

IMMIGRATION: Working in America

The Visa Lottery: Fast Track to a Green Card

by **Becki Young**

We are pleased to report that, at current count, at least four of our firm's clients have been chosen in this year's green card lottery.

I encourage any eligible person who is interested in obtaining a green card to apply for the visa lottery annually. It is the quickest, easiest, and least expensive way to become a permanent resident (green card holder).

Entering the visa lottery costs nothing – you can apply online at www.dvlottery.state.gov during the

registration period (usually during the months of October and November). If you would like to be placed on our firm's mailing list to be notified of the visa lottery registration period and receive other pertinent immigration updates, please e-mail



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becki.young@blylaw.com with the word "subscribe" in the subject line of your message.

Each year the Department of State, which runs the visa lottery, collects millions of applications for a total of 50,000 slots. Ultimately, your chances of being selected in the lottery in a given year are about 1/100, which in the scheme of things, is not bad.

To qualify for the lottery you must have a high school education or its equivalent or have, within the past five years, two years of work experience in an occupation requiring at least two years' training or experience (see http://travel.state.gov/visa/immigrants/types/types_1319.html for more information on qualifying occupations).

To participate in the lottery you must submit an application online during the registration period. At the time of submission you must upload digital photos of yourself and all immediate family members (whether or not they will ultimately apply with you).

Approximately 6-8 months after the registration period ends, the "winners" will be notified. Even if you are selected in the lottery, you are not guaranteed a green card. The Department of State selects about 100,000 winners for 50,000 slots. This is because many winners end up not pursuing green cards (i.e. they are no longer interested in immigrating, or have already immigrated through another means).

If you are a lucky winner, you must pay a fee of \$375 to continue the process. Then, you must closely follow the State Department's monthly visa bulletin (http://travel.state.gov/visa/frvi/bulletin/bulletin_1360.html) to confirm when your lottery number becomes available. Each selected applicant is assigned a number which contains a code for the region from which they come (i.e. Europe, Asia), as well as an immigrant number.

Each annual visa lottery corresponds to a federal fiscal year; for example, the visa lottery results being announced now are for the 2011 federal fiscal year, which runs from October 1, 2010 to September 30, 2011. This is important because no green cards for DV2011 winners can be given out before October 1, 2010 or after September 30, 2011. If you are selected in the 2011 lottery you know you will either get a green card during this time period, or you will not get a green card at all.

Each month in the visa bulletin, the Department of State releases the

numbers for immigrant visa applicants eligible to apply in the upcoming month. For example in the current (June 2010) bulletin, the immigrant number for visa lottery applicants from Asia is 19,550. This means that if you are a DV2010 (note: we are currently in the 2010 federal fiscal year) winner from Asia, with a number equal to or less than 19,550, you can apply for your green card in June 2010.

The process for the green card application is the same as through any other avenue (family or employment sponsorship); if in the U.S. legally you can apply to adjust your status, or if overseas you can apply to "consular process" an immigrant visa. The only tricky part is that the process must be completed by the end of the fiscal year (i.e. by September 30, 2011 for DV20011 winners).

Our firm can assist in preparing the necessary paperwork for individuals who have been selected in the visa lottery, and we have significant experience assisting with both adjustment of status and consular processing requests. For more information, please contact becki.young@blylaw.com.



*Becki L. Young has been working in the field of immigration law since 1995. Ms. Young's practice focuses on employment-based immigration law. She has represented employers in a variety of industries, including investment banking and securities, information technology, health care, and hospitality, providing advice on work permits and related immigration issues, and is the co-editor of *Immigration Options for Essential Workers* published by the American Immigration Lawyers Association. To learn more or to schedule a personal consultation, call 202-232-0983 or e-mail becki.young@blylaw.com.*

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