

## FREQUENTLY ASKED QUESTIONS ABOUT E-DV REGISTRATION

### 1. WHAT DO THE TERMS “ELIGIBILITY”, “NATIVE” AND “CHARGEABILITY” MEAN? ARE THERE ANY SITUATIONS IN WHICH PERSONS WHO WERE NOT BORN IN A QUALIFYING COUNTRY MAY APPLY?

Your country of eligibility will normally be the same as your country of birth. Your country of eligibility is not related to where you live. “Native” ordinarily means someone born in a particular country, regardless of the individual's current country of residence or nationality. For immigration purposes “native” can also mean someone who is entitled to be “charged” to a country other than the one in which he/she was born under the provisions of Section 202(b) of the Immigration and Nationality Act.

For example, if you were born in a country that is not eligible for this year's DV program, you may claim **chargeability** to the country where your derivative spouse was born, but you will not be issued a DV-1 unless your spouse is also eligible for and issued a DV-2, and both of you must enter the United States together with the diversity visas. In a similar manner, a minor dependent child can be “charged” to a parent's country of birth.

Finally, if you were born in a country not eligible to participate in this year's DV program, you can be “charged” to the country of birth of either of your parents as long as neither parent was a resident of the ineligible country at the time of your birth. In general, people are not considered residents of a country in which they were not born or legally naturalized if they are only visiting the country, studying in the country temporarily, or stationed in the country for business or professional reasons on behalf of a company or government.

If you claim alternate **chargeability**, you must indicate such information on the E-DV electronic online entry form, question #6. Please be aware that listing an incorrect country of **eligibility** or **chargeability** (i.e. one to which you cannot establish a valid claim) may disqualify your entry.

### 2. ARE THERE ANY CHANGES OR NEW REQUIREMENTS IN THE APPLICATION PROCEDURES FOR THIS DIVERSITY VISA REGISTRATION?

All DV-2009 lottery entries must be submitted electronically at [www.dvlottery.state.gov](http://www.dvlottery.state.gov) during [the registration period](#). No paper entries will be accepted.

Several questions and options for answers have been added to DV-2009 to gather additional information.

- **Country where you live today?**

- **What is the highest level of education you have achieved, as of today?** You must choose one of the ten options indicating the highest level of education you have achieved: (1) Primary school only, (2) High school, no degree, (3) High school degree, (4) Vocational school, (5) Some university courses, (6) University degree, (7) Some graduate level courses, (8) Master degree, (9) Some doctorate level courses, and (10) Doctorate degree.

- **“Legally Separated”** replaces the term “Separated” used in previous DV programs as an option under the question “What is your marital status?” Legal separation means that a court has formally declared that you and your spouse are legally separated. Legal separation means that your spouse would not be eligible to immigrate as your derivative.

### 3. ARE SIGNATURES AND PHOTOGRAPHS REQUIRED FOR EACH FAMILY MEMBER, OR ONLY FOR THE PRINCIPAL ENTRANT?

Signatures are not required on the Electronic Diversity Visa Entry Form. Recent and individual photographs of you, your spouse and all children under 21 years of age are required. Family or group photographs are not accepted. Refer to the information on the [photograph requirements](#) on page 2 of this bulletin.

### 4. WHY DO NATIVES OF CERTAIN COUNTRIES NOT QUALIFY FOR THE DIVERSITY PROGRAM?

Diversity visas are intended to provide an immigration opportunity for persons from countries other than the countries that send large numbers of immigrants to the U.S. The law states that no diversity visas shall be provided for natives of “high admission” countries. The law defines this to mean countries from which a total of 50,000 persons in the Family-Sponsored and Employment-Based visa categories immigrated to the United States during the period of the previous five years. Each year, the USCIS adds the family and employment immigrant admission figures for the previous five years in order to identify the countries whose natives will be ineligible for the annual diversity lottery. Because there is a separate determination made before each annual E-DV entry period, the list of countries whose natives are not eligible may change from one year to the next.

