

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Total annual burden (hours)
SSA-454-BK .....	258,700	1	60	258,700
SSA-454-ICR .....	300	1	30	150
EDCS Interview .....	300	1	30	150
Total .....	259,300	.....	.....	259,000

Dated: September 30, 2009.

**Elizabeth A. Davidson,**

*Director, Center for Reports Clearance, Social Security Administration.*

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## DEPARTMENT OF STATE

[Public Notice: 6777]

### Bureau of Consular Affairs; Registration for the Diversity Immigrant (DV-2011) Visa Program

**AGENCY:** Department of State.

**ACTION:** Notice.

**SUMMARY:** This public notice provides information on how to apply for the DV-2011 Program. This notice is issued pursuant to 22 CFR 42.33(b)(3) which implements sections 201(a)(3), 201(e), 203(c) and 204(a)(1)(I) of the Immigration and Nationality Act, as amended, (8 U.S.C. 1151, 1153, and 1154(a)(1)(I)).

### Instructions for the 2011 Diversity Immigrant Visa Program (DV-2011)

The congressionally mandated Diversity Immigrant Visa Program (DV-2011) is administered on an annual basis by the Department of State and conducted under the terms of Section 203(c) of the Immigration and Nationality Act (INA). Section 131 of the Immigration Act of 1990 (Pub. L. 101-649) amended INA 203 and provides for a class of immigrants known as "diversity immigrants." Section 203(c) of the INA provides a maximum of 55,000 Diversity Visas (DVs) each fiscal year to be made available to persons from countries with low rates of immigration to the United States.

The annual DV program makes permanent residence visas available to persons meeting the simple, but strict, eligibility requirements. A computer-generated random lottery drawing chooses selectees for DVs. The visas are distributed among six geographic regions with a greater number of visas going to regions with lower rates of immigration, and with no visas going to

nationals of countries sending more than 50,000 immigrants to the United States over the period of the past five years. Within each region, no single country may receive more than seven percent of the available DVs in any one year.

For DV-2011, natives of the following countries are not eligible to apply because the countries sent a total of more than 50,000 immigrants to the United States in the previous five years:

Brazil, Canada, China (Mainland-Born), Colombia, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, India, Jamaica, Mexico, Pakistan, Peru, Philippines, 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. For DV-2011, no countries have been added or removed from the previous year's list of eligible countries.

The Department of State implemented the electronic registration system beginning with DV-2005 in order to make the DV process more efficient and secure. The Department utilizes special technology and other means to identify those who commit fraud for the purposes of illegal immigration or who submit multiple entries.

### DV Registration Period

Entries for the DV-2011 DV Lottery must be submitted electronically between noon, Eastern Daylight Time (EDT) (GMT-4), Friday, October 2, 2009, and noon, Eastern Standard Time (EST) (GMT-5) Monday, November 30, 2009. Applicants may access the electronic Diversity Visa (E-DV) Entry Form at <http://www.dvlottery.state.gov> during the registration period. Paper entries will not be accepted. Applicants are strongly encouraged not to wait until the last week of the registration period to enter. Heavy demand may result in Web site delays. No entries will be accepted after noon, EST, on November 30, 2009.

### Requirements for Entry

To enter the DV lottery, you must be a native of one of the listed countries. See "List of Countries by Region Whose Natives Qualify." In most cases, this

means the country in which you were born. However, there are two other ways you may be able to qualify. First, if you were born in a country whose natives are ineligible but your spouse was born in a country whose natives are eligible, you can claim your spouse's country of birth, provided both you and your spouse are on the selected entry, are issued visas, and enter the United States simultaneously. Second, if you were born in a country whose natives are ineligible, but neither of your parents was born there or resided there at the time of your birth, you may claim nativity in one of your parents' country of birth, if it is a country whose natives qualify for the DV-2011 program.

To enter the lottery, you must meet either the education or work experience requirement of the DV program. You 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* database will be used to determine qualifying work experience. For more information about qualifying work experience, see Frequently Asked Question #13. If you cannot meet either of these requirements, you should not submit an entry to the DV program.

### Procedures for Submitting an Entry to DV-2011

The Department of State will only accept completed E-DV Entry Forms submitted electronically at <http://www.dvlottery.state.gov> during the registration period between noon, EDT (GMT-4), Friday, October 2, 2009 and noon, EST (GMT-5) Monday, November 30, 2009.

All entries by an individual will be disqualified if more than ONE entry for that individual is received, regardless of who submitted the entry. You may prepare and submit your own entry, or have someone submit the entry for you.

A successfully registered entry will result in the display of a confirmation screen containing your name and a

unique confirmation number. You may print this confirmation screen for your records using the print function of your web browser. Starting July 1, 2010, you will be able to check the status of your DV-2011 entry by returning to the Web site and entering your unique confirmation number and personal information.

Paper entries will not be accepted.

*It is very important that all required photographs be submitted.* Your entry will be disqualified if all required photographs are not submitted. Recent photographs of the following people must be submitted electronically with the E-DV Entry Form: You; your spouse; each unmarried child under 21 years of age at the time of your electronic entry, including all natural children as well as all legally-adopted children and stepchildren, even if a child no longer resides with you or you do not intend for a child to immigrate under the DV program. You do not need to submit a photo for a child who is already a U.S. citizen or a Legal Permanent Resident.

