

Diversity Immigrant Visa Program

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On October 31, 2017, a resident of Patterson, NJ, [reportedly](#) drove a truck onto a bicycle path in New York City, killing 8 and injuring 11. Authorities have described the incident as a terrorist attack, and the suspect has been identified as an immigrant from Uzbekistan. Given that the suspect reportedly entered the country on an immigrant visa obtained through the [Diversity Visa program](#) (DV program), this incident has renewed interest in the DV program and its associated "lottery."

What is the DV program?

The DV program was established to increase U.S. immigrant diversity by admitting individuals from countries from which relatively few immigrants arrive. The Diversity Immigrant category was added to the [Immigration and Nationality Act \(INA\)](#) by the Immigration Act of 1990 ([P.L. 101-649](#)).

The DV program makes 50,000 immigrant visas available annually. The formula for allocating visas is defined by [statute](#): visas are divided among six geographic regions according to their relative populations, with their allocation weighted in favor of countries in regions that were under-represented among immigrant admissions during the past five years. The INA also limits each country to 7% of the total. An alien wishing to obtain an immigrant visa through the program must first [register for the diversity visa lottery](#) (DV lottery) with the Department of State (DOS). At the end of the registration period, a lottery randomly selects individuals who may apply for a visa. Those approved become [lawful permanent residents](#) (LPRs) upon admission to the United States.

Who is eligible?

To be eligible for the DV program, the [INA requires](#) that a foreign national have a high school education or two years' experience in an occupation that requires at least two years of training or experience. The foreign national or the foreign national's spouse must be a native of one of the countries [that qualified](#) for the DV lottery. DOS updates annually the list of eligible and ineligible countries based on the statutory formula. [For FY2019](#), the *ineligible* countries (i.e., those that sent at least 50,000 immigrants to the United States over the last five years combined) are Bangladesh, Brazil, Canada, China, Colombia, Dominican Republic, El Salvador, Haiti, India, Jamaica, Mexico, Nigeria, Pakistan, Peru, Philippines, South Korea, United Kingdom (except Northern Ireland) and its dependent territories, and Vietnam.

What is the process for selecting applicants and issuing diversity visas?

Individuals who meet the above qualifications may register, at no charge, for the DV lottery. In FY2015, [9 million individuals](#) registered. Those selected (also known as "lottery winners") may then apply for an immigrant visa.

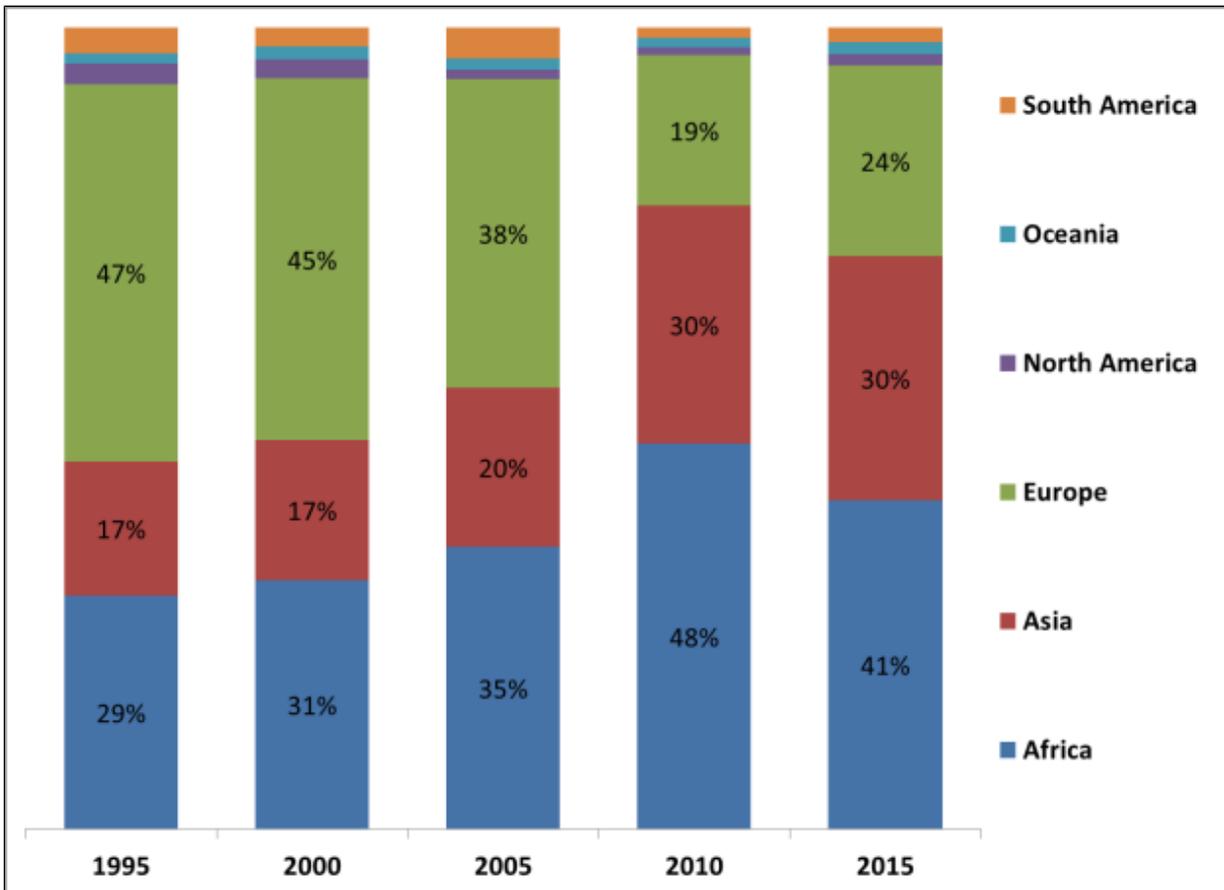
DV applicants, like all other aliens wishing to come to the United States, must undergo reviews and biometric background checks performed by DOS consular officers abroad and Customs and Border Protection (CBP) immigration officers upon entry to the United States. Individuals selected for a diversity visa who are residing in the United States as nonimmigrants must undergo reviews by U.S. Citizenship and Immigration Services (USCIS) prior to adjusting to LPR status. These reviews, which include an in-person interview, are intended to ensure that the aliens are not inadmissible under the grounds spelled out in [§212\(a\) of the INA](#). Grounds for inadmissibility include health, criminal history, security and terrorist concerns, public charge, illegal entry, and previous removal.