**5. WHAT IS THE NUMERICAL LIMIT FOR DV-2009?**

By law, the U.S. diversity immigration program makes available a maximum of 55,000 permanent residence visas each year to eligible persons. However, the Nicaraguan Adjustment and Central American Relief Act (NACARA) passed by Congress in November 1997 stipulates that beginning as early as DV-1999, and for as long as necessary, up to 5,000 of the 55,000 annually-allocated diversity visas will be made available for use under the NACARA program. The actual reduction of the limit by up to 5,000 diversity visas began with DV-2000 and is likely to remain in effect through the DV-2009 program.

**6. WHAT ARE THE REGIONAL DIVERSITY VISA (DV) LIMITS FOR DV-2009?**

The U.S. Citizenship and Immigration Services (USCIS) determines the DV regional limits for each year according to a formula specified in Section 203(c) of the Immigration and Nationality Act (INA). Once the USCIS has completed the calculations, the regional visa limits are announced.

**7. WHEN WILL ENTRIES FOR THE DV-2009 PROGRAM BE ACCEPTED?**

The DV-2009 entry period will run through [the registration period](#). Each year millions of people apply for the program during the registration period. The massive volume of entries creates an enormous amount of work in selecting and processing successful individuals. Holding the entry period during October, November, and December will ensure that selectees are notified in a timely manner, and gives both the visa applicants and our embassies and consulates time to prepare and complete cases for visa issuance. You are strongly encouraged to enter early in the registration period. Excessive demand at end of the registration period may slow the system down. No entries whatsoever will be accepted after noon EST Sunday, December 2, 2007.

**8. MAY PERSONS WHO ARE IN THE U.S. APPLY FOR THE PROGRAM?**

Yes, an applicant may be in the U.S. or in another country, and the entry may be submitted from the United States or from abroad.

**9. IS EACH APPLICANT LIMITED TO ONLY ONE ENTRY DURING THE ANNUAL E-DV REGISTRATION PERIOD?**

Yes, the law allows only one entry by or for each person during each registration period. **Individuals for whom more than one entry is submitted will be disqualified.** The Department of State will employ sophisticated technology and other means to identify individuals who submit multiple entries during the registration period. People submitting more than one entry will be disqualified and an electronic record will be permanently maintained by the Department of State. Individuals may apply for the program each year during the regular registration period.

**10. MAY A HUSBAND AND A WIFE EACH SUBMIT A SEPARATE ENTRY?**

Yes, a husband and a wife may each submit one entry if each meets the eligibility requirements. If either were selected, the other would be entitled to derivative status.

**11. WHAT FAMILY MEMBERS MUST I INCLUDE ON MY E-DV ENTRY?**

**On your entry you must list your spouse**, that is husband or wife, and all unmarried children under 21 years of age, **with the exception of children who are already U.S. citizens or Legal Permanent Residents.** You must list your spouse even if you are currently separated from him/her, unless you are legally separated (i.e. there is a written agreement recognized by a court or a court order). If you are legally separated or divorced, you do not need to list your former spouse. **You must list ALL your children who are unmarried and under 21 years of age**, whether they are your biological children, your spouse's children, or children you have formally adopted in accordance with the laws of your country, unless such child is already a U.S. citizen or Legal Permanent Resident. **List all children under 21 years of age even if they no longer reside with you or you do not intend for them to immigrate under the DV program.**

The fact that you have listed family members on your entry does not mean that they later must travel with you. They may choose to remain behind. However, if you include an eligible dependent on your visa application forms that you failed to include on your original entry, your case will be disqualified. This only applies to those who were family members at the time the original application was submitted, not those acquired at a later date. Your spouse may still submit a separate entry, even though he or she is listed on your entry, as long as both entries include details on all dependents in your family. See question #10 above.