Group or family photographs will not be accepted; there must be a separate photograph for each family member. Failure to submit the required photographs for your spouse and each child listed will result in an incomplete entry to the E-DV system. The entry will not be accepted and must be resubmitted. Failure to enter the correct photograph of each individual in the case into the E-DV system will result in disqualification of the principal applicant and refusal of all visas in the case at the time of the visa interview.

A digital photograph (image) of you, your spouse, and each child must be submitted online with the E-DV Entry Form. The image file can be produced either by taking a new digital photograph or by scanning a photographic print with a digital scanner.

Entries are subject to disqualification and visa refusal for cases in which the photographs are not recent or have been manipulated or fail to meet the specifications explained below.

#### **Instructions for Submitting a Digital Photograph (Image)**

The image file must adhere to the following compositional specifications and technical specifications and can be produced in one of the following ways: taking a new digital image or using a digital scanner to scan a submitted photograph. Entrants may test their photos for suitability through the photo validator link on the E-DV Web site before submitting their entries. The photo validator provides additional technical advice on photo composition

along with examples of acceptable and unacceptable photos.

#### **Compositional Specifications**

The submitted digital image must conform to the following compositional specifications or the entry will be disqualified: The person being photographed must directly face the camera; the head of the person should not be tilted up, down, or to the side; the head height or facial region size (measured from the top of the head, including the hair, to the bottom of the chin) must be between 50 percent and 69 percent of the image's total height. The eye height (measured from the bottom of the image to the level of the eyes) should be between 56 percent and 69 percent of the image's height; the photograph should be taken with the person in front of a neutral, light-colored background; dark or patterned backgrounds are not acceptable; the photograph must be in focus; photos in which the person being photographed is wearing sunglasses or other items that detract from the face will not be accepted; photographs of applicants wearing head coverings or hats are only acceptable if the head covering is worn because of religious beliefs, and even then, the head covering may not obscure any portion of the face of the applicant. Photographs of applicants with tribal or other headgear not specifically religious in nature will not be accepted; photographs of military, airline, or other personnel wearing hats will not be accepted.

Color photographs in 24-bit color depth are required. Photographs may be downloaded from a camera to a file on a computer, or they may be scanned to a file in the computer. If you are using a scanner, the settings must be for True Color or 24-bit color mode. Color photographs must be scanned at this setting for the requirements of the DV program. See the additional scanning requirements below.

#### **Technical Specifications**

The submitted digital photograph must conform to the following specifications or the system will automatically reject the E-DV Entry Form and notify the sender.

When taking a new digital image: the image file format must be in the Joint Photographic Experts Group (JPEG) format; it must have a maximum image file size of two hundred forty kilobytes (240 KB); the minimum acceptable image resolution and dimensions are 600 pixels (width) x 600 pixels (height). Image pixel dimensions must be in a square aspect ratio (meaning the height must be equal to the width). The image

color depth must be 24-bit color. [**Note:** Color photographs are required. Black and white, monochrome images (2-bit color depth), 8-bit color or 8-bit grayscale will not be accepted.]

Before a photographic print is scanned, it must meet the compositional specifications listed above. If the photographic print meets the print color and compositional specifications, scan the print using the following scanner specifications: Scanner resolution must be at least 150 dots per inch (dpi); the image file in JPEG format; the maximum image file size must be two hundred forty kilobytes (240 KB); the image resolution 600 by 600 pixels; the image color depth 24-bit color. [Note that black and white, monochrome, or grayscale images will not be accepted.]

#### **Information Required for the Electronic Entry**

There is only one way to enter the DV-2011 lottery. You must submit the DS 5501, the Electronic Diversity Visa Entry Form (E-DV Entry Form), which is accessible only online at <http://www.dvlottery.state.gov>. Failure to complete the form in its entirety will disqualify the entry.

**Note:** The Department of State strongly encourages applicants to complete the application without the assistance of "Visa Consultants," "Visa Agents," or other individuals who offer to submit an application on behalf of applicants. In many cases, these facilitators substitute their address for an applicant's address and thereby receive the selection notification instead of it being received by the actual applicant. Subsequently, the visa facilitators extort money from the selectees in order to receive the notification information that should have rightly gone directly to the DV selectee.

Those who submit the E-DV Entry Form will be asked to include the following information:

1. *Full name*—Last/family name, first name, middle name.
2. *Date of birth*—Day, Month, Year.
3. *Gender*—Male or Female.
4. *City Where You Were Born*.
5. *Country where you were born*—The name of the country should be that which is currently in use for the place where you were born.
6. *Country of Eligibility or Chargeability for the DV Program*—Your country of eligibility will normally be the same as your country of birth. Your country of eligibility is not related to where you live. If you were born in a country that is not eligible for the DV program, please review the instructions to see if there is another option for country of chargeability available for you. For additional information on

chargeability, please review “Frequently Asked Question #1” of these instructions.

7. *Entry Photograph(s)*—See the technical information on photograph specifications. Make sure you include photographs of your spouse and all your children, if applicable. See: Frequently Asked Question #3.

8. *Mailing Address*—In care of, address line 1, address line 2, city/town, district/country/province/state, postal code/zip code, and country.

