

# Lotería de Visas por Diversidad DV-2017

Octubre 1 – Noviembre 3, 2015

## FREQUENTLY ASKED QUESTIONS (FAQS) DV-2017

### ELIGIBILITY

#### 1. What do the terms “native” and “chargeability” mean?

Native ordinarily means someone born in a particular country, regardless of the individual's current country of residence or nationality. Native also can 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. Because a numerical limitation is placed on immigrants entering from a country or geographic region, each individual is charged to a country. Your chargeability refers to the country whose limitation you count towards. Your country of eligibility normally will be the same as your country of birth. However, you may choose your country of eligibility as the country of birth of your spouse, or the country of birth of either of your parents if you were born in a country in which neither parent was born, and in which your parents were not resident at the time of your birth. These are the only three ways to select your country of chargeability. Listing an incorrect country of eligibility or chargeability (i.e., one to which you cannot establish a valid claim) may disqualify your entry.

#### 2. Can I still apply if I was not born in a qualifying country?

There are two circumstances in which you still might be eligible to apply. First, if your derivative spouse was born in an eligible country, you may claim chargeability to that country. As your eligibility is based on your spouse, you only will be issued an immigrant visa if your spouse also is eligible for and issued an immigrant visa. Both of you must enter the United States together using your DVs. Similarly, your minor dependent child can be “charged” to a parent's country of birth. Second, you can be “charged” to the country of birth of either of your parents as long as neither of your parents was born in or a resident of your country of birth at the time of your birth. People are not generally considered residents of a country in which they were not born or legally naturalized, if they were only visiting, studying in the country temporarily, or stationed temporarily for business or professional reasons on behalf of a company or government of a country other than the one in which you were born. If you claim alternate chargeability through either of the above, you must provide an explanation on the E-DV Entry Form, in question #6. Listing an incorrect country of eligibility or chargeability (i.e., one to which you cannot establish a valid claim) may disqualify your entry.

#### 3. Why do natives of certain countries not qualify for the DV program?

DVs are intended to provide an immigration opportunity for persons who are not from “high admission” countries. U.S. law defines “high admission countries” as those from which a total of 50,000 persons in the Family-Sponsored and Employment-Based visa categories immigrated to the United States during the previous five years. Each year, U.S. Citizenship and Immigration Services (USCIS) tallies the family and employment immigrant admission and adjustment of status figures for the previous five years to identify the countries that are considered “high admission” and whose natives will therefore be ineligible for the annual Diversity Visa program. Since this calculation is made annually, the list of countries whose natives are eligible or not eligible may change from one year to the next.

#### **4. How many DV-2017 visas will go to natives of each region and eligible country?**

United States Citizenship and Immigration Services (USCIS) determines the regional DV limits for each year according to a formula specified in Section 203(c) of the INA. The number of visas that eventually will be issued to natives of each country will depend on the regional limits established, how many entrants come from each country, and how many of the selected entrants are found eligible for the visa. No more than seven percent of the total visas available can go to natives of any one country.

#### **5. What are the requirements for education or work experience?**

U.S. immigration law and regulations require that every DV entrant must have at least a high school education or its equivalent or have two years of work experience within the past five years in an occupation requiring at least two years of training or experience. A "high school education or equivalent" is defined as successful completion of a 12-year course of elementary and secondary education in the United States OR the successful completion in another country of a formal course of elementary and secondary education comparable to a high school education in the United States. Only formal courses of study meet this requirement; correspondence programs or equivalency certificates (such as the General Equivalency Diploma G.E.D.) are not acceptable. Documentary proof of education or work experience must be presented to the consular officer at the time of the visa interview. If you do not meet the requirements for education or work experience, your entry will be disqualified at the time of your visa interview, and no visas will be issued to you or any of your family members.

#### **6. What occupations qualify for the DV program?**

The U.S. Department of Labor's (DOL) O\*Net OnLine database will be used to determine qualifying work experience. The O\*Net OnLine database categorizes job experience into five "job zones." While many occupations are listed on the DOL website, not all occupations qualify for the DV program. To qualify for a DV on the basis of your work experience, you must have, within the past five years, two years of experience in an occupation classified in a Specific Vocational Preparation (SVP) range of 7.0 or higher. If you do not meet the requirements for education or work experience, your entry will be disqualified at the time of your visa interview, and no visas will be issued to you or any of your family members.

