

Table 1
I-765 - Application for Employment Authorization
Eligibility Category: C08, Pending Asylum
Initial Permission to Accept Employment
Completions by Processing Time Buckets
August 1, 2020 - July 31, 2023
Aggregated by Fiscal Year and Month
Potential *Rosario* Class Members



U.S. Citizenship
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Services

| Period | | Processing Time (in Days) | | | | | | Compliance Percentage | |
|--------------|---------------|---------------------------|---------------|---------------|---------------|----------------|---------------|----------------------------|----------------------------|
| Fiscal Year | Month | 0-30 | 31-60 | 61-90 | 91-120 | 121+ | Total | % Completed within 30 Days | % Completed within 60 Days |
| 2020 | AUG | 20,457 | 517 | 165 | 15 | 33 | 21,187 | 96.6% | 99.0% |
| | SEP | 14,388 | 6,603 | 173 | 16 | 71 | 21,251 | 67.7% | 98.8% |
| | Total | 34,845 | 7,120 | 338 | 31 | 104 | 42,438 | 82.1% | 98.9% |
| 2021 | OCT | 864 | 7,555 | 216 | 30 | 94 | 8,759 | 9.9% | 96.1% |
| | NOV | 790 | 318 | 73 | 46 | 26 | 1,253 | 63.0% | 88.4% |
| | DEC | 480 | 258 | 102 | 45 | 27 | 912 | 52.6% | 80.9% |
| | JAN | 952 | 889 | 869 | 85 | 101 | 2,896 | 32.9% | 63.6% |
| | FEB | 1,738 | 2,659 | 1,740 | 461 | 29 | 6,627 | 26.2% | 66.3% |
| | MAR | 5,694 | 7,541 | 3,503 | 741 | 327 | 17,806 | 32.0% | 74.3% |
| | APR | 5,610 | 7,151 | 1,834 | 789 | 466 | 15,850 | 35.4% | 80.5% |
| | MAY | 12,183 | 5,902 | 377 | 197 | 143 | 18,802 | 64.8% | 96.2% |
| | JUN | 11,641 | 798 | 94 | 17 | 7 | 12,557 | 92.7% | 99.1% |
| | JUL | 10,419 | 415 | 63 | 14 | 6 | 10,917 | 95.4% | 99.2% |
| | AUG | 10,448 | 500 | 109 | 11 | 11 | 11,079 | 94.3% | 98.8% |
| | SEP | 10,026 | 482 | 20 | 1 | 5 | 10,534 | 95.2% | 99.8% |
| Total | 70,845 | 34,468 | 9,000 | 2,437 | 1,242 | 117,992 | 60.0% | 89.3% | |
| 2022 | OCT | 8,679 | 604 | 13 | 4 | 3 | 9,303 | 93.3% | 99.8% |
| | NOV | 6,010 | 1,189 | 27 | 4 | 6 | 7,236 | 83.1% | 99.5% |
| | DEC | 4,855 | 5,146 | 190 | 28 | 20 | 10,239 | 47.4% | 97.7% |
| | JAN | 11,476 | 893 | 55 | 24 | 9 | 12,457 | 92.1% | 99.3% |
| | FEB | 3,115 | 67 | 10 | 3 | 2 | 3,197 | 97.4% | 99.5% |
| | FEB* | 7,024 | 106 | 29 | 15 | 355 | 7,529 | 93.3% | 94.7% |
| | MAR* | 15,315 | 1,397 | 66 | 53 | 5,661 | 22,492 | 68.1% | 74.3% |
| | APR* | 10,912 | 1,026 | 192 | 25 | 14,318 | 26,473 | 41.2% | 45.1% |
| | MAY* | 6,514 | 1,287 | 287 | 86 | 23,299 | 31,473 | 20.7% | 24.8% |
| | JUN* | 1,765 | 263 | 90 | 64 | 26,833 | 29,015 | 6.1% | 7.0% |
| | JUL* | 1,168 | 229 | 2,558 | 11,566 | 10,170 | 25,691 | 4.5% | 5.4% |
| | AUG* | 1,795 | 140 | 28,551 | 3,185 | 1,220 | 34,891 | 5.1% | 5.5% |
| | SEP* | 2,504 | 2,619 | 27,570 | 709 | 447 | 33,849 | 7.4% | 15.1% |
| Total | 81,132 | 14,966 | 59,638 | 15,766 | 82,343 | 253,845 | 32.0% | 37.9% | |

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Potential *Rosario* Class Members