9. Country where you live today.

10. Phone Number (optional).

11. *E-Mail Address*—Provide an e-mail address to which you have direct access. You will not receive an official selection letter at this address. However, if your entry is selected and you respond to the official letter you receive from the Kentucky Consular Center (KCC), you may receive follow-up communication from them by e-mail.

12. *What is the highest level of education you have achieved, as of today?* You must indicate which one of the following represents your own highest level of educational achievement: (1) Primary school only, (2) High school, no degree, (3) High school degree, (4) Vocational school, (5) Some university courses, (6) University degree, (7) Some graduate level courses, (8) Master degree, (9) Some doctorate level courses, and (10) Doctorate degree.

13. *Marital Status*—Unmarried, married, divorced, widowed, legally separated.

14. *Number of Children*—Entries must include the name, date, and place of birth of your spouse and all natural children, as well as all legally adopted children and stepchildren who are unmarried and under the age of 21 on the date of your electronic entry (do not include children who are already U.S. citizens or Legal Permanent Residents), even if you are no longer legally married to the child’s parent, and even if the spouse or child does not currently reside with you and/or will not immigrate with you. Note that married children and children 21 years or older are not eligible for the DV; however, U.S. law protects children from “aging out” in certain circumstances. If your E-DV entry is made before your unmarried child turns 21, and the child turns 21 before visa issuance, he/she may be protected from aging out by the Child Status Protection Act and be treated as though he/she were under 21 for visa-processing purposes. Failure to list all children who are eligible will result in disqualification of the principal applicant and refusal of all visas in the case at the time of the visa interview. See: Frequently Asked Question #11.

15. *Spouse Information*—Name, date of birth, gender, city/town of birth, country of birth, and photograph. Failure to list your spouse will result in disqualification of the principal applicant and refusal of all visas in the case at the time of the visa interview.

16. *Children Information*—Name, date of birth, gender, city/town of birth, country of birth, and photograph: Include all children declared in question #14 above.

### Selection of Applicants

The computer will randomly select individuals from among all qualified entries. The selected individuals will be notified by mail between May and July 2010; the notification letters will provide further instructions, including information on fees connected with immigration to the United States. Those selected in the random drawing are not notified by e-mail. Those individuals not selected will not receive any notification. U.S. embassies and consulates will not be able to provide a list of successful entrants. Successful entrants’ spouses and unmarried children under age 21 may also apply for visas to accompany or follow-to-join the principal applicant. DV-2011 visas will be issued between October 1, 2010 and September 30, 2011.

Processing of entries and issuance of DVs to successful individuals and their eligible family members MUST occur by midnight on September 30, 2011. Under no circumstances can DVs be issued or adjustments approved after this date, nor can family members obtain DVs to follow-to-join the principal applicant in their case in the United States after this date.

In order to receive a DV to immigrate to the United States, those chosen in the random drawing must meet ALL eligibility requirements under U.S. law. These requirements may significantly increase the level of scrutiny required and time necessary for processing for natives of some countries listed in this notice, including, but not limited to, countries identified as state sponsors of terrorism.

### Important Notice

No fee is charged for the electronic lottery entry in the annual DV program. The U.S. Government employs no outside consultants or private services to operate the DV program. Any intermediaries or others who offer assistance to prepare DV entries do so without the authority or consent of the U.S. Government. Use of any outside intermediary or assistance to prepare a DV entry is entirely at the entrant’s discretion.

A qualified electronic entry submitted directly by an applicant has an equal chance of being randomly selected by the computer at the KCC as does a qualified electronic entry received from an outside intermediary on behalf of the applicant. However, receipt of more than one entry per person will disqualify the person from registration, regardless of the source of the entry.

### Frequently Asked Questions About E-DV Registration

*1. What Do the Terms “Eligibility,” “Native,” and “Chargeability” Mean? Are There Any Situations in Which Persons Who Were Not Born in a Qualifying Country May Apply?*

Your country of eligibility will normally be the same as your country of birth. Your country of eligibility is not related to where you live. “Native” ordinarily means someone born in a particular country, regardless of the individual’s current country of residence or nationality. For immigration purposes, “native” can also 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 INA. For example, if you were born in a country that is not eligible for this year’s DV program, you may claim chargeability to the country where your derivative spouse was born, but you will not be issued a DV-1 unless your spouse is also eligible for and issued a DV-2, and both of you must enter the United States together with the DVs. In a similar manner, a minor dependent child can be “charged” to a parent’s country of birth.

Finally, if you were born in a country not eligible to participate in this year’s DV program, you can be “charged” to the country of birth of either of your parents as long as neither parent was a resident of the ineligible country at the time of the your birth. In general, people are not considered residents of a country in which they were not born or legally naturalized if they are only visiting the country, studying in the country temporarily, or stationed temporarily in the country for business or professional reasons on behalf of a company or government from a country other than the country in which the applicant was born. If you claim alternate chargeability, you must indicate such information on the E-DV Entry Form in question #6. Please be aware that listing an incorrect country of eligibility or chargeability (i.e., one to which you cannot establish a valid claim) may disqualify your entry.