#### **7. How can I find the qualifying DV occupations in the Department of Labor's O\*Net Online database?**

When you are in O\*Net OnLine, follow these steps to determine if your occupation qualifies:

1. Under "Find Occupations" select "Job Family" from the pull down menu;
2. Browse by "Job Family," make your selection, and click "GO";
3. Click on the link for your specific occupation; and
4. Select the tab "Job Zone" to find the designated Job Zone number and Specific Vocational Preparation (SVP) rating range.

As an example, select Aerospace Engineers. At the bottom of the Summary Report for Aerospace Engineers, under the Job Zone section, you will find the designated Job Zone 4, SVP Range, 7.0 to < 8.0. Using this example, Aerospace Engineering is a qualifying occupation. For additional information, see the Diversity Visa – List of Occupations webpage.

#### **8. Is there a minimum age to apply for the E-DV Program?**

There is no minimum age to apply, 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.

### **COMPLETING YOUR ELECTRONIC ENTRY FOR THE DV PROGRAM**

### **9. When can I submit my entry?**

The DV-2017 entry period will run from 12:00 pm (noon), Eastern Daylight Time (EDT) (GMT-4), Thursday, October 1, 2015, until 12:00 pm (noon), Eastern Standard Time (EST) (GMT-5), Tuesday, November 3, 2015. Each year, millions of people submit entries. Holding the entry period on these dates ensures 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 during the registration period. Excessive demand at end of the registration period may slow the system down. No entries will be accepted after noon EST on Tuesday, November 3, 2015.

### **10. I am in the United States. Can I enter the DV program?**

Yes, an entrant may be in the United States or in another country, and the entry may be submitted from anywhere.

### **11. Can I only enter once during the registration period?**

Yes, the law allows only one entry by or for each person during each registration period. The Department of State uses sophisticated technology to detect multiple entries. Individuals with more than one entry will be disqualified.

### **12. May my spouse and I each submit a separate entry?**

Yes, each spouse may each submit one entry if each meets the eligibility requirements. If either spouse is selected, the other is entitled to apply as a derivative dependent.

### **13. What family members must I include in my DV entry?**

**Spouse:** You must list your spouse regardless of whether he/she is living with you or intends to immigrate to the United States, unless your spouse is already a U.S. citizen or U.S. Lawful Permanent Resident. A spouse who is already a U.S. citizen or a Lawful Permanent Resident will not require or be issued a DV, though you will not be penalized if you list them on your entry form. You must list your spouse even if you currently are 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, you do not have to list your spouse, though you will not be penalized if you do so. If you are divorced or your spouse is deceased, you do not have to list your former spouse.

**Children:** You must list ALL your living children who are unmarried and under 21 years of age at the time of your initial DV entry, whether they are your natural children, your step-children (even if you are now divorced from that child's parent), your spouse's children, or children you have formally adopted in accordance with the laws of your country. List all children under 21 years of age at the time of your electronic entry, even if they no longer reside with you or you do not intend for them to immigrate under the DV program. You are not required to list children who are already U.S. citizens or Lawful Permanent Residents, though you will not be penalized if you do include them.

Parents and siblings of the entrant are ineligible to receive DV visas as dependents, and should not be included in your entry.

If you list family members on your entry, they are not required to apply for a visa or to immigrate or travel with you. However, if you fail to include an eligible dependent on your original entry and later list them on your visa application form, your case will be disqualified at the time of your visa interview and no visas will be issued to you or any of your family members. 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, if eligible to enter, may still submit a separate entry even though he or she is listed on your entry, as long as both entries include details about all dependents in your family (see FAQ #12 above).

**14. Must I submit my own entry, or can someone else do it for me?**

You are encouraged to prepare and submit your own entry, but you may have someone submit the entry for you. Regardless of whether you submit your own entry, or an attorney, friend, relative, or someone else submits it on your behalf, only one entry may be submitted in your name. You, as the entrant, are responsible for ensuring that information in the entry is correct and complete; entries that are not correct or complete may be disqualified. Entrants should keep their own confirmation number so that they are able to independently check the status of their entry using Entrant Status Check at [www.dvlottery.state.gov](http://www.dvlottery.state.gov). Entrants should retain access to the email account used in the E-DV submission.

**15. I'm already registered for an immigrant visa in another category. Can I still apply for the DV program?**

Yes.

