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State Department Briefing on 2012 Diversity Visa Lottery Program

FOREIGN PRESS CENTER BRIEFING WITH JOHN WILCOCK,
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TOPIC: 2012 DIVERSITY VISA LOTTERY PROGRAM & REGISTRATION
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MODERATOR: Good afternoon again, and thank you all for joining us. We have with us John Wilcock from the Consular Affairs Bureau. This is going to be an on-the-record briefing, and without further ado I am going to introduce John. Just for your reference, however, if you have cell phones, if you have not turned them off already, please either turn them off or onto silent.

And John, take it away.

MR. WILCOCK: Thank you. Yes, I'm just going to make a few opening remarks to set the scene and then I'll be happy to take any questions that you have.

The 2012 Diversity Visa Lottery Program is going to open up for registrations this coming October 5, and the registration period will run through November the 3rd. The participating countries for the Diversity Visa Program in 2012 remain unchanged from last year, so there's no changes to the participating countries. And once again, there will be 50,000 total visas available in 2012.

You may note that the 30-day registration period that we're going to be running for DV-2012 is down from the 60 days that we've had for the last several years. The reason to revert to the 30-day registration period is overwhelming evidence over the last couple of years that the online registration process that was introduced a few years ago is an overwhelming success, so with that, we are reverting to the more common 30-day period that we've run since the beginning of the program.

Online administration of the DV program is being extended further in DV-2012. I've already mentioned the fact that we're doing online registrations, but in addition for DV-2012, there will be no mailed notification letters to selectees, no mail this year. Online notification will be made through the Entry Status Check function that was introduced two years ago that's available via dvlottery.state.gov, the same site through which people register.

In addition, those who are invited for interviews are not going to be mailed an interview notification letter from Kentucky Consular Center. Those notifications, again, are going to be made through the Entry Status Check function on dvlottery.state.gov. So we're going to an entirely electronic registration, notification, and interview scheduling process with an elimination of the mail coming from Kentucky Consular Center.

The reason behind those changes is primarily to combat fraud. The Department wants to protect the interests of legitimate applicants for the DV program and protect those applicants against fraud and malfeasance that is sometimes perpetrated against them. And combating fraud remains the number one goal of the program in terms of how it's administered.

Those letters that we're dispensing with in DV-2012 have proved over the years to be a major source of that fraud in terms of those letters going astray in the mail or being deliberately rerouted to an alternative address by some person who has a means of either controlling the mail or substituting information in the applicant's registration before it's submitted, changing the address to – or the contact address. So in using an Entry Status Check-only online notification process, what the Department of State is doing is placing control of the information flow into the hands of the legitimate entrants into the program.

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Now, entrants who retain their confirmation number, which they are presented at the end of the registration process, they retain entire control of their application from beginning to end, both in terms of the information that goes online, checking after May 1 to see if they've been selected or not, and then getting themselves documentarily qualified with the Kentucky Consular Center, and then receiving confirmation of their visa interview. All of that information is available to the legitimate applicant who retains their confirmation number, and nobody can divert that information and prevent them from receiving it.

And what we're also doing and continue to do globally at all of our consular posts overseas that adjudicate diversity visas is move against document fraud and relationship fraud that continue to be a secondary source of fraud in the DV program.

The instructions that are already available on dvlottery.state.gov for the DV-2012 program contain a very strong, very carefully worded anti-fraud message to would-be applicants that they should take charge of their own registration, make sure that they retain their confirmation number, and ensure that that confirmation number doesn't fall into the hands of anybody else. And in our instructions, we also reiterate throughout the very lengthy information package that if an applicant does not enter the lottery themselves, actually execute their own application, or at least personally supervise whomever fills their application out for them, they are quite likely to become a victim of fraud.

In addition, we want to stress that nobody should be paying money through the internet. Any claim by any website that they can guarantee that people win if they pay a certain amount of money or if they should pay any fees at all through the web, those are entirely fraudulent claims. The only place that DV applicants should pay money is at the time of their interview at the embassy or consulate to which they're applying. There is no fee to apply to participate in the DV lottery. There is fees payable upon interview. So we're encouraging people not to send money or pay money in advance to anybody who's making any promises.

And any incorrect information contained in any entry leads the applicant to be subject to disqualification from the program. So that is why legitimate applicants should make sure that they're personally supervising, but preferably personally submitting their own application form to make sure that all the information in there about themselves and their family is totally accurate.

The fees, by the way, \$305 is the immigrant visa fee and there is a one-time \$440 diversity visa fee. The diversity visa fee is only paid by selected applicants at the time of their interview, but the program remains free for all entrants to the lottery itself. That fee funds the lottery program, so only people who actually get interviewed for a visa program (inaudible).