**2. Are There Any Changes or New Requirements in the Application Procedures for This DV Registration?**

Yes, you must provide an e-mail address this year as part of your entry, it is no longer optional. If you are selected, you will still receive an official letter from the KCC by regular mail, but KCC may send other communication to you by e-mail. Please provide a personal e-mail address that you can access, rather than using someone else's address or a standard company address. All other requirements for DV-2011 remain the same as for the previous year. The Entry Status Check will be available for DV-2011 beginning July 1, 2010. If you applied for the DV-2010 program, you may check the status of your entry until the end of June 2010.

**3. Are Signatures and Photographs Required for Each Family Member, or Only for the Principal Entrant?**

Signatures are not required on the E-DV Entry Form. Recent and individual photographs of you, your spouse, and all children under 21 years of age are required. Family or group photographs are not accepted. Refer to information on the photograph requirements located in this notice.

**4. Why Do Natives of Certain Countries Not Qualify for the DV Program?**

DVs are intended to provide an immigration opportunity for persons from countries other than the countries that send large numbers of immigrants to the United States. The law states that no DVs shall be provided for natives of "high admission" countries. The law defines this to mean countries from which a total of 50,000 persons in the Family-Sponsored and Employment-Based visa categories immigrated to the United States during the period of the previous five years. Each year, the U.S. Citizenship and Immigration Services (USCIS) adds the family and employment immigrant admission figures for the previous five years in order to identify the countries whose natives will be ineligible for the annual diversity lottery. Because there is a separate determination made before each annual E-DV entry period, the list of countries whose natives are not eligible may change from one year to the next.

**5. What Is the Numerical Limit for DV-2011?**

By law, the U.S. DV program makes available a maximum of 55,000 permanent residence visas each year to eligible persons. However, the Nicaraguan Adjustment and Central American Relief Act (NACARA) passed

by Congress in November 1997 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 by up to 5,000 DVs began with DV-2000 and is likely to remain in effect through the DV-2011 program.

**6. What Are the Regional DV Limits for DV-2011?**

USCIS determines the DV regional limits for each year according to a formula specified in Section 203(c) of the INA. Once the USCIS has completed the calculations, the regional visa limits will be announced.

**7. When Will Entries for the DV-2011 Program Be Accepted?**

The DV-2011 entry period will run through the registration period listed above. Each year, millions of people apply for the program during the registration period. The massive volume of entries creates an enormous amount of work in selecting and processing successful individuals. Holding the entry period during October, November, and December will ensure 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 in the registration period. Excessive demand at end of the registration period may slow the system down. No entries whatsoever will be accepted after noon EST Monday, November 30, 2009.

**8. May Persons Who Are in the United States Apply for the Program?**

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

**9. Is Each Applicant Limited to Only One Entry During the Annual E-DV Registration Period?**

Yes, the law allows only one entry by or for each person during each registration period. Individuals for whom more than one entry is submitted will be disqualified. The Department of State will employ sophisticated technology and other means to identify individuals who submit multiple entries during the registration period. People submitting more than one entry will be disqualified and an electronic record will be permanently maintained by the Department of State. Individuals may apply for the program each year during the regular registration period.

**10. May a Husband and a Wife Each Submit a Separate Entry?**

Yes, a husband and a wife may each submit one entry if each meets the eligibility requirements. If either is selected, the other is entitled to derivative status.

**11. What Family Members Must I Include on My E-DV Entry?**

On your entry you must list your spouse (husband or wife), and all unmarried children under 21 years of age, with the exception of children who are already U.S. citizens or Legal Permanent Residents. You must list your spouse even if you are currently 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 or divorced, you do not need to list your former spouse. You must list all your children who are unmarried and under 21 years of age at the time of your initial E-DV entry, whether they are your natural children, your spouse's children, or children you have formally adopted in accordance with the laws of your country, unless such child is already a U.S. citizen or Legal Permanent Resident. List all children under 21 years of age at the time of your E-DV entry 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 those who were family members 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 I Submit My Own Entry, or May Someone Act on My Behalf?**

You may prepare and submit your own entry, or have someone submit the entry for you. Regardless of whether an entry is submitted by the individual directly, or assistance is provided by an attorney, friend, relative, *etc.*, only one entry may be submitted in the name of each person and the entrant remains responsible for insuring that information in the entry is correct and complete. If the entry is selected, the notification letter will be sent only to

the mailing address provided on the entry. All entrants, including those not selected, will be able to check the status of their entry through the official DV Web site. Entrants should keep their own confirmation page information so they may independently check the status of their entry.

### 13. What Are the Requirements for Education or Work Experience?

The law and regulations require that every entrant must have at least 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. 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 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 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.

*What Occupations qualify for the Diversity Visa Program?* To determine eligibility based on work experience, definitions from the Department of Labor's (DOL) O\*Net Online Database will be used. The O\*Net Online Database groups job experience into five "job zones." While many occupations are listed on the DOL Web site, only certain specified 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 that is designated as Job Zone 4 or 5, classified in a Specific Vocational Preparation (SVP) range of 7.0 or higher.

*How Do I Find the Qualifying Occupations on the DOL Web site?* Qualifying DV Occupations are shown on the DOL O\*Net Online Database. Follow these steps to find out if your occupation qualifies: Select "Find Occupations" and then select a specific "Job Family." For example, select Architecture and Engineering and click "GO." Then click on the link for the specific Occupation. Following the same example, click Aerospace Engineers. After selecting a specific Occupation link, select the tab "Job Zone" to find out the designated Job Zone number and SVP rating range.