**16. When will E-DV be available online?**

You can enter online during the registration period beginning at 12:00 pm (noon) Eastern Daylight Time (EDT) (GMT-4) on Thursday, October 1, 2015, and ending at 12:00 pm (noon) Eastern Standard Time (EDT) (GMT-5) on Tuesday, November 3, 2015.

**17. Can I download and save the E-DV entry form into a word processing program and finish it later?**

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. You must fill in the information and submit it while online.

**18. Can I save the form online and finish it later?**

No. The E-DV Entry Form is designed to be completed and submitted at one time. You will have 60 minutes starting from when you download the form to complete and submit your entry through the E-DV website. If you exceed the 60-minute limit and have not electronically submitted your complete entry, any information already entered is discarded. The system deletes any partial entries so that they are not accidentally identified as duplicates of a later, complete entry. Read the DV instructions completely before you start to complete the form online, so that you know exactly what information you will need.

**19. I don't have a scanner. Can I send photographs to someone in the United States to scan them, save them, and mail them back to me so I can use them in my entry?**

Yes, as long as the photograph meets the requirements in the instructions and is electronically submitted with, and at the same time as, the E-DV online entry. You must already have the scanned photograph file when you submit the entry online; it cannot be submitted separately from the online application. The entire entry (photograph and application together) can be submitted electronically from the United States or from overseas.

**20. According to the procedures, the system will reject my E-DV Entry Form if my photos don't meet the specifications. Can I resubmit my entry?**

Yes. If your photo(s) did not meet the specifications, your entry will not be accepted by the E-DV website, so you will not receive a confirmation notice. However, given the unpredictable nature of the Internet, you may not receive the rejection notice immediately. If you can correct the photo(s) and re-send the Form Part One or Two within 60 minutes, you may be able to

successfully submit the entry. Otherwise, you will have to restart the entire entry process. You can try to submit an application as many times as is necessary until a complete application is received and the confirmation notice sent. Once you have received a confirmation notice, your entry is complete and you should NOT submit any additional entries.

**21. How soon after I submit my entry will I receive the electronic confirmation notice?**

You should receive the confirmation notice immediately, including a confirmation number that you must record and keep. However, the unpredictable nature of the Internet can result in delays. You can hit the "Submit" button as many times as is necessary until a complete application is received and the confirmation notice sent. However, once you receive a confirmation notice, do not resubmit your information.

**SELECTION**

**22. How do I know if I am selected?**

You must use your confirmation number to access the Entrant Status Check available on the E-DV website at [www.dvlottery.state.gov](http://www.dvlottery.state.gov) starting May 3, 2016, through September 30, 2017. Entrant Status Check is the sole means by which you will be notified if you are selected, provided further instructions on your visa application, and notified of your immigrant visa interview appointment date and time. The only authorized Department of State website for official online entry in the Diversity Visa Program and Entrant Status Check is [www.dvlottery.state.gov](http://www.dvlottery.state.gov).

The Department of State will NOT contact you to tell you that you have been selected (see FAQ #23).

**23. How will I know if I am not selected? Will I be notified?**

You may check the status of your DV-2017 entry through the Entrant Status Check on the E-DV website at [www.dvlottery.state.gov](http://www.dvlottery.state.gov) starting May 3, 2016, until September 30, 2017. Keep your confirmation number until at least September 30, 2017. (Status information for the previous year's DV program, DV-2016, is available online from May 5, 2015, through September 30, 2016.) If your entry is not selected, you will not be notified.

**24. What if I lose my confirmation number?**

You must have your confirmation number to access Entrant Status Check. A tool is now available in Entrant Status Check (ESC) on the E-DV website that will allow you to retrieve your confirmation number via the email address you registered with by entering certain personal information to confirm your identity.

U.S. embassies and consulates and the Kentucky Consular Center are unable to check your selection status for you or provide your confirmation number to you directly (other than through the ESC retrieval tool). The Department of State is NOT able to provide a list of those selected to continue the visa process.

**25. Will I receive information from the Department of State by email or by postal mail?**

The Department of State will not send you a notification letter. The U.S. government has never sent emails to notify individuals that they have been selected, and there are no plans to use email for this purpose for the DV-2017 program. If you are a selectee, you will only receive email communications regarding your visa appointment after you have responded to the notification instructions on Entrant Status Check. These emails will not contain information on the actual appointment date and time; they will simply tell you to go to the Entrant Status Check website for details.