And with that, that's my overview of the program for this year and I'll be happy to take any questions that you may have.

MODERATOR: Before we take questions, I'd like for everyone to first state your name and your news organization before you ask a question.

MR. WILCOCK: Yes, ma'am.

QUESTION: My name is Adam Ouologuem with the Africa Sun Times, the Washington bureau chief. If somebody's married to a wife and is a father of ten, if he applied for himself, he has to bring his – all of his children in, right?

MR. WILCOCK: He doesn't have to. He has to list all of his children in his application for --

QUESTION: But he's allowed to bring them in? So how do we get to the 50,000?

MR. WILCOCK: The 50,000 is all recipients of visas, be they the principal applicant or family members. There is only 50,000 total available worldwide.

QUESTION: For everybody?

MR. WILCOCK: Yes.

QUESTION: So if I apply for my large family, back home in Africa, we are 20 –

MR. WILCOCK: Yes.

QUESTION: Okay. So –

MR. WILCOCK: So just to give you an idea about how that balances out, last year there were 16 million total entries.

QUESTION: Sixteen, one –

MR. WILCOCK: Sixteen, 1-6.

QUESTION: Sixteen, 1-6.

MR. WILCOCK: Twelve and a half were principal applicants, 12.5 million. And the other three and a half were family members.

QUESTION: So how many did come?

MR. WILCOCK: Well, there'll be 50 – there's 50,000 visas available, so do the math. One in 320 is your chances of being selected.

Yes.

QUESTION: I am Betty Lin of the World Journal.

MR. WILCOCK: Yes.

QUESTION: Could you walk us through what's going to happen after May 1st? Like how do people register?

MR. WILCOCK: Yes, I can actually – I should actually walk you through the entire timetable. So here are the key dates for DV-2012.

Registration period commences October 5, 2010; concludes November 3, 2010. On May 1, 2011, entrants will be able to log onto Entry Status Check on dvlottery.state.gov to find out if they have been selected or not to participate in the program. That's May 1. Starting October 1, 2011 –

QUESTION: When is that?

MR. WILCOCK: October 1, the first actual interviews for visas will take place. So between May 1 and October 1, selected applicants will be given an opportunity to fill out their application forms for the visa, submit information to the Kentucky Consular Center, who will schedule interviews and start notifying selected applicants of their interview through the Entry Status Check Function.

QUESTION: So people will log in their names and how – like, what if they're --

QUESTION: -- similar or the same name?

MR. WILCOCK: It's – no, they will log in using their – in addition to their name, they will also have to log in using their confirmation number, which is a unique ID.

QUESTION: So they'll receive a confirmation number from the Visa Lottery?

MR. WILCOCK: They receive that after – at the end of their registration. So when they're submitting their online registration --

QUESTION: They will already have a registration number?

MR. WILCOCK: -- the last thing they will do after they click submit is they will be given a confirmation number. That's their unique identifier for that one specific application.

QUESTION: So can two family members or more than two family members apply if they --

MR. WILCOCK: Yes, a husband and wife can both apply separately and list each other and their children. They have to – each application would have to be complete, but it can be two separate applications.

QUESTION: And the age limit is 21?

MR. WILCOCK: Twenty-one, yes.

QUESTION: Twenty-one, all right.

MR. WILCOCK: Yeah. And they must list – this is very important. All applicants must list all children under the age of 21, whether they intend to take them to the United States or not. And the reason we do that is that people's plans change. We're talking about registering now for visas that will only be issued between October 1,

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2011 and September 30, 2012. That's nearly two years away for some people. So we want all children listed on the application. It doesn't mean that you have to take them to the United States.

QUESTION: If a baby is born between when they register and receive notification?

MR. WILCOCK: That can be handled as well. If a baby is – if a relationship is created subsequent to the registration period, then it's fine to add them on with a caveat there. That's one of the major sources of fraud in the program. So we do look at those relationships very carefully, particularly marriages that are concluded after an applicant has found out that they've been selected. Those are given very close scrutiny, but legitimate marriages and legitimate births of children – again, we can verify that the birth child is a legitimate child of that principal applicant via DNA testing if necessary. But with all the fraud measures aside, yes, it's totally legal to be able to participate in the program as a derivative if that derivative relationship was created after the registration.

QUESTION: On –

MODERATOR: In fairness to everyone around the table, I'd like for people to raise their hand and wait to be recognized, okay?

QUESTION: Okay, good.

MR. WILCOCK: Yes, sir.