**12. MUST EACH INDIVIDUAL SUBMIT HIS/HER OWN ENTRY, OR MAY SOMEONE ACT ON BEHALF OF ANOTHER PERSON?**

People may prepare and submit their own entries, or have someone submit the entry for them. Regardless of whether an entry is submitted by the individual directly, or assistance is provided by an attorney, friend, relative, etc., only one entry may be submitted in the name of each person and the entrant remains responsible for insuring that information in the entry is correct and complete. If the entry is selected, the notification letter will be sent **only** to the mailing address provided on the entry.

**13. WHAT ARE THE REQUIREMENTS FOR EDUCATION OR WORK EXPERIENCE?**

The law and regulations require that every entrant 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 training or experience. A "high school education or equivalent" is defined as successful completion of a twelve-year course of elementary and secondary education in the United States or successful completion in another country of a formal course of elementary and secondary education comparable to a high school education in the United States. Documentary proof of education or work experience must be presented to the consular officer at the time of the visa interview. To determine eligibility based on work experience, definitions from the Department of Labor's [O\\*Net OnLine](#) database will be used.

**What Occupations qualify for the Diversity Visa Program?**

The Department of Labor (DOL) [O\\*Net Online Database](#) database groups job experience into five "job zones." While many occupations are listed on the DOL Website, only certain specified occupations qualify for the Diversity Visa Program. To qualify for a Diversity Visa on the basis of your work experience, you must, within the past five years, have two years of experience in an occupation that is designated as **Job Zone 4 or 5, classified in a Specific Vocational Preparation (SVP) range of 7.0 or higher.**

**How Do I Find the Qualifying Occupations on the Department of Labor Website?**

Qualifying DV Occupations are shown on the Department of Labor [O\\*Net Online Database](#). Follow these steps to find out if your occupation qualifies: Select "Find Occupations" and then select a specific "Job Family". For example, select Architecture and Engineering and click "GO". Then click on the link for the specific Occupation. Following the same example, click Aerospace Engineers. After selecting a specific Occupation link, select the tab "Job Zone" to find out the designated Job Zone number and Specific Vocational Preparation (SVP) rating range.

**14. HOW WILL SUCCESSFUL ENTRANTS BE SELECTED?**

At the Kentucky Consular Center, all entries received from each region will be individually numbered. After the end of the registration period, a computer will randomly select entries from among all the entries received for each geographic region. Within each region, the first entry randomly selected will be the first case registered, the second entry selected the second registration, etc. All entries received during the registration period will have an equal chance of being selected within each region. When an entry has been selected, the entrant will be sent a notification letter by the Kentucky Consular Center, which will provide visa application instructions. The Kentucky Consular Center will continue to process the case until those selected to be visa applicants are instructed to appear for visa interviews at a U.S. consular office, or until those qualifying to change status in the United States apply at a domestic USCIS office.

**Important Note: Notifications to those selected in the random lottery are not sent by email. Should you receive an email notification about your E-DV selection, be aware that the message is not legitimate.**

**15. MAY SELECTEES ADJUST THEIR STATUS WITH USCIS?**

Yes, provided they are otherwise eligible to adjust status under the terms of Section 245 of the INA, selected individuals who are physically present in the United States may apply to the USCIS for adjustment of status to permanent resident. **Applicants must ensure that USCIS can complete action on their cases, including processing of any overseas derivatives, before September 30, 2009, since on that date registrations for the DV-2009 program expire. No visa numbers for the DV-2009 program will be available after midnight EST on September 30, 2009 under any circumstances.**

**16. WILL ENTRANTS WHO ARE NOT SELECTED BE INFORMED?**

No, entrants who are not selected will receive no response to their entry. Only those who are selected will be informed. All notification letters are sent within five to seven months from the end of the application period to the address indicated on the entry. Since there is no notification provided to those not selected, anyone who does not receive a letter five to seven months from the end of the registration period should assume that his/her application has not been selected.