Only internet sites that end with the ".gov" domain suffix are official U.S. government websites. Many other websites (e.g., with the suffixes ".com," ".org," or ".net") provide immigration and visa-related information and services. The Department of State does not endorse, recommend, or sponsor any information or material on these other websites.

You may receive emails from websites trying to trick you into sending money or providing your personal information. You may be asked to pay for forms and information about immigration procedures, all of which are available free on the Department of State website or through U.S. embassy or consulate websites. Additionally, organizations or websites may try to steal your money by charging fees for DV-related services. If you send money to one of these scams, you will likely never see it again. Also, do not send personal information to these websites, as it may be used for identity fraud/theft.

#### **26. How many individuals will be selected for DV-2017?**

For DV-2017, 50,000 Diversity Visas are available. 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 to ensure that all of the available DVs are issued. However, this also means that there will not be a sufficient number of visas for all those who are initially selected.

You can check the E-DV website's Entrant Status Check to see if you have been selected for further processing and your place on the list. Interviews for the DV-2017 program will begin in October 2016 for selectees who have submitted all pre-interview paperwork and other information as requested in the notification instructions. Selectees who provide all required information will be informed of their visa interview appointment through the E-DV website's Entrant Status Check four to six weeks before the scheduled interviews with U.S. consular officers overseas.

Each month, visas will be issued to those applicants who are ready for issuance during that month, as long as visas are available. Once all of the 50,000 DV visas have been issued, the program will end. Visa numbers could be finished before September 2017. Selected applicants who wish to receive visas must be prepared to act promptly on their cases. Being randomly chosen as a selectee does not guarantee that you will receive a visa. Selection merely means that you are eligible to apply for a Diversity Visa. If your rank number becomes eligible for final processing, you may potentially be issued a Diversity Visa. Only 50,000 visas will be issued to such applicants.

#### **27. How will successful entrants be selected?**

Official notifications of selection will be made through Entrant Status Check, available May 3, 2016, through September 30, 2017, on the E-DV website [www.dvlottery.state.gov](http://www.dvlottery.state.gov). The Department of State does not send selectee notifications or letters by regular postal mail or by email. Any email notification or mailed letter stating that you have been selected to receive a DV that does not come from the Department of State is not legitimate. Any email communication you receive from the Department of State will direct you to review Entrant Status Check for new information about your application. The Department of State will never ask you to send money by mail or by services such as Western Union.

All entries received from each region are individually numbered; at the end of the entry 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 will be the second case registered, etc. All entries received within each region during the entry period will have an equal chance of being selected. When an entry has been selected, the entrant will be notified of his/her selection through the Entrant Status Check available starting May 3, 2016, on the E-DV website [www.dvlottery.state.gov](http://www.dvlottery.state.gov). If you are selected and you respond to the instructions provided online via Entrant Status Check, the Department of State's Kentucky Consular Center (KCC) will process the case until those selected are instructed to appear for visa interviews at a U.S. embassy or consulate or until those in the United States who are applying to adjust status apply at a domestic USCIS office.

**28. I am already in the United States. If selected, may I adjust my status with USCIS?**

Yes, provided you are otherwise eligible to adjust status under the terms of Section 245 of the Immigration and Nationality Act, you may apply to USCIS for adjustment of status to permanent resident. You must ensure that USCIS can complete action on your case, including processing of any overseas applications for a spouse or for children under 21 years of age, before September 30, 2017, since on that date your eligibility for the DV-2017 program expires. No visa numbers or adjustments of status for the DV-2017 program will be approved after midnight EDT on September 30, 2017, under any circumstances.

**29. If I am selected, for how long am I entitled to apply for a Diversity Visa?**

If you are selected in the DV-2017 program, you are entitled to apply for visa issuance only during U.S. government Fiscal Year 2017, which spans from October 1, 2016, through September 30, 2017. Selectees are encouraged to apply for visas as early as possible, once their program rank numbers become eligible.

Without exception, all selected and eligible applicants must obtain their 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 by September 30, 2017 (the end of the fiscal year). Also, spouses and children who derive status from a DV-2017 registration can only obtain visas in the DV category between October 1, 2016, and September 30, 2017. Individuals who apply overseas will receive an appointment notification from the Department of State through Entrant Status Check on the E-DV website four to six weeks before the scheduled appointment.