QUESTION: Ben Bangoura, broadcast journalist here in Washington.

MR. WILCOCK: Yes, sir.

QUESTION: I would like to know if this process is open to illegal immigrants living in United States?

MR. WILCOCK: There is no bar to participation in the program, provided you are a native of one of the countries that can participate. You may participate in the program irrespective of where you live in the world, including in the United States. And there are many people each year who adjust status while in the United States and to that of a legal permanent residence based on winning the DV lottery.

Having said that, all ineligibilities under the Immigration and Nationality Act, Section 212, apply, including accruing illegal presence. So one may be selected to participate in the lottery, but not be legally able to take the benefit if you have an ineligibility.

QUESTION: So they're subject to 10-year bar?

MR. WILCOCK: Depends on how long. But those – you're quoting 9B-2, which is a ten-year bar. Yes, that would apply if you've accrued that much illegal presence after April 1, 1997, more than 365 days, yes.

QUESTION: So –

MODERATOR: We have a question here.

QUESTION: Okay.

MR. WILCOCK: But what I want to say, without going through each of the ineligibilities, they all apply. All the standard ineligibilities apply to DV.

QUESTION: Zaher Imadi from the Syria official media.

MR. WILCOCK: Yes, sir.

QUESTION: I wonder, are – the selectee are going to be selected from all regions of the world equally? And what – are there any certain countries that are excluded from the process?

MR. WILCOCK: Yes, the excluded –

QUESTION: And what are they?

MR. WILCOCK: Yeah, I can run down the list of excluded countries. So countries that are not able to participate, natives of the following countries, which is the same as last year, by the way: Brazil, Canada, mainland China, Colombia, the Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, India, Jamaica, Mexico, Pakistan, Peru, the Philippines, Poland, South Korea, the United Kingdom, with the exception of Northern Ireland and its dependent territories, and Vietnam. So, the UK and its

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dependent territories with the exception of Northern Ireland and Vietnam.

Just for clarification, persons who were born in the Hong Kong special administrative region, the Macau special administrative region, and Taiwan are eligible. It's only mainland China that aren't.

Okay. Now, sir, you had a couple of follow-on questions from that. The world is – for the purposes of the DV program, the world is divided up into regions, and each region is allocated a number of visas for the program, okay? Now, the regions are not all equal. The number of visas that each region gets is partly a product of how many people enter the lottery from that region, and it's also partly adjusted up and down depending on how many people from that region have immigrated to the United States in the last five years. So the more people that have emigrated from a region, the proportionally less visas they will receive as a total region. Okay.

Now, within that region, any applicant, irrespective of the country in that region, has an equal chance of being selected from that regional pot in the lottery. But no country in any region in anywhere in the world can receive more than 7 percent of the annual total, which is three and a half thousand. So the very largely subscribed countries – Nigeria, Bangladesh, et cetera, Ethiopia – routinely cap out on that three thousand – three and a half thousand. Okay?

QUESTION: Currently, what's the region that gets the most visas?

MR. WILCOCK: Let me just check.

QUESTION: And why?

MR. WILCOCK: (Laughter.) Right, let me see if – let me see. Well, in 2009, Africa got 24,600.

QUESTION: Okay.

MR. WILCOCK: Asia got 7,700; Europe got 14,200; North America got 1 – and that was the Bahamas, by the way; 605 in Oceania, which is South Pacific, typically; and South America got 782. So that makes Africa number one.

QUESTION: Okay.

MR. WILCOCK: Yeah.

MODERATOR: I think we had a question in the back (inaudible).

MR. WILCOCK: Yes, ma'am.

QUESTION: Hi, Maria Tabak Russian news agency.

MR. WILCOCK: Yes, ma'am.

QUESTION: Can you elaborate on the visas available for Russia and the diversity visa depend on how many visas are relegated for Russia and for the region. And second, does application for green card or – does it affect visa for the travel or business. Because I've heard many cases when people, after they applied for green card and they failed to get it --

MR. WILCOCK: Okay.

QUESTION: -- they had some problems with getting just normal tourist visas.

MR. WILCOCK: Right.

QUESTION: So how does this work?

MR. WILCOCK: Okay. I've kind of already covered the first question, but let me rephrase it slightly. The number of visas allocated to any country is not something that I can predict right now, because it's entirely dependent on how many people apply from that region and how many people apply from that country within that region. The more people apply, obviously, the more chance that that country has of getting a selectee.

