

FTC Consumer Alert

Federal Trade Commission ■ Bureau of Consumer Protection ■ Office of Consumer and Business Education

Diversity Visa Lottery: Read the Rules, Avoid the Rip-Offs

If you or someone you know is trying to get a green card — the right to live in the United States permanently — be on the lookout for unscrupulous businesses and attorneys. They'll claim that, for a fee, they can make it easier to enter the U. S. State Department's annual Diversity Visa (DV) lottery (also known as the "green card lottery") or increase your chances of winning the DV lottery.

Each year, the State Department conducts a lottery through its DV program to distribute applications for 50,000 immigrant visas. Winners of the lottery have a chance to apply for an immigrant visa, which can be used to enter the U. S. Winners are selected randomly, and there is no fee to enter the lottery.

Starting in 2003, entries to the DV lottery must be submitted online at www.dvlottery.state.gov. (This site is only accessible during the application period.) Paper entries or mail-in requests will not be accepted. Lottery entrants must include a passport-style digital photograph and separate digital photographs of any spouse and children under 21 years of age. Group photographs are not allowed. Check with the State Department for technical requirements of the digital photograph.

Entries are accepted for a limited time. **For the DV-2005 Lottery (to be conducted in 2003), the application period is November 1, 2003, through December 30, 2003.** Check with the State Department for entry dates for future DV lotteries.

Entrants may submit only one entry during any particular DV lottery; those who submit more than one entry will be disqualified. Spouses may submit separate entries, however, if each meets the eligibility requirements. If only one spouse is selected, the other may enter the country on the Diversity Visa of the winning spouse.

The DV lottery has two eligibility requirements:

- 1. The entrant must be from an eligible country.** You must have been born in an eligible country, or have parents who were born in eligible countries and who were not residents of your country of birth, when you were born. For example, your parents might have lived temporarily in the ineligible country because of their jobs.

Every year, the State Department announces the countries whose natives are ineligible for application. **For the DV-2005 lottery, natives of the following countries are not eligible to apply:** Canada, China (excluding Hong Kong, Macau, or Taiwan), Colombia, Dominican Republic, El Salvador, Haiti, India, Jamaica, Mexico, Pakistan, Philippines, Russia, South Korea, United Kingdom (except Northern Ireland) and its dependent territories, and Vietnam. Applicants should check with the State Department to determine the ineligible countries for future DV lotteries.

2. Entrants must meet an education or training requirement. You will have met the *education requirement* if you have a high school education or have successfully completed a 12-year course of elementary and secondary education. You will have met the *training requirement* if you have at least two years of work experience within the past five years in an occupation requiring at least two years of training or experience to perform. For a list of qualifying occupations, visit <http://travel.state.gov/ONET.html>.

Green Card Lottery Scams

According to lawyers at the Federal Trade Commission (FTC), the nation's consumer protection agency, some businesses and attorneys misrepresent their services by saying that:

- they are affiliated with the U.S. government;
- they have special expertise or a special entry form that is required to enter the lottery;
- their company has never had a lottery entry rejected;
- their company can increase an entrant's chances of "winning" the lottery;
- people from ineligible countries still are "qualified" to enter the lottery.

In addition, some companies jeopardize an entrant's opportunity to participate in the lottery by filing several entries. These companies also may charge lottery-winning applicants substantial fees to complete the application process.

A delay in processing a winner's application can ruin their chance for a green card because the State Department selects more winners than there are visas available. The State Department awards visas to winners on a first-come, first-served basis. In addition, a winning application is only valid for one federal fiscal year (October 1 - September 30): Winners of the DV-2005 lottery must apply for a visa between October 1, 2004, and September 30, 2005.

Protecting Yourself from Fraud

The FTC says the best way to protect against green card lottery scams is to understand how the State Department's lottery works.

- **There's no charge to enter the green card lottery.** You can enter on your own at the State Department's Web site — www.dvlottery.state.gov. You'll need to answer a few questions and provide passport-style digital photographs. You'll get an acknowledgment from the State Department once you've submitted your entry.

Hiring a company or attorney to enter the lottery for you is your decision, but the person you pay will have to follow the same procedure. And your chance of being selected is the same whether you submit the entry or you pay someone to do it for you.

- **Submit only one entry.** If you submit more than one, you will be disqualified.
- **Selection of entries is random.** Spouses who are eligible for the DV lottery can apply separately; the "losing" spouse can enter the country on the Diversity Visa of the "winning" spouse. This is the only legitimate way to significantly increase your chance of entering the U.S. through the DV lottery.

- **Be alert to Web sites promising government travel or residency documents online or by mail.** Except for entering the DV lottery, most applications for visas, passports, green cards, and other travel and residency documents must be completed in person before an officer of the U.S. government.
- **Be thoughtful about who you send your personal documents to.** Unless you have an established relationship with a business, do not mail birth certificates, passports, drivers' licenses, marriage certificates, Social Security cards, or other documents with your personal identifying information to businesses promising to complete your application for travel or residency documents. These businesses may be engaged in identity theft.
- **Be skeptical of Web sites posing as U.S. government sites.** They may have domain names similar to government agencies, official-looking emblems (eagles, flags, or other American images like the Statue of Liberty or the U.S. Capitol), the official seals or logos of — and links to — other government sites, and list Washington, D.C., mailing addresses. **If the domain name doesn't end in ".gov," it's not a government site.** Bogus sites may charge for government forms. Don't pay; government forms and instructions for completing them are available from the issuing U.S. government agency for free.

For More Information

For details about the State Department's Diversity Visa lottery, visit www.travel.state.gov and www.unitedstatesvisas.gov. You also may call the State Department's Visa Services' Public Inquiries Branch at 202-663-1225. This number has recorded information with an option to speak with a visa specialist during normal business hours. Those overseas should contact the nearest U.S. embassy or consulate.

The FTC works for the consumer to prevent fraudulent, deceptive, and unfair business practices in the marketplace and to provide information to help consumers spot, stop, and avoid them. To file a complaint or to get free information on consumer issues, visit www.ftc.gov or call toll-free, 1-877-FTC-HELP (1-877-382-4357); TTY: 1-866-653-4261. The FTC enters Internet, telemarketing, identity theft, and other fraud-related complaints into Consumer Sentinel, a secure, online database available to hundreds of civil and criminal law enforcement agencies in the U.S. and abroad.