**17. HOW MANY INDIVIDUALS WILL BE SELECTED?**

There are 50,000 DV visas available for DV-2009, but more than that number of individuals will be selected. Because it is likely that some of the first 50,000 persons who are selected will not qualify for visas or pursue their cases to visa issuance, more than 50,000 entries will be selected by the Kentucky Consular Center to ensure that all of the available DV visas are issued. However, this also means that there will not be a sufficient number of visas for all those who are initially selected. All applicants who are selected will be informed promptly of their place on the list. Interviews for the DV-2009 program will begin in October 2008. The Kentucky Consular Center will send appointment letters to selected applicants four to six weeks before the scheduled interviews with U.S. consular officers at overseas posts. Each month visas will be issued, visa number availability permitting, to those applicants who are ready for issuance during that month. Once all of the 50,000 DV visas have been issued, the program for the year will end. In principle, visa numbers could be finished before September 2009. Selected applicants who wish to receive visas must be prepared to act promptly on their cases. **Random selection by the Kentucky Consular Center computer as a selectee does not automatically guarantee that you will receive a visa.**

**18. IS THERE A MINIMUM AGE FOR APPLICANTS TO APPLY FOR THE E-DV PROGRAM?**

There is no minimum age to apply for the program, but the requirement of a high school education or work experience for each principal applicant at the time of application will effectively disqualify most persons who are under age 18.

**19. ARE THERE ANY FEES FOR THE E-DV PROGRAM?**

**There is no fee for submitting an electronic lottery entry.** DV applicants must pay all required visa fees at the time of visa application directly to the consular cashier at the embassy or consulate. Details of required diversity visa and immigration visa application fees will be included with the instructions sent by the Kentucky Consular Center to applicants who are selected.

**20. DO DV APPLICANTS RECEIVE WAIVERS OF ANY GROUNDS OF VISA INELIGIBILITY OR RECEIVE SPECIAL PROCESSING FOR A WAIVER APPLICATION?**

No. Applicants are subject to all grounds of ineligibility for immigrant visas specified in the Immigration and Nationality Act. There are neither special provisions for the waiver of any ground of visa ineligibility other than those ordinarily provided in the Act nor special processing for waiver requests.

**21. MAY PERSONS WHO ARE ALREADY REGISTERED FOR AN IMMIGRANT VISA IN ANOTHER CATEGORY APPLY FOR THE DV PROGRAM?**

Yes, such persons may apply for the DV program.

**22. HOW LONG DO APPLICANTS WHO ARE SELECTED REMAIN ENTITLED TO APPLY FOR VISAS IN THE DV CATEGORY?**

Persons selected in the DV-2009 lottery are entitled to apply for visa issuance only during fiscal year 2009, from October 1, 2008 through September 30, 2009. **Applicants must obtain the DV visa or adjust status by the**

**end of the fiscal year.** There is no carry-over of DV benefits into the next year for persons who are selected but who do not obtain visas during FY-2009. Also, spouses and children who derive status from a DV-2009 registration can only obtain visas in the DV category between October 2008 and September 2009. Applicants who apply overseas will receive an appointment letter from the Kentucky Consular Center four to six weeks before the scheduled appointment.

**23. IF AN E-DV SELECTEE DIES, WHAT HAPPENS TO THE DV CASE?**

The death of an individual selected in the lottery results in automatic revocation of the DV case. Any eligible spouse and/or children are no longer entitled to the DV visa, for that entry.

**24. WHEN WILL E-DV ONLINE BE AVAILABLE?**

Online entry will be available during [the registration period](#) beginning at noon EDT (GMT-4) on October 3, 2007 and ending at noon EST (GMT-5) on December 2, 2007.

**25. WILL I BE ABLE TO DOWNLOAD AND SAVE THE E-DV ENTRY FORM TO A MICROSOFT WORD PROGRAM (OR OTHER SUITABLE PROGRAM) AND THEN FILL IT OUT?**

No, you will not be able to save the form into another program for completion and submission later. The E-DV Entry Form is a Web form only. This makes it more "universal" than a proprietary word processor format. Additionally, it does require that the information be filled in and submitted while on-line.