So if half the number of applicants in the Europe region are from Russia, then Russia will get half of the visas, except they'd cap out at three and a half thousand, as any one country would. So the regional total is not something I can predict either, because that's a calculation that's going to be made based on total immigration numbers over the last five years. The more people come to the U.S. from any given region, the less numbers are allocated to that region for the DV program. And that's

not anything I can give you any hard numbers on. All I can do is simply explain how in theory it works, but how it's going to end up with raw numbers for any one country, that's not really possible for us to predict.

QUESTION: No, I'm asking because Russia was excluded for two years and –

MR. WILCOCK: Russia, right, now – oh, sorry, forgive me. That's a different question. If your question is instead how do we determine which countries can participate and which countries can't, I've just given you a list of countries that are not eligible. That is because the total net – the total emigration from any of those countries has exceeded 50,000 in the last five years. That's both immigrant visas and adjustments of status. So in other words, people becoming permanent residents has exceeded 50,000 in the last five years.

And that's how the law is written. If you look at the Immigration and Nationality Act, that's the DV law that Congress enacted in 1990 – well, 1988 they voted it in. And the idea was to diversify the immigrant pool. And they obviously had to set it – they had to draw a line somewhere to say it's diversified enough if this many people are coming in from this one country. They set the limit at 50,000.

QUESTION: Yes, the limit is for the country or the region that (inaudible)?

MR. WILCOCK: The country. Yeah, so natives of these countries can participate if that country has sent no more than 50,000 in the last five years. So, 10,000 a year we're looking at. Certain of these countries will – I mean, based on current immigration patterns, will never be participants in the DV program. Mexico, for example, and the Philippines send way, way more than that. Other countries bounce back and forth. Russia is a good example of that. Brazil has gone back and forth as well.

QUESTION: I have a question about visas.

MODERATOR: Excuse me. Just one moment.

MR. WILCOCK: Let's make sure everybody has an opportunity –

MODERATOR: Let's get up front here.

MR. WILCOCK: Yes, sir.

QUESTION: Christoph Von Marschall from the German daily Der Tagesspiegel.

MR. WILCOCK: Yes.

QUESTION: What is the criteria for the nationality? Is it birth country or is the passport holding –

MR. WILCOCK: It's actually not that. It's natives. In other words, you were born there. It actually has nothing to do with your citizenship at all.

QUESTION: It's birth?

MR. WILCOCK: Yeah, it's birth.

QUESTION: When did –

MR. WILCOCK: Ma'am?

QUESTION: -- the program started? And how many Africans so far got the visa to enter into the U.S.?

MR. WILCOCK: Well, I have – I can give you figures from '95 through 2009, because that's what I have. The program actually started in Fiscal Year 1990. So it's been running for – well, this will be the 22nd program here – 23rd program here, I suppose. But the Africa totals – gosh, I don't have these accumulated, but this is public information and you're quite willing – you're quite welcome to take a copy of this. It has varied between 16,000 and 24,000 since 1995. So you can probably come up with a rough estimate there, but it's probably about 300,000, something like that, probably.

Sir?

QUESTION: Zaher Imadi, the Syrian media. I have a specific question about the Middle East. Do you happen to have any statistics about which countries have had the higher end of permit grants using this program and which countries have only the least –

MR. WILCOCK: Using?

QUESTION: -- of usage.

MR. WILCOCK: Yeah. Using this program, yes. The Middle East -- and again, you can -- I can let you know where to find this document --

QUESTION: Thank you.

MR. WILCOCK: -- probably after this session is over. This is available on the state.gov website. Yeah, most of them fall into the region that we call Asia, but not all of them. See me afterwards and we can look at it.

(Inaudible.)

QUESTION: Yes. My name is Nami Yoshio from Kyodo News Japan. I'd like to know is this (inaudible) and not (inaudible) pure lottery, or do you take into consideration like what kind of qualifications? Do you look at each --

MR. WILCOCK: The qualification -- there is a minimum qualification, which is that one must have an equivalent of the U.S. 12-year high school degree or sufficiently qualifying professional experience. So the bar is fairly low -- 12 years of high school, so what one might expect to graduate at age 18 in the U.S.

QUESTION: A follow-up to that question. The information we had was high school plus two, which is 14 years of school, not high school --

MR. WILCOCK: Twelve years --

QUESTION: Yeah, 12 plus two. It's only 12? Is that something new?

MR. WILCOCK: Well, I'll quote you from the instructions here.

QUESTION: We had high school plus two years.

MR. WILCOCK: That may be so for certain countries. But the program is that you must have the -- let me see what's the education qualifications. The plus two comes in it in this way: 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 of training, so 12 years of high school or two years qualifying work experience. Okay?

Yes.

QUESTION: Let me introduce myself. I work for Voice of America Pakistan (inaudible) service. We have a lot of interest that people take in this program.