**30. If a DV selectee dies, what happens to the case?**

If a DV selectee dies at any point before he or she has traveled to the United States, the DV case is automatically closed. Any derivative spouse and/or children of the deceased selectee will no longer be entitled to a DV visa. Any visas that were issued to them will be revoked.

**FEES**

**31. How much does it cost to enter the Diversity Visa program?**

There is no fee charged to submit an electronic entry. However, if you are selected and apply for a Diversity Visa, you must pay all required visa fees at the time of visa application and interview directly to the consular cashier at the U.S. embassy or consulate. If you are a selectee already in the United States and you apply to USCIS to adjust status, you will pay all required fees directly to USCIS. If you are selected, you will receive details of required DV and immigrant visa application fees with the instructions provided through the E-DV website at [www.dvlottery.state.gov](http://www.dvlottery.state.gov).

**32. How and where do I pay DV and immigrant visa fees if I am selected?**

If you are a randomly selected entrant, you will receive instructions for the DV application process through Entrant Status Check at [www.dvlottery.state.gov](http://www.dvlottery.state.gov). You will pay all DV and

immigrant visa fees in person only at the U.S. embassy or consulate at the time of the visa application. The consular cashier will immediately give you a U.S. government receipt for payment. Do not send money for DV fees to anyone through the mail, Western Union, or any other delivery service if you are applying for an immigrant visa at a U.S. embassy or consulate. If you are selected and you are already present in the United States and plan to file for adjustment of status with USCIS, the instructions page accessible through Entrant Status Check at [www.dvlottery.state.gov](http://www.dvlottery.state.gov) contains separate instructions on how to mail DV fees to a U.S. bank.

33. If I apply for a DV, but don't qualify to receive one, can I get a refund of the visa fees I paid? No. Visa fees cannot be refunded. You must meet all qualifications for the visa as detailed in these instructions. If a consular officer determines you do not meet requirements for the visa, or you are otherwise ineligible for the DV under U.S. law, the officer cannot issue a visa and you will forfeit all fees paid.

## **INELIGIBILITIES**

### **34. As a DV applicant, can I receive a waiver of any grounds of visa ineligibility? Does my waiver application receive any special processing?**

DV applicants are subject to all grounds of ineligibility for immigrant visas specified in the Immigration and Nationality Act (INA). There are no special provisions for the waiver of any ground of visa ineligibility aside from those ordinarily provided in the INA, nor is there special processing for waiver requests. Some general waiver provisions for people with close relatives who are U.S. citizens or Lawful Permanent Resident aliens may be available to DV applicants in some cases, but the time constraints in the DV program may make it difficult for applicants to benefit from such provisions.

## **DV FRAUD WARNING AND SCAMS**

### **35. How can I report internet fraud or unsolicited emails?**

Please visit the [www.econsumer.gov](http://www.econsumer.gov) website, hosted by the Federal Trade Commission in cooperation with consumer-protection agencies from 17 nations. You also may report fraud to the Federal Bureau of Investigation (FBI) Internet Crime Complaint Center. To file a complaint about unsolicited email, visit the Department of Justice Contact Us page.

## **DV STATISTICS**

### **36. How many visas will be issued in DV-2017?**

By law, a maximum of 55,000 visas are available each year to eligible persons. However, in November 1997, the U.S. Congress passed the Nicaraguan Adjustment and Central American Relief Act (NACARA), which stipulates that beginning as early as DV-1999, and for as long as necessary, up to 5,000 of the 55,000 annually-allocated DVs will be made available for use under the NACARA program. The actual reduction of the limit began with DV-2000 and will remain in effect through the DV-2017 program, so 50,000 visas remain for the DV program described in these instructions.

## **MISCELLANEOUS**

### **37. If I receive a visa through the DV program, will the U.S. government pay for my airfare to the United States, help me find housing and employment, and/or provide healthcare or any subsidies until I am fully settled?**

No. The U.S. government will not provide any of these services to you if you receive a visa through the DV program. If you are selected to apply for a DV, you must demonstrate that you will not become a public charge in the United States before being issued a visa. This evidence

may be in the form of a combination of your personal assets, an Affidavit of Support (Form I-134) submitted by a relative or friend residing in the United States, an offer of employment from an employer in the United States, or other evidence.