contents. The entry form will ask the applicant to submit the following information:

1. Full name (exactly as shown on your passport);
2. Date of birth;
3. Gender;
4. City/town and Country of birth;
5. Country of eligibility or chargeability;
6. Photograph according to the specifications described below;
7. Current mailing address;
8. Country where you live today;
9. Phone number (optional);
10. Email address; **(It is critical that the email address be correct. If the applicant's entry is selected and the applicant properly follows up on the entry, the DOS will use this email address to communicate with the applicant.)**
11. Highest level of education completed;
12. Marriage status;
13. Number of children that are unmarried and under the age of 21 years of age and each child's information including name, date of birth, gender, city/town of birth, country of birth and photograph that meets the previously described specifications (failure to list all children who are eligible will result in disqualification of the principal applicant and refusal of all visas in the case at the time of the visa interview); and
14. Spouse's information, including name, date of birth, gender, city/town of birth, country of birth and spouse's photograph that meets the previously described specifications (failure to list a spouse will result in disqualification of the principal applicant and refusal of all visas in the case at the time of the visa interview).

Photograph Requirements. The entry will be disqualified if the following individuals do not submit photographs: applicant, his/her spouse and each child under the age of 21 (including all natural children as well as legally-adopted and stepchildren, except a child who is already a U.S. citizen or lawful permanent resident) even if the child no longer resides with the applicant and does not intend to immigrate under the Lottery Program. The photographs must be submitted electronically with the entry form and must have been taken within the last six months. Group or family photos will not be accepted. There must be a separate photo for each family member. Each applicant, his/her spouse and each child will therefore need a computer file containing his/her digital photograph, which will be submitted on-line with the entry form. The image file can be produced either by taking a new digital photograph or by scanning a photographic print with a digital scanner. ***Please review the DOS website for specific photo instructions.***

EDUCATION OR WORK EXPERIENCE REQUIRED

- Applicant must have at least a high school education or its equivalent or, within the past five years, have two years of work experience in an occupation requiring at least two years of training or experience.
- High school education or its equivalent is defined as completion of 12 years of elementary and secondary education in the United States or in another country with education comparable to the United States.
- Proof of education or work experience is submitted to the consular official or U.S. Citizenship and Immigration Services (USCIS) officer at the time of the visa or adjustment of status interview.
- The Department of Labor's O*Net On-Line database is used to determine eligibility based on work experience.

IMPORTANT REMINDERS

- There is no charge to enter the Lottery Program.
- The DOS does not employ outside consultants or private services to operate the program.
- A qualified entry submitted electronically directly by the applicant has an equal chance of being selected as does an entry submitted electronically through a paid intermediary who completes the entry for the applicant (if an applicant or a paid intermediary submits more than one entry per person, the person will be disqualified from the program).
- Do not submit more than one entry per person.
- Ensure that all your information is accurate.

DOS PROCESSING OF ENTRIES

Upon submission of the entry, a screen will appear with the applicant's name and a registration confirmation number. Applicants should print this screen and keep it in a safe place since they will need it to check whether they were selected. **All entrants must check the DOS website via Entry Status Check on or after May 3, 2016 through September 30, 2017 to check whether they were selected. Entry Status Check is the ONLY manner in which entrants will be notified of their selection. The DOS will NOT mail any correspondence to the selected applicants nor will it send an email.** The DOS notifies more individuals of selection than there are green cards available. Therefore, selection in the lottery process does **NOT** guarantee that an applicant will receive a "green card." Because more individuals will be notified than there are green

cards available, a registered applicant who wishes to receive a green card must be prepared to act quickly if they are selected.

For more information about this or any other immigration law topic, please contact Esther Contreras at 847.734.8811 or via email at econtreras@masudafunai.com. Weekly Immigration Updates are provided in the Immigration Group Section of our Firm's website at www.masudafunai.com.