MR. WILCOCK: Yes.

QUESTION: But very curious, for how long Pakistan was in the program and like if you can count on the years it's been excluded?

MR. WILCOCK: I -- let me see. Up through 2001. So the 2000 -- the DV- 2002 and onwards, Pakistan has not been in it.

Yes, sir.

QUESTION: (Inaudible.)

MR. WILCOCK: Oh, whoever was first. (Inaudible) yourselves, maybe, a little bit.

QUESTION: How do you explain the quota issue outside diversity visa? I mean, why would, for instance, European countries get more visa compared to another region like Asia or Africa? I mean, outside --

MR. WILCOCK: It's simply a product of how -- of how many people apply, how many people apply for the program.

QUESTION: (Inaudible) preferential there?

MR. WILCOCK: There's no preferential weighting. The only way weightings that are applied are how many -- are in inverse proportions to how many people have previously immigrated within the last five years. The more immigrants a region sends, the less diversity visas they get next year.

QUESTION: Given the fact that terrorism has been very high on the agenda in recent

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years and increasingly people from Middle East are suspected of being part of that problem, how does that play in your selection in terms of diversity visas?

MR. WILCOCK: It does not play at all in terms of who can participate in the program. Each and every applicant is subjected to the same kind of background investigation and about possible ineligibilities, and that's true of a diversity visa as much as it's true of any visa to the United States. Individual applicants who have ineligibilities, and that might include security-based ineligibilities, may be restricted from immigrating to the United States. But that determination's made on a person-by-person basis. There is no – we're not putting any group of people into a category and excluding them. That's not the way our immigration system works.

QUESTION: Thank you.

MODERATOR: Betty, I think you had a question.

QUESTION: Thank you. So we can tell our readers and audiences that if they get anything from email or regular mail notifying them they are selected, it's fraud and they should ignore it and – or report to the police?

MR. WILCOCK: Very good question. For mail, the answer is yes. The U.S. Government is not sending out a single piece of mail for DV-2012. Now, bear in mind, there are people from DV-2011 who are going to commence their interviews for their visas this coming October 1 who will continue to receive mail from the Kentucky Consular Center, but DV-2012 applicants are not going to receive any mail at all. So the last piece of mail on the DV program from the KCC is effectively is going to be going out at some point before September 30 of next year, which is when we have to finish all our visa interviews for DV-2011.

As for email, there will be one email sent to selected participants who have responded to information calls from the Kentucky Consular Center to send in various documents to get them to the point where the Kentucky Consular section can schedule their interview. At the point the interview is scheduled, the DV applicant will receive one email from the Kentucky Consular Center that simply says, "Check the latest information on Entry Status Check". It's not going to provide them details of when or where their interview is going to be held. It's simply going to say, "There's an update on Entry Status Check. Please, go check it."

QUESTION: So no personal information or anything?

MR. WILCOCK: There'll be no personally identifiable information in that email: none at all. It's going to be a very, very bland, very generic email.

QUESTION: Do you have the email address so that people can know that it's legitimate?

MR. WILCOCK: I don't. I don't think we've even programmed it yet.

QUESTION: So the subject –

MR. WILCOCK: That's a good question.

QUESTION: -- will be like check the latest information.

MR. WILCOCK: Yeah, yeah. So all it's --

QUESTION: And when will that be sent out?

MR. WILCOCK: That will be sent out at some point after May 1, but it will only be sent out to applicants who have already checked on Entry Status Check, seen that they have been selected, and have responded to the data call to send information to the Kentucky Consular Center. People who have not ever logged onto Entry Status Check and have found out that they have been selected will get an email. It's only selected applicants.

QUESTION: So it's like a hundred Thailand emails –

MR. WILCOCK: So if somebody out of the blue received an email comporting to be from the Kentucky Consular Center, first of all, unless they've already logged on and found they've been selected, that's not going to be a legitimate email. And secondly, all a legitimate email is going to do is tell them to check Entry Status Check.

So our big public message is: Log onto Entry Status Check. That's where all the information is. Ignore everything else, just check Entry Status Check.

QUESTION: So how many entries will be selected?

MR. WILCOCK: More than 50,000.

QUESTION: Right. (Laughter.)

QUESTION: More than 50,000?

MR. WILCOCK: More. We have to because not everybody --

QUESTION: Like 100,000?