**26. IF I DON'T HAVE ACCESS TO A SCANNER, CAN I SEND PHOTOGRAPHS TO MY RELATIVE IN THE U.S. TO SCAN THE PHOTOGRAPHS, SAVE THE PHOTOGRAPHS TO A DISKETTE, AND THEN MAIL THE DISKETTE BACK TO ME TO APPLY?**

Yes, this can be done as long as the photograph meets the photograph requirements in the instructions, and the photograph is electronically submitted with, and at the same time the E-DV online entry is submitted. The applicants must already have the scanned photograph file when they submit the entry on-line. The photograph cannot be submitted separate from the online application. Only one on-line entry can be submitted for each person. Multiple submissions will disqualify the entry for that person for DV-2009. The entire entry (photograph and application together) can be submitted electronically from the United States or from overseas.

**27. CAN I SAVE THE FORM ON-LINE SO THAT I CAN FILL OUT PART AND THEN COME BACK LATER AND COMPLETE THE REMAINDER?**

No, this cannot be done. The E-DV Entry Form is designed to be completed and submitted at one time. However, because the form is in two parts, and because of possible network interruptions and delays, the E-DV system is designed to permit up to sixty (60) minutes between the downloading of the form and when the entry is received at the E-DV web site after being submitted online. If more than sixty minutes elapses, and the entry has not been electronically received, the information already received is discarded. This is done so that there is no possibility that a full entry could accidentally be interpreted as a duplicate of a previous partial entry. For example, suppose an applicant with a wife and child sends a filled in E-DV Entry Form Part One and then receives Form Part Two, but there is a delay before sending Part Two because of trouble finding the file that holds the child's photograph. If the filled in Form Part Two is sent by the applicant and received by the E-DV website within sixty (60) minutes, there is no problem. However, if the Form Part Two is received after sixty (60) minutes have elapsed, then the applicant will be informed that he or she must start the entire entry over from the beginning. The DV-2009 instructions explain clearly and completely what information is required to fill in the form. This way you can be fully prepared, making sure you have all of the information needed, before you start to complete the form on-line.

**28. IF THE SUBMITTED DIGITAL IMAGES DO NOT CONFORM TO THE SPECIFICATIONS, THE PROCEDURES STATE THAT THE SYSTEM WILL AUTOMATICALLY REJECT THE E-DV ENTRY FORM AND NOTIFY THE SENDER. DOES THIS MEAN I WILL BE ABLE RE-SUBMIT MY ENTRY?**

Yes, the entry can be resubmitted. Since the entry was automatically rejected, it was not actually considered as submitted to the E-DV website. It does not count as a submitted E-DV entry, and no confirmation notice of receipt is sent. If there are problems with the digital photograph sent, because it does not conform to the requirements, it is automatically rejected by the E-DV website. However, the amount of time it takes the rejection message to reach the sender is unpredictable due to the nature of the Internet. If the problem can be

fixed by the applicant, and the Form Part One or Two is re-sent within sixty (60) minutes, there is no problem. Otherwise the submission process will have to be started over. An applicant can try to submit an application as many times as is necessary until a complete application is received and the confirmation notice sent.

**29. WILL THE ELECTRONIC CONFIRMATION NOTICE THAT THE COMPLETED E-DV ENTRY FORM HAS BEEN RECEIVED THROUGH THE ONLINE SYSTEM BE SENT IMMEDIATELY AFTER SUBMISSION?**

The response from the E-DV website which contains confirmation of the receipt of an acceptable E-DV Entry Form is sent by the E-DV website immediately. However, how long it takes the response to reach the sender is unpredictable due to the nature of the Internet. If many minutes have elapsed since pressing the 'Submit' button, there is no harm in pressing the 'Submit' button a second time. The E-DV system will not be confused by a situation where the 'Submit' button is hit a second time, because no confirmation response has been received. An applicant can try to submit an application as many times as is necessary until a complete application is received and the confirmation notice sent.