### 14. How Will Successful Entrants Be Selected?

At the KCC, 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 entrant will be sent a notification letter by the KCC, which will provide visa application instructions. The KCC will continue to process the case until those selected to be visa applicants are instructed to appear for visa interviews at a U.S. consular office or until those qualifying to change status in the United States apply at a domestic USCIS office.

**Important Note:** Notifications to those selected in the random lottery are *not* sent by e-mail. Should you receive an e-mail notification about your E-DV selection, be aware that the message is not legitimate. If you are selected, you will receive an official letter from the KCC by postal mail. After you reply and begin processing your case, you may receive additional communication by e-mail from the KCC. The KCC will *not* ask you to send money to them by mail or by services such as Western Union.

### 15. May Selectees Adjust Their Status With USCIS?

Yes, provided they are otherwise eligible to adjust status under the terms of Section 245 of the INA, selected individuals who are physically present in the United States may apply to the USCIS for adjustment of status to permanent resident. Applicants must ensure that USCIS can complete action on their cases, including processing of any overseas derivatives, before September 30, 2011, since on that date registrations for the DV-2011 program expire. No visa numbers for the DV-2011 program will be available after midnight on September 30, 2011, under any circumstances.

### 16. Will Entrants Who Are Not Selected Be Informed?

All entrants, including those not selected, may check the status of their entry through the E-DV Web site and find out if their entry was or was not selected. Entrants should keep their own confirmation page information from the time of their entry until they may check the status of their entry online. Status information for DV-2011 will be available online from July 1,

2010, until June 30, 2011. (Status information for the previous DV lottery, DV-2010, is available online from July 1, 2009, until June 30, 2010.) All official notification letters are sent to the address indicated on the entry within five to seven months from the end of the application period.

### 17. How Many Individuals Will Be Selected?

There are 50,000 DV visas available for DV-2011, 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 KCC 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. All applicants who are selected will be informed promptly of their place on the list. Interviews for the DV-2011 program will begin in October 2010. The KCC 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 to those applicants who are ready for issuance during that month, visa number availability permitting. Once all of the 50,000 DVs have been issued, the program for the year will end. In principle, visa numbers could be finished before September 2011. Selected applicants who wish to receive visas must be prepared to act promptly on their cases. Random selection by the KCC computer as a selectee does not automatically guarantee that you will receive a visa. You must qualify for the visa as well.

### 18. Is There a Minimum Age for Applicants To Apply for the E-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 electronic lottery entry. DV applicants must pay all required visa fees at the time of visa application directly to the consular cashier at the embassy or consulate. Details of required DV and immigrant visa (IV) application fees will be included with the instructions sent

by the KCC to applicants who are selected.

*20. Do DV Applicants Receive Waivers of Any Grounds of Visa Ineligibility or Receive Special Processing for a Waiver Application?*

Applicants are subject to all grounds of ineligibility for IVs specified in the INA. There are no special provisions for the waiver of any ground of visa ineligibility aside from those ordinarily provided in the Act, nor is there special processing for waiver requests. Some general waiver provisions for people with close relatives who are U.S. Citizens of Lawful Permanent Resident aliens may be available to DV applicants as well, but the time constraints in the DV program will make it difficult for applicants to benefit from such provisions.

*21. May Persons Who Are Already Registered for an IV in Another Category Apply for the DV Program?*

Yes, such persons may apply for the DV program.

*22. How Long Do Applicants Who Are Selected Remain Entitled To Apply for Visas in the DV Category?*

Persons selected in the DV-2011 lottery are entitled to apply for visa issuance only during fiscal year 2011, from October 1, 2010, through September 30, 2011. Applicants must obtain the DV 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, 2011 (the end of the fiscal year). Also, spouses and children who derive status from a DV-2011 registration can only obtain visas in the DV category between October 2010 and September 2011. Applicants who apply overseas will receive an appointment letter from the KCC four to six weeks before the scheduled appointment.

*23. If an E-DV Selectee Dies, What Happens to The DV Case?*

The death of an individual selected in the lottery results in automatic revocation of the DV case. Any eligible spouse and/or children are no longer entitled to the DV, for that entry.

*24. When Will The E-DV Entry Form Be Available?*

Online entry will be available during the registration period beginning at noon EDT (GMT-4) on October 2, 2009, and ending at noon EST (GMT-5) on November 30, 2009.

*25. Will I Be Able To Download and Save The E-DV Entry Form to a Microsoft Word Program (or Other Suitable Program) and Then Fill It Out?*

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. This makes it more "universal" than a proprietary word processor format. Additionally, it does require that the information be filled in and submitted while online.

*26. If I Don't Have Access to a Scanner, Can I Send Photographs to My Relative in the United States To Scan the Photographs, Save the Photographs to a Diskette, and Then Mail the Diskette Back to Me To Apply?*

Yes, this can be done as long as the photograph meets the photograph requirements in the instructions and the photograph is electronically submitted with, and at the same time as, the E-DV Entry Form is submitted. The applicants must already have the scanned photograph file when they submit the entry online. The photograph cannot be submitted separately from the online application. Only one online entry can be submitted for each person. Multiple submissions will disqualify the entry for that person for DV-2011. The entire entry (photograph and application together) can be submitted electronically from the United States or from overseas.