MR. WILCOCK: Not everybody chooses to apply, not everybody qualifies. So we have to -- and people are given a rank number, and we start at the top. In each region, as we literally -- it's not plucking balls out of the pot. But let's just imagine that we're plucking balls out of the pot. We've got six pots for each region. The first applicant that we select out is given rank order number one. That's the first person that's going to be called for an interview, and then we'll go two, three, four, five, six. The further down in rank number you are, the less likely you are to receive a visa. And that information is also in the instructions as well so that people understand that -- the lower down the rank order you are. You may -- you may not -- it depends.

But we don't have people show up and interview and pay for the application only to be -- and then tell them that they can't go because we've run out visas. We don't do it that way. Carefully looking at the numbers and how they're used up throughout the program year, and when we know that the next person in line is going to get a shot at a visa number, then we will send them the information about their interview date.

So people have to -- that's why people have to check regularly after May 1 to see if they've gotten the -- well, first of all, they have to send the information into the Kentucky Consular Center, but then they have to look to see if they're going to get called for an interview. Not everybody will get called for an interview.

QUESTION: You must have a computer.

MR. WILCOCK: Or access to one. But you do to register anyway.

MODERATOR: We have a question up front.

MR. WILCOCK: Right, sir.

QUESTION: I have two questions. One is to follow up on my former. How do you deal with mixed marriages, where one is from a country (inaudible) and the other is not in Germany. For example, we have a lot of mixed marriages between Germans and Poles, and Poland is not eligible, Germany is. And the second question would be: Do you have to figure how many of these visas have been dedicated to Germany in the last year?

MR. WILCOCK: I do. And I'll answer your first question while I'm looking this up. There are rules about cross-charging, as we call it, but taking the country of one's spouse. According to a set of rules that I'm not necessarily going to go into, but if your spouse is from a different country and it's one of the participating countries, then your spouse can apply and you can be a beneficiary.

QUESTION: So it's possible?

MR. WILCOCK: Absolutely, absolutely.

QUESTION: They can't do the two applications that you recommended earlier because as a main applicant this person is not eligible, only as a dependent?

MR. WILCOCK: I believe so, yes. Yes.

QUESTION: Okay. Do you have a figure for Germany?

MR. WILCOCK: For Germany is -- gee, okay -- it was 910 in 2009.

QUESTION: Thanks.

MR. WILCOCK: Yeah, you're welcome.

QUESTION: I missed that. How much -- how many for Germany?

MR. WILCOCK: Nine hundred and ten.

At the back, yes, ma'am.

QUESTION: That was actually my second question, how does education for (inaudible) for the green card (inaudible) visa issued afterwards? I mean, it feels like

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MR. WILCOCK: Oh, yes, I'm sorry. You did have a second question didn't you? There's no straight - as you might know in visa work, in terms of who's eligible and who isn't and who might get told that they don't qualify. If we're talking about a subsequent non-immigrant visa application --

QUESTION: Yes.

MR. WILCOCK: Yes. So one of the prime decisions facing a consular officer in a non-immigrant visa is whether the applicant in front of them is intended to abandon their foreign residence. Now just because you've applied for the DV, doesn't mean to say you have plans to abandon your foreign residence. But it also doesn't mean that just because you've applied for the DV that you will qualify. There's no hard and fast answer to this. Plenty of DV applicants, even if they didn't apply for the DV, would not qualify for a non-immigrant visa anyway because of their ties to their country of residence are deemed to be insufficient to overcome our legal assumption of immigrant intent that we apply to every single non-immigrant visa applicant with the exception of a couple of categories.

Merely applying for the DV lottery doesn't mean that you no longer overcome immigrant - that you no longer overcome the assumption of immigrant intent or you're assumed to be an immigrant. Just as - if I buy a Powerball ticket for the Virginia lottery tomorrow, doesn't mean to say I'm going to go out and buy a mansion, does it? Yeah. You actually have to - it's a bit of a long shot. And I think most people who apply for the DV lottery understand this. Hey, maybe; maybe not. It doesn't hurt. Does it mean that they want to move to America tomorrow? Not necessarily. It doesn't mean to say that they don't want to move to America tomorrow either. And it also doesn't mean to say that even if they get selected they'd decide to do so. Plenty of people who get selected for the DV lottery don't decide to move to America because of their personal circumstances at the time. Okay.

So every single applicant is looked at according to their own personal circumstances at the time of their visa interview to determine whether they qualify for the visa for which they are applying at the time that they are applying, based on their circumstances at that time.

QUESTION: Did this (inaudible) from the visa --

MODERATOR: One moment, we want to make sure that we include everyone.

QUESTION: Because this is a follow-up to the - what do you say, they go together.

MODERATOR: I think we have someone --

QUESTION: Because this goes together.