Individuals outside the United States [must pay \\$330](#) to DOS to apply for their immigrant visa and [\\$220](#) to USCIS to receive their LPR status. DV applicants who are already present in the United States on a nonimmigrant visa and who do not wish to leave and re-enter the United States using their diversity visa [must pay \\$1,140](#) (plus an \$85 biometrics fee) to USCIS to adjust their status from nonimmigrant to LPR.

Trends in Source Regions

The origins of diversity immigrants [have shifted](#) over time ([Figure 1](#)). Foreign nationals from Europe garnered the most diversity visas in FY1995 and maintained a plurality share in FY2000. By FY2005, the African share (35%) was on par with Europe's (38%). By FY2010, foreign nationals from Africa had gained the plurality share (48%), and Asians accounted for 30%. In FY2015, those from Africa and Asia received the largest share of diversity visas. Individuals from South America, Oceania, and North America combined accounted for no more than 7% in any of the years shown in [Figure 1](#).

Figure 1. Regions of Birth for Diversity Immigrants, FY1995-FY2015



Source: Department of Homeland Security, *Yearbook of Immigration Statistics*, multiple fiscal years.

Legislative Issues

There have been several [legislative proposals](#) to modify or eliminate the DV program. During the 113th Congress, provisions eliminating the DV program were incorporated into the Border Security, Economic Opportunity, and Immigration Modernization Act ([S. 744](#)), which the Senate passed. Legislation introduced in the 114th Congress represented opposing aims, with at least one bill that [would have doubled](#) the number of visas and at least two that [would have eliminated](#) the program. In the 115th Congress, at least [five bills](#) have been introduced with provisions to eliminate the DV program.

Those arguing against the DV program on fairness grounds cite [the 4.4 million individuals](#) with approved immigrant visa petitions who are still waiting for a visa to become available. They suggest that the 50,000 visas allocated to the DV program could be used to reduce these wait times. Ongoing debates over the priorities of the U.S. immigration system [have included calls](#) to eliminate the DV program in favor of "merit-based" immigrants with relatively high education and job skills.

Concerns have also been raised over [fraud and abuse associated](#) with the DV program,

including claims of [human trafficking](#) and [duplicate lottery registrations](#). DOS and the Department of Homeland Security have [revised](#) their procedures to address these vulnerabilities. For example, DOS's electronic registration process increases its ability to screen for duplicate and fraudulent entries.

Supporters of the DV program [argue](#) that it increases fairness and promotes American goodwill by providing an avenue for individuals from under-represented parts of the world—particularly [Africa](#)—who may otherwise have no opportunity to immigrate to the United States.