*27. Can I Save the Form Online So That I Can Fill Out Part and Then Come Back Later and Complete the Remainder?*

No, this cannot be done. The E-DV Entry Form is designed to be completed and submitted at one time. However, because the form is in two parts, and because of possible network interruptions and delays, the E-DV system is designed to permit up to sixty (60) minutes between when the forms are downloaded and when the entry is received by the E-DV Web site. If more than 60 minutes elapse and the entry has not been electronically received, the information already received is discarded. This is done so that there is no possibility that a full entry could accidentally be interpreted as a duplicate of a previous partial entry. The DV-2011 instructions explain clearly and completely what information is required to fill in the form. Thus you can be fully prepared, making sure you have all of the information needed before you start to complete the form online.

*28. If the Submitted Digital Images Do Not Conform to the Specifications, the Procedures State That the System Will Automatically Reject the E-DV Entry Form and Notify the Sender. Does This Mean I Will Be Able To Resubmit My Entry?*

Yes, the entry can be resubmitted. Since the entry was automatically rejected, it was not actually considered as submitted to the E-DV Web site. It does not count as a submitted E-DV entry, and no confirmation notice of receipt is sent. If there are problems with the digital photograph sent, because it does not conform to the requirements, it is automatically rejected by the E-DV Web site. However, the amount of time it takes the rejection message to reach the sender is unpredictable given the nature of the Internet. If the problem can be fixed by the applicant, and the Form Part One or Two is resent within 60 minutes, there is no problem. Otherwise, the applicant will have to restart the submission process. An applicant can try to submit an application as many times as is necessary until a complete application is received and the confirmation notice sent.

*29. Will the Electronic Confirmation Notice That the Completed E-DV Entry Form Has Been Received Through the Online System Be Sent Immediately After Submission?*

The response from the E-DV Web site which contains confirmation of the receipt of an acceptable E-DV Entry Form is sent by the E-DV Web site immediately. However, how long it takes the response to reach the sender is unpredictable due to the nature of the Internet. If many minutes have elapsed since pressing the 'Submit' button, there is no harm in pressing the 'Submit' button a second time. The E-DV system will not be confused by a situation where the 'Submit' button is hit a second time because no confirmation response has been received. An applicant can try to submit an application 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.

*30. How Will I Know If The Notification of Selection That I Have Received Is Authentic? How Can I Confirm That I Have in Fact Been Chosen in the Random DV Lottery?*

Keep your confirmation page. You will need it to check the status of your entry yourself at the official DV Web site

after the electronic lottery is conducted (usually March). If you lose your confirmation information, you will not be able to check your DV entry status by yourself and we will not resend the confirmation page to you. If selected, you will also receive a letter from the KCC by mail sometime between May and July 2010 at the addresses listed on your E-DV entry. Only the randomly selected individuals will be notified by mail. Persons not selected may check their entry using their confirmation information through the official DV Web site, but will not receive additional official notification by e-mail or by mail. We will not resend confirmation page information to you. If you lose your confirmation page information, you will only find out if you were selected if you receive an official letter by mail. U.S. embassies and consulates will not be able to provide a list of those selected to continue the visa process.

The KCC will send the letters notifying those selected. These letters will contain instructions for the visa application process. The instructions say the selected applicants will pay all DV and IV fees in person only at the U.S. embassy or consulate at the time of the visa application. The consular cashier or consular officer immediately gives the visa applicant a U.S. Government receipt for payment. You should never send money for DV fees through the mail, through Western Union, or any other delivery service.

The E-DV lottery entries are made on the Internet, on the official U.S. Government E-DV Web site at [www.dvlottery.state.gov](http://www.dvlottery.state.gov). KCC sends letters only to the selected applicants. KCC, consular offices, or the U.S. Government has never sent e-mails to notify selected individuals, and there are no plans to use e-mail for this purpose for the DV-2011 program.

The Department of State's Bureau of Consular Affairs advises the public that only Internet sites including the ".gov" indicator are official government Web sites. Many other non-governmental Web sites (e.g., using the suffixes ".com" or ".org" or ".net") provide immigration and visa-related information and services. Regardless of the content of non-governmental Web sites, the Department of State does not endorse, recommend, or sponsor any information or material shown at these other Web sites.

Some Web sites may try to mislead customers and members of the public into thinking they are official Web sites and may contact you by e-mail to lure you to their offers. These Web sites may attempt to require you to pay for services such as forms and information

about immigration procedures, which are otherwise free on the Department of State Visa Services Web site or overseas through the U.S. embassy consular sections' Web sites. Additionally, these other Web sites may require you to pay for services you will not receive (such as fees for DV applications and visas) in an effort to steal your money. If you send in money to one of these scams, you will never see it again. Also, you should be wary of sending any personal information to these Web sites that might be used for identity fraud/theft.

#### *31. How Do I Report Internet Fraud or Unsolicited E-Mail?*

If you wish to file a complaint about Internet fraud, please see the [econsumer.gov](http://econsumer.gov) Web site, hosted by the Federal Trade Commission, in cooperation with consumer protection agencies from 17 nations (<http://www.econsumer.gov/english/>). You may also report fraud to the Federal Bureau of Investigation (FBI) *Internet Crime Complaint Center*. To file a complaint about unsolicited e-mail, contact the *Department of Justice Contact Us page*.