MODERATOR: We have someone ahead. But we'll -

MR. WILCOCK: We'll get back to you, I promise.

MODERATOR: We're going to get to you, I promise you.

QUESTION: Besides the education factor -

MR. WILCOCK: Yes.

QUESTION: -- does the applicant ability to have extended family in the United States play any role also in increasing their chances to get - to be considered for the program?

MR. WILCOCK: No. The only way to increase your chances of being selected is to apply. And every applicant has an equal chance of winning based on any other applicant. There is no - nobody's looked at more or less favorably in terms of whether they get selected from the pot or not. Everybody's equal.

QUESTION: But completing that high school level -

MR. WILCOCK: That's different.

QUESTION: -- is a factor?

MR. WILCOCK: Once you've been selected, some selectees are going to get their visas and others are not. They have to be able to demonstrate that they've got a high school equivalency or qualifying work experience. That's the number one issue. And the reason that Congress requires that is that we want to be sure that people are going to be able to support themselves and their families when they get to the United States, so Congress decided that as the level that they must be able to demonstrate. Lower than that, people perhaps are running a risk of not being able to find work.

QUESTION: Hello.

MR. WILCOCK: Yes, ma'am. (Laughter.)

QUESTION: Yes. When the person get the visa, what the deadline to enter to the U.S.? And I also hear that you must have somebody in the U.S. to go to.

MR. WILCOCK: That's right.

QUESTION: You have to an address.

MR. WILCOCK: You have to – okay.

QUESTION: Some people are from my village – you don't have no one –

MR. WILCOCK: You have to have an address.

QUESTION: Yes, somewhere to go --

MR. WILCOCK: The reason --

QUESTION: -- if you have never come to the U.S.

MR. WILCOCK: The reason that you have to have an address is that the Social Security Administration needs to know where to send your green card.

QUESTION: You don't come with the green card? You take it from inside the country?

MR. WILCOCK: The green card is mailed to you, subsequent to you entering as an immigrant.

QUESTION: So you must have a place to go?

MR. WILCOCK: You have to have an address.

QUESTION: An address.

MR. WILCOCK: You don't have to know that person particularly well. You just have to have somewhere that it can be mailed to.

QUESTION: To follow up to that question.

MR. WILCOCK: And your other question – there was another question wasn't there?

QUESTION: Yes. Once – (inaudible) if you are a lawyer in my country Mali, you have everything – your car, your house, you have 12 children. You win the lottery. You decide to bring them over. So what's the – when you get into the U.S., what is there for you from the beginning to start with?

MR. WILCOCK: Okay. I'll return to that question, because your other question was how long is the visa valid?

QUESTION: Yes.

MR. WILCOCK: Six months maximum. All immigrant – that's the maximum validity of the immigrant visa. So the last visas for DV-2012 will be issued at midnight September 30 on 2012. But the visas can be used up to the dates that they expire, so there are going to be people from DV-2012 who will be entering the States into 2013, the first couple of months, because the visa has a six-month validity – maximum of six months. It can vary from applicant to applicant. But you have up until the maximum validity to actually enter the United States. It doesn't have to be at the end of the program year.

And your question about what will you do. Well, those are – we don't make those decisions for individual applicants. This is a – the DV program is an opportunity for people to come to the United States if they choose to do so. The decision rests with them as to whether to make that move.

QUESTION: So where they come?

MR. WILCOCK: It's up to them.

QUESTION: No, no, where they come here – in the U.S.?

MR. WILCOCK: Yes.

QUESTION: And come to the airport, JFK, I've never been there.

MR. WILCOCK: Yes.

QUESTION: So who is there to tell me this is what to do, what to not do?

MR. WILCOCK: Beyond the port of entry inspection of passport and documentation and baggage, you are on your own.

QUESTION: Thank you.

QUESTION: This is America. (Laughter.)

MR. WILCOCK: That's right. You are on --

QUESTION: Welcome aboard.

MR. WILCOCK: -- your own.

Yes.

QUESTION: Two questions. Number one, is Afghanistan included? And second, if from --

MR. WILCOCK: I'm sorry, is what included?

QUESTION: Afghanistan.

QUESTION: Afghanistan.

MR. WILCOCK: Yeah, I believe so. I didn't mention -- nope -- yep. They're not on the list of ineligible countries, so yes.

QUESTION: Yes. And the second question from extended family if -- like five brothers or sisters and a couple of them could apply or no as separate applicant?

MR. WILCOCK: Siblings?

QUESTION: As a separate applicant?

MR. WILCOCK: Yes, because they don't have a qualifying relationship. You can't bring a sibling with you on the DV. If you apply, then you can -- your spouse, if you have one, and your children under the age of 21 if you have any, can come on your application. Your brother, separate application.

