

## Author:

Barbara L. Bower  
+1.412.355.6230  
barbara.bower@klgates.com

K&L Gates comprises approximately 1,700 lawyers in 28 offices located in North America, Europe and Asia, and represents capital markets participants, entrepreneurs, growth and middle market companies, leading FORTUNE 100 and FTSE 100 global corporations and public sector entities. For more information, visit [www.klgates.com](http://www.klgates.com).

## DV-2010 Diversity Visa “Green Card” Lottery Application Procedures

The U.S. Department of State began accepting applications for the 2010 Diversity Visa Lottery Program (DV-2010) on Thursday, October 2, 2008. The application period will close on Monday, December 1, 2008 at 12:00 p.m. Eastern Standard Time (GMT-5).

The congressionally mandated Diversity Immigrant Visa Program provides for a class of immigrants known as “diversity immigrants.” Section 203(c) of the Immigration and Nationality Act provides a maximum of up to 55,000 Diversity (“green card”) Visas each fiscal year to be made available to persons from countries with low rates of immigration to the United States.

Visas under DV-2010 are available to persons meeting simple but strict, eligibility requirements and selected through a computer-generated random lottery drawing. These visas are to be distributed among six geographic regions, with a greater number of visas going to regions with lower rates of immigration.

Persons born in the following countries are generally **not** eligible to apply because they sent more than 50,000 immigrants to the U.S. during the previous five years:

Brazil, Canada, China (mainland-born), Colombia, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, India, Jamaica, Mexico, Pakistan, Philippines, Peru, Poland, South Korea, United Kingdom (except Northern Ireland) and its dependent territories, and Vietnam.

Persons born in Hong Kong SAR, Macau SAR and Taiwan are eligible. In addition, there are two forms of cross-chargeability that permit persons born in a non-qualifying country to claim the qualifying nationality of their spouse or parent for DV lottery purposes. These exceptions are described in the US Department of State’s DV lottery instructions.

To enter the lottery, applicants must have EITHER a high school education or its equivalent, defined as successful completion of a 12-year course of elementary and secondary education; OR two years of work experience within the past five years in an occupation requiring at least two years of training or experience to perform. The U.S. Department of Labor’s O\*Net OnLine (<http://online.onetcenter.org/>) database will be used to determine qualifying work experience.

Entries must be submitted electronically between noon Eastern Daylight Time (EDT) (GMT-4), Thursday, October 2, 2008 and noon Eastern Standard Time (EST) (GMT-5) Monday, December 1, 2008. Applicants may access the Electronic Diversity Visa Entry Form at [www.dvlottery.state.gov](http://www.dvlottery.state.gov) during that time. Paper entries will not be accepted. Applicants are strongly encouraged not to wait until the last week of the registration period to enter. The Department of State warns that heavy demand may result in website delays. No entries will be accepted after noon EST on December 1, 2008.

An applicant may prepare and submit his or her own entry, or have someone submit the entry on the applicant’s behalf. Only one entry per person is allowed. If more than one is submitted, all entries will be disqualified, regardless of who submitted them.

A successfully registered entry will result in the display of a confirmation screen containing the applicant's name and a unique confirmation number. The confirmation screen can be printed.

Entries will also be disqualified if all required photographs are not submitted. Recent photographs of the following people must be submitted electronically with the Electronic Diversity Visa Entry Form:

- The applicant
- The applicant's spouse
- Each unmarried child of the applicant under 21 years of age, including all natural children as well as all legally-adopted children and stepchildren, even if a child no longer resides with the applicant or the applicant does not intend for the child to immigrate under the Diversity Visa program.

Applicants need not submit a photo for a child who is already a U.S. citizen or a Legal Permanent Resident.

Starting July 1, 2009, applicants will be able to check the status of their application by returning to the website and entering their unique confirmation number and personal information. Additional instructions can be found at [http://www.travel.state.gov/pdf/T1026V-DV-2010bulletin\(3\).pdf](http://www.travel.state.gov/pdf/T1026V-DV-2010bulletin(3).pdf)

K&L Gates comprises multiple affiliated partnerships: a limited liability partnership with the full name K&L Gates LLP qualified in Delaware and maintaining offices throughout the U.S., in Berlin, in Beijing (K&L Gates LLP Beijing Representative Office), and in Shanghai (K&L Gates LLP Shanghai Representative Office); a limited liability partnership (also named K&L Gates LLP) incorporated in England and maintaining our London and Paris offices; a Taiwan general partnership (K&L Gates) which practices from our Taipei office; and a Hong Kong general partnership (K&L Gates, Solicitors) which practices from our Hong Kong office. K&L Gates maintains appropriate registrations in the jurisdictions in which its offices are located. A list of the partners in each entity is available for inspection at any K&L Gates office.

This publication/newsletter is for informational purposes and does not contain or convey legal advice. The information herein should not be used or relied upon in regard to any particular facts or circumstances without first consulting a lawyer.

Data Protection Act 1998—We may contact you from time to time with information on K&L Gates LLP seminars and with our regular newsletters, which may be of interest to you. We will not provide your details to any third parties. Please e-mail [london@klgates.com](mailto:london@klgates.com) if you would prefer not to receive this information.

©1996-2008 K&L Gates LLP. All Rights Reserved.