

is already a U.S. citizen or a Legal Permanent Resident. You must list your spouse even if you are currently separated from him or her. However, if you are legally divorced, you do not need to list your former spouse. For customary marriages, the important date is the date of the original marriage ceremony, *not* the date on which the marriage is registered. You must list ALL your children who are unmarried and under the age of 21 years, whether they are your natural children, your spouse's children by a previous marriage, or children you have formally adopted in accordance with the laws of your country, unless a 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 persons who were dependents 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 applicant submit his or her own entry, or may someone act on behalf of an applicant?

Applicants may prepare and submit their own entries, or have someone submit the entry for them. Regardless of whether an entry is submitted by the applicant directly, or assistance is provided by an attorney, friend, relative, etc., only one entry may be submitted in the name of each person. 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 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 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 should not be submitted with the lottery entry, but 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.

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 applicant 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 who are selected are instructed to appear for visa interviews at a U.S. consular office, or until those able to do so apply at a BCIS office in the United States for change of status.

15. May winning applicants adjust their status with BCIS?

Yes, provided they are otherwise eligible to adjust status under the terms of Section 245 of the INA, selected applicants who are physically present in the United States may apply to the Bureau of Citizenship and Immigration Services (BCIS) for adjustment of status to permanent resident. Applicants must ensure that BCIS can complete action on their cases, including processing of any overseas derivatives, before September 30, 2005, since on that date registrations for the DV-2005 program expire. No visa numbers for the DV-2005 program will be available after midnight on September 30, 2005 under any circumstances.

16. Will applicants who are not selected be informed?

No, applicants 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 about nine months of the end of the application period to the address indicated on the entry. Anyone who does not receive a letter will know that his or her application has not been selected.

17. How many applicants will be selected?

There are 50,000 DV visas available for DV-2005, 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 with those selected will begin in early October 2004. 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 2005. Selected applicants who wish to receive visas must be prepared to act promptly on their cases. Random selection by the Kentucky Consular Center computer does not automatically guarantee that you will receive a visa.

18. Is there a minimum age for applicants to apply for the 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 DV Program?

There is no fee for submitting an entry. A special DV case processing fee will be payable later by persons whose entries are actually selected and processed at a U.S. consular section for this year's program. DV applicants, like other immigrant visa applicants, must also pay the regular visa fees at the time of visa issuance. Details of required fees will be included with the instructions sent by the Kentucky Consular Center to applicants who are selected.

20. Are DV applicants specially entitled to apply for a waiver of any of the grounds of visa ineligibility?

No. Applicants are subject to all grounds of ineligibility for immigrant visas specified in the Immigration and Nationality Act. There are no special provisions for the waiver of any ground