QUESTION: Okay.

MR. WILCOCK: Assuming he is an adult.

QUESTION: (Inaudible) family --

MR. WILCOCK: Yes, oh, yes. Yes. And as I was saying earlier, a husband and a spouse can each apply separately as well.

QUESTION: But you must be 21?

MR. WILCOCK: Right.

Yes, ma'am.

QUESTION: So on that question -- so everyone, including the spouse and children are included in the 50,000?

MR. WILCOCK: Yes, yes. They're not over and above the 50,000. The 50,000 is total diversity visa recipients, be they the principal applicant or the spouse or children. Yeah.

QUESTION: And do you also have the figures for Japan?

MR. WILCOCK: Yes, I do. **ATA InfoNet Doc. No. 10100164. (Posted 10/01/10)**

MODERATOR: We're going to have time for about two more questions after --

MR. WILCOCK: It was 207 last year.

QUESTION: Okay. Is that like an increasing or a decreasing --

MR. WILCOCK: That's down a little bit actually. There were 633 in 2003, and it's been going down -- the trend has been down since then with a slight increase in 2008.

QUESTION: Can you move to Mali to see how many Malians?

MODERATOR: Before we do that, I want to make sure no one else has a question. What I can do is make some copies of this so --

MR. WILCOCK: That would be great.

MODERATOR: -- before you all leave, so that you can have this.

QUESTION: Thank you. That's very helpful.

MODERATOR: Do you have any other questions, though, before we --

QUESTION: No. So you can answer my question: How many Malians got the visa in 2011?

MR. WILCOCK: '09 -- in 2009, 43.

QUESTION: Forty-three?

MR. WILCOCK: Mm-hmm, not that many.

QUESTION: There are many, because family of ten have come so far, two family of ten.

MR. WILCOCK: Oh, so that's 25 percent of that total. (Laughter.) Any other questions?

Okay. Yes, sir.

QUESTION: I would -- just wondering about the background aspect of each candidate.

MR. WILCOCK: Yes.

QUESTION: How that is being conducted? And if you have, for instance, somebody applying from Jalalabad with a very low level of education, how would you go by investigating an individual?

MR. WILCOCK: Well, I can't and I won't explain everything that we do to look at the background of potential immigrants to the United States. Some of that is information that can't be shared. But all applicants must overcome the -- any -- all and any ineligibilities that may apply under the Immigration and Nationality Act, which are laid out in INA Section 212, if you wanted to know what they were. And much of our resources across the governments, as you are no doubt aware, over the last few years are aimed at ensuring that we don't allow people into our country who do not overcome those potential ineligibilities. We want to make sure that our country is safe and secure.

QUESTION: Can I follow up on that? Do you have people on the ground doing that job or -- I mean, how do you proceed? Is it --

MR. WILCOCK: Well, that's partly what our consular officers overseas are there. One of the main reasons we have officers living and serving overseas, conducting face-to-face interviews is to make that on-the-ground determination about eligibility.

QUESTION: I mean, beyond the interview, do you have a mechanism of verifying --

MR. WILCOCK: We have officers who are dedicated to conducting security and background checks who are working with host countries in many respects. We have --

QUESTION: Outside of the visa DV, do you know how many Malians are living in the U.S. today?

MR. WILCOCK: I do not have that figure. But I would encourage you to visit the **AILA InfoNet Doc. No. 10100164. (Posted 10/01/10)**

10/1/2010

State Department Briefing on 2012 Div...

USCIS.gov, which is the website of the United States Citizenship and Immigration Services who have that information in their annual flow report. It's called a flow report. It's statistics on immigration. They publish it annually, and I think you'll find information that also goes back several years for total cumulative immigration country by country.

QUESTION: That's good, because the last time I checked it was only for Africa, the total of African living in the U.S. but not country by country.

MR. WILCOCK: You might – it might well have it country by country. And CIS is a better source than State because they capture adjustments of status and not just visa issuances, so it's a more complete figure as well.

QUESTION: Thank you.

QUESTION: Some congressional members tried to eliminate visa lottery.

MR. WILCOCK: Yeah, that's right.

QUESTION: Yeah. So do you have a position or –

MR. WILCOCK: Do we – no, I don't have a position. The State Department administers the program. Congress enacted the program and it will be Congress that modifies the program or not, as the case may be. That's entirely an issue for the Hill.

MODERATOR: Well, thank you all very much for coming out for this briefing. About – I can – again, I will print off some copies of this list so that you all will have it. And if you all just want to wait around.

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