#### *32. If I Am Successful In Obtaining A Visa Through The DV Program, Will The U.S. Government Assist With My Airfare to the United States, Provide Assistance To Locate Housing and Employment, Provide Healthcare, or Provide Any Subsidies Until I Am Fully Settled?*

No, applicants who obtain a DV are not provided any type of assistance such as airfare, housing assistance, or subsidies. If you are selected to apply for a DV, before you can be issued a visa, you will be required to provide evidence that you will not become a public charge in the United States. This evidence may be in the form of a combination of your personal assets, an Affidavit of Support (Form I-134) from a relative or friend residing in the United States, and/or an offer of employment from an employer in the United States.

#### **List of Countries by Region Whose Natives Are Eligible for DV-2011**

The lists below show the countries whose natives are eligible for DV-2011, grouped by geographic region. Dependent areas overseas are included within the region of the governing country. The countries whose natives are not eligible for the DV-2011 program were identified by the USCIS according to the formula in Section 203(c) of the INA. The countries whose natives are not eligible for the DV program (because they are the principal source countries of Family-Sponsored

and Employment-Based immigration or "high admission" countries) are noted after the respective regional lists.

#### *Africa*

Algeria; Angola; Benin; Botswana; Burkina Faso; Burundi; Cameroon; Cape Verde; Central African Republic; Chad; Comoros; Congo; Congo, Democratic Republic of the; Cote D'Ivoire (Ivory Coast); Djibouti; Egypt; Equatorial Guinea; Eritrea; Ethiopia; Gabon; Gambia, The; Ghana; Guinea; Guinea-Bissau; Kenya; Lesotho; Liberia; Libya; Madagascar; Malawi; Mali; Mauritania; Mauritius; Morocco; Mozambique; Namibia; Niger; Nigeria; Rwanda; Sao Tome and Principe; Senegal; Seychelles; Sierra Leone; Somalia; South Africa; Sudan; Swaziland; Tanzania; Togo; Tunisia; Uganda; Zambia; Zimbabwe.

Persons born in the Gaza Strip are chargeable to Egypt.

#### **List of Countries by Region Whose Natives Are Eligible for DV-2011**

##### *Asia*

Afghanistan; Bahrain; Bangladesh; Bhutan; Brunei; Burma; Cambodia; East Timor; Hong Kong Special Administrative Region; Indonesia; Iran; Iraq; Israel; Japan; Jordan; Kuwait; Laos; Lebanon; Malaysia; Maldives; Mongolia; Nepal; North Korea; Oman; Qatar; Saudi Arabia; Singapore; Sri Lanka; Syria; Taiwan; Thailand; United Arab Emirates; Yemen.

*Natives of the following Asian countries are not eligible for this year's DV program:* China [mainland-born], India, Pakistan, South Korea, Philippines, and Vietnam. Hong Kong S.A.R., and Taiwan do qualify and are listed above. Macau S.A.R. also qualifies and is listed below. Persons born in the areas administered prior to June 1967 by Israel, Jordan and Syria are chargeable, respectively, to Israel, Jordan and Syria.

#### **List of Countries by Region Whose Natives Are Eligible for DV-2011**

##### *Europe*

Albania; Andorra; Armenia; Austria; Azerbaijan; Belarus; Belgium; Bosnia and Herzegovina; Bulgaria; Croatia; Cyprus; Czech Republic; Denmark (including components and dependent areas overseas); Estonia; Finland; France (including components and dependent areas overseas); Georgia; Germany; Greece; Hungary; Iceland; Ireland; Italy; Kazakhstan; Kosovo; Kyrgyzstan; Latvia; Liechtenstein; Lithuania; Luxembourg; Macedonia, the Former Yugoslav Republic; Macau Special Administrative Region; Malta; Moldova; Monaco; Montenegro; Netherlands (including components and dependent areas

overseas); Northern Ireland; Norway; Portugal (including components and dependent areas overseas); Romania; Russia; San Marino; Serbia; Slovakia; Slovenia; Spain; Sweden; Switzerland; Tajikistan; Turkey; Turkmenistan; Ukraine; Uzbekistan; Vatican City.

*Natives of the following European countries are not eligible for this year's DV program:* Great Britain and Poland. Great Britain (United Kingdom) includes the following dependent areas: Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Falkland Islands, Gibraltar, Montserrat, Pitcairn, St. Helena, and Turks and Caicos Islands. Note that for purposes of the DV program only, Northern Ireland is treated separately; Northern Ireland does qualify and is listed among the qualifying areas.

#### List of Countries by Region Whose Natives Are Eligible for DV-2011

##### North America

The Bahamas.

In North America, natives of Canada and Mexico are not eligible for this year's DV program.

##### Oceania

Australia (including components and dependent areas overseas); Fiji; Kiribati; Marshall Islands; Micronesia, Federated States of; Nauru; New Zealand (including components and dependent areas overseas); Palau; Papua New Guinea; Samoa; Solomon Islands; Tonga; Tuvalu; Vanuatu.

