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Immigration Update – October 3, 2007

GREEN CARD LOTTERY 2009 REGISTRATION PERIOD BEGINS

Each year the U.S. State Department issues up to 50,000 immigrant visas (green cards) by random selection through a Diversity Visa lottery. This year the State Department will accept applications submitted electronically during the 60-day application period from noon (EDT) on Wednesday, October 3, 2007 until noon (EDT) on Sunday, December 2, 2007. Winners will be notified between May and July 2008, and will receive permanent resident status (green cards) between October 1, 2008 and September 30, 2009.

Here is a link to a State Department website that provides information and instructions for lottery applications, as well as responses to a list of frequently asked questions (FAQs): http://travel.state.gov/visa/immigrants/types/types_1318.html.

There is no cost for entering the lottery and the application process is relatively simple. All applicants are required to apply online and to submit digital photographs that meet the State Department's specifications as listed on its website. Applications by mail will not be accepted. Because heavy demand may result in website delays, applicants are strongly encouraged not to wait until the last week to enter. Making more than one entry per person will disqualify the person from registration, but a husband and wife may each apply separately and both will benefit if one of them wins.

To enter the lottery, an applicant must have either a high school education or an equivalent 12-year course of primary and secondary education, or two years of work experience within the past five years in an occupation that requires at least two years of training or experience to perform.

People born in certain countries are not eligible for the lottery, unless they are married to a person born in another country, or meet certain other criteria set out on the State Department's website under the section "Requirements for Entry." The ineligible countries are: Brazil, Canada, China (mainland-born), Colombia, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, India, Jamaica, Mexico, Pakistan, Philippines, Peru, Poland, Russia, South Korea, United Kingdom (except Northern Ireland) and its dependent territories, and Vietnam. Ineligibility is based upon country of birth rather than country of nationality. There are special exceptions that allow persons born in Hong Kong, Macau, Taiwan and Northern Ireland to apply.

We encourage all of our eligible foreign national clients to apply, and to forward this e-mail to any friends and family who may be eligible to apply for the lottery. We also encourage all employers that we represent to forward this message to all of your foreign-born employees, even if they have already applied for or obtained a green card. Winning the lottery can provide a short-cut for a person who



already has an application pending, and many people who already have green cards will have friends or family members who may be interested in the lottery.

There is no need to use a lawyer to prepare a lottery application. The State Department's website provides comprehensive instructions. We are, of course, available to answer any questions that you or your employees may have about the lottery, and to assist anyone who wins the lottery in completing the application process.

QUESTIONS

If you have any questions about the information in this newsletter, please contact one of the Trow & Rahal attorneys listed below.

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