**30. HOW WILL I KNOW IF THE NOTIFICATION OF SELECTION THAT I HAVE RECEIVED IS AUTHENTIC? HOW CAN I CONFIRM THAT I HAVE IN FACT BEEN CHOSEN IN THE RANDOM DV LOTTERY?**

After the individuals have been selected at random from among all qualified entries through the State Department E-DV lottery computer program, they will **NOT be notified by email**. Those selected will be notified only by letter through the mail between May and July 2008 at the addresses listed on their E-DV entry. Only the randomly selected individuals will be notified. Persons not selected will NOT receive any notification. U.S. embassies and consulates will NOT be able to provide a list of those selected to continue the visa process.

Kentucky Consular Center (KCC) will send the letters notifying those selected. These letters will contain instructions for the visa application process. The instructions say the selected applicants will pay all diversity and immigrant visa fees in person only at the U.S. Embassy or Consulate at the time of the visa application. The Consular Cashier or Consular Officer immediately gives the visa applicant a U.S. Government receipt for payment. You should never send money for DV fees through the mail, through Western Union, or any other delivery service.

The E-DV lottery entries are made on the internet, on the official US Government E-DV website at [www.dvlottery.state.gov](http://www.dvlottery.state.gov). KCC sends only letters to the selected applicants. KCC, consular offices, or the U.S. Government have never sent e-mails to notify selected individuals, and there are no plans to use e-mail for this purpose for the DV-2009 program.

The Department of State, Visa Services advises the public that only internet sites including the ".gov" indicator are official government websites. Many other non-governmental websites (e.g., using the suffixes ".com" or ".org" or ".net") provide legitimate and useful immigration and visa related information and services. Regardless of the content of non-governmental websites, the Department of State does not endorse, recommend or sponsor any information or material shown at these other websites.

Some websites may try to mislead customers and members of the public into thinking they are official websites and may contact you by email to lure you to their offers. These websites may attempt to require you to pay for services such as forms and information about immigration procedures, which are otherwise free on the Department of State Visa Services website, or overseas through the Embassy Consular Section websites. Additionally, these other websites may require you to pay for services you will not receive, often including diversity immigration application and visa fees in an effort to outright steal your money. Once you send money in one of these scams, you will never see it again. Also, you should be wary of sending any personal information that might be used for identity fraud/theft to these websites.

**31. HOW DO I REPORT INTERNET FRAUD OR UNSOLICITED EMAIL?**

If you wish to file a complaint about Internet fraud, please see the [econsumer.gov](http://econsumer.gov) Website, hosted by the Federal Trade Commission, which is a joint effort of consumer protection agencies from 17 nations at <http://www.econsumer.gov/english/> or go to the Federal Bureau of Investigation (FBI) [Internet Crime Complaint Center or IC3](#). To file a complaint about unsolicited email, contact the [Department of Justice contact us page](#).

**32. IF I AM SUCCESSFUL IN OBTAINING A VISA THROUGH THE DV PROGRAM WILL THE U.S. GOVERNMENT ASSIST WITH MY AIRFARE TO THE U.S., PROVIDE ASSISTANCE TO LOCATE HOUSING AND EMPLOYMENT, PROVIDE HEALTHCARE OR PROVIDE ANY SUBSIDIES UNTIL I AM FULLY SETTLED?**

No, applicants who obtain a DV visa are not provided any type of assistance such as airfare, housing assistance, or subsidies. If you are selected to apply for a DV visa, before you can be issued a visa, you will be required to provide evidence that you will not become a [public charge](#) in the U.S. This evidence may be in the form of a combination of your personal assets, an Affidavit of Support, Form I-134 from a relative or friend residing in the U.S. and/or an offer of employment from an employer in the U.S.