##### South America, Central America, and the Caribbean

Antigua and Barbuda; Argentina; Barbados; Belize; Bolivia; Chile; Costa Rica; Cuba; Dominica; Grenada; Guyana; Honduras; Nicaragua; Panama; Paraguay; Saint Kitts and Nevis; Saint Lucia; Saint Vincent and the Grenadines; Suriname; Trinidad and Tobago; Uruguay; Venezuela.

*Countries in this region whose natives are not eligible for this year's DV program:*

Brazil, Colombia, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Jamaica, Mexico, and Peru.

Dated: September 30, 2009.

**Janice L. Jacobs,**

*Assistant Secretary for Consular Affairs,  
Department of State.*

[FR Doc. E9-24077 Filed 10-5-09; 8:45 am]

BILLING CODE 4710-06-P

## DEPARTMENT OF STATE

### [Public Notice 6775]

#### Javits Report 2010

**SUMMARY:** In accordance with Section 25 of the Arms Export Control Act (AECA), as amended, 22 U.S.C. 2765, the State Department prepares an annual report to Congress (the "Javits" Report) regarding an arms sales proposal covering all Foreign Military Sales (FMS) and Direct Commercial Sales (DCS) of major weapons or weapons-related defense equipment worth \$7,000,000 or more, and of any other weapons or weapons-related defense equipment worth \$25,000,000 or more, which are considered eligible for approval during the relevant calendar year.

**DATES:** All DCS Javits Report 2010 submissions must be received by October 23, 2009.

**FOR FURTHER INFORMATION:** Members of the public who need additional information regarding the DCS portion of the Javits Report should contact Allie Frantz, PM/DDTC, SA-1, 12th Floor, Directorate of Defense Trade Controls, Bureau of Political-Military Affairs, U.S. Department of State, Washington, DC 20522-0112; telephone (202) 736-9220; or e-mail [FrantzA@state.gov](mailto:FrantzA@state.gov).

#### SUPPLEMENTARY INFORMATION:

The Javits Report 2010 is an Arms Sales Proposal, to Congress, which covers all sales and licensed commercial exports under the Arms Export Control Act of major weapons or weapons-related defense equipment worth \$7,000,000 or more, and of any other weapons or weapons-related defense equipment worth \$25,000,000 or more, which are considered eligible for approval during calendar year 2010, together with an indication of which sales and licensed commercial exports are deemed most likely to result in a letter of offer or the issuance of an export license during 2010.

Javits Report entries for proposed Direct Commercial Sales should be submitted on the DS-4048 form to [javitsreport@state.gov](mailto:javitsreport@state.gov), no later than October 23, 2009. The DS-4048 form and instructions are located on the DDTC's Web site at [http://www.pmdtc.state.gov/reports/javits\\_report.html](http://www.pmdtc.state.gov/reports/javits_report.html). Submissions should be limited to those activities for which a prior marketing license or other approval from DDTC has been authorized and ongoing contract negotiations will result in either a procurement date in 2010 or the likely award of the contract to the reporting company during 2010. To complete the DS-4048 form, the following

information is required: Country to which sale or export is proposed; Category of proposed sale or export (aircraft, missile, ships, satellite, etc.); Type of activity (direct commercial sale or foreign military sale); Value of proposed sale or export and quantity of items anticipated. Include a concise description of the article to be sold or exported, including any details of what is expected to be included in the contract (maintenance, upgrade, etc.).

Dated: September 29, 2009.

**Robert S. Kovac,**

*Managing Director, Directorate of Defense Trade Controls, Department of State.*

[FR Doc. E9-24093 Filed 10-5-09; 8:45 am]

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## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

### Fiscal Year 2010 Tariff-Rate Quota Allocations for Raw Cane Sugar, Refined and Specialty Sugar, and Sugar-Containing Products

**AGENCY:** Office of the United States Trade Representative.

**ACTION:** Notice.

**SUMMARY:** The Office of the United States Trade Representative (USTR) is providing notice of country-by-country allocations of the Fiscal Year (FY) 2010 in-quota quantity of the tariff-rate quotas for imported raw cane sugar, refined and specialty sugar, and sugar-containing products.

**DATES:** *Effective Date:* October 6, 2009.

**ADDRESSES:** Inquiries may be mailed or delivered to Leslie O'Connor, Director of Agricultural Affairs, Office of Agricultural Affairs, Office of the United States Trade Representative, 600 17th Street, NW., Washington, DC 20508.

**FOR FURTHER INFORMATION CONTACT:** Leslie O'Connor, Office of Agricultural Affairs, telephone: 202-395-6127 or facsimile: 202-395-4579.

**SUPPLEMENTARY INFORMATION:** Pursuant to Additional U.S. Note 5 to Chapter 17 of the Harmonized Tariff Schedule of the United States (HTS), the United States maintains tariff-rate quotas (TRQs) for imports of raw cane sugar and refined sugar. Pursuant to Additional U.S. Note 8 to Chapter 17 of the HTS, the United States maintains a TRQ for imports of sugar-containing products.

Section 404(d)(3) of the Uruguay Round Agreements Act (19 U.S.C. 3601(d)(3)) authorizes the President to allocate the in-quota quantity of a TRQ for any agricultural product among supplying countries or customs areas.