**U.S. Citizenship
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| Period | | Processing Time (in Days) | | | | | | Compliance Percentage | |
|--------------------|--------------|---------------------------|----------------|----------------|---------------|---------------|------------------|----------------------------|----------------------------|
| Fiscal Year | Month | 0-30 | 31-60 | 61-90 | 91-120 | 121+ | Total | % Completed within 30 Days | % Completed within 60 Days |
| 2023 | OCT* | 3,570 | 10,485 | 22,724 | 239 | 183 | 37,201 | 9.6% | 37.8% |
| | NOV* | 3,927 | 14,898 | 12,294 | 273 | 411 | 31,803 | 12.3% | 59.2% |
| | DEC* | 5,446 | 169 | 31,894 | 96 | 293 | 37,898 | 14.4% | 14.8% |
| | JAN* | 11,258 | 12,067 | 30,682 | 807 | 692 | 55,506 | 20.3% | 42.0% |
| | FEB* | 9,667 | 28,292 | 18,685 | 767 | 531 | 57,942 | 16.7% | 65.5% |
| | MAR* | 28,090 | 45,018 | 7,937 | 568 | 506 | 82,119 | 34.2% | 89.0% |
| | APR* | 39,037 | 27,953 | 18,495 | 2,092 | 407 | 87,984 | 44.4% | 76.1% |
| | MAY* | 77,123 | 19,954 | 11,324 | 1,931 | 522 | 110,854 | 69.6% | 87.6% |
| | JUN* | 82,756 | 9,194 | 899 | 342 | 588 | 93,779 | 88.2% | 98.0% |
| | JUL* | 75,849 | 7,031 | 861 | 433 | 579 | 84,753 | 89.5% | 97.8% |
| | Total | 336,723 | 175,061 | 155,795 | 7,548 | 4,712 | 679,839 | 49.5% | 75.3% |
| Grand Total | | 523,545 | 231,615 | 224,771 | 25,782 | 88,401 | 1,094,114 | 47.9% | 69.0% |

See Notes page for all notes and assumptions.

Table 2
I-765 - Application for Employment Authorization
Eligibility Category: C08, Pending Asylum
Initial Permission to Accept Employment
Pending Cases by Processing Time Buckets
Pending as of July 31, 2023
Potential *Rosario* Class Members



**U.S. Citizenship
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| Period | Processing Time (in Days) | | | | | | Compliance Percentage | |
|---------|---------------------------|-------|-------|--------|------|--------|----------------------------|----------------------------|
| | 0-30 | 31-60 | 61-90 | 91-120 | 121+ | Total | % Completed within 30 Days | % Completed within 60 Days |
| Pending | 36,300 | 3,619 | 1,260 | 861 | 795 | 42,835 | 84.7% | 93.2% |

See Notes page for all notes and assumptions.

I-765 - Application for Employment Authorization
Eligibility Category: C08, Pending Asylum
Initial Permission to Accept Employment
Notes and Assumptions
Report Date: July 31, 2023



**U.S. Citizenship
and Immigration
Services**

Table 1 Notes:

- 1) The report reflects the most up-to-date data available at the time the system was queried.
- 2) The data reflects initial decisions on an application by the officer only. Reopened cases are excluded.
- 3) Processing time is represented by the elapsed number of days between receipt date to initial decision date.
- 4) Applications with a request for initial evidence will reset the processing time to 0 upon receiving the evidence.
- 5) Applications with a request for additional evidence will have the processing time paused and resumed upon receiving the evidence.
- 6) Postmark date is not generally reportable in USCIS' electronic systems. Received date is used as a proxy for postmark date when defining potential class members.
- 7) Prior to the Feb. 7, 2022 Asylumworks vacatur decision, potential Rosario class members were defined as initial EAD applications received on or prior to Aug. 20, 2020 or received Aug. 21, 2020 or after and, in accordance with USCIS website instructions related to the CASA preliminary injunction, did not pay a biometrics fee and included evidence of CASA/ASAP membership or paid a biometrics fee and included evidence of CASA/ASAP membership. Previously, individuals who paid a biometrics fee and submitted evidence of CASA/ASAP membership were not identifiable in USCIS' systems. USCIS developed an automated utility to detect and classify electronic evidence to establish CASA/ASAP membership. Once the utility identifies the evidence, a flag is used to prioritize and assign CASA/ASAP membership cases for adjudication.
- 8) Prior to the Feb. 7, 2022 Asylumworks vacatur decision, individuals who did not submit CASA/ASAP membership evidence, but did not pay a biometrics fee due to a Request for a Fee Waiver were not included as potential class members.
- 9) All C08 initial applications adjudicated on or after Feb. 8, 2022 are considered potential Rosario class members regardless of CASA/ASAP membership. Note there are two entries for Feb. 2022. The second entry with the asterisk (*) reports the number of applications adjudicated on or after the Feb. 8, 2022 date.

Table 2 Notes:

- 1) The report reflects the most up-to-date data available at the time the system was queried.
- 2) The data reflects initial decisions on an application by the officer only. Reopened cases are excluded.
- 3) Processing time is represented by the elapsed number of days between receipt date to initial decision date.
- 4) Applications with a request for initial evidence will reset the processing time to 0 upon receiving the evidence.
- 5) Applications with a request for additional evidence will have the processing time paused and resumed upon receiving the evidence.
- 6) All C8 initial applications pending on or after February 8, 2022 are considered as potential class members regardless of CASA/ASAP membership.

Parameters:

Form(s): I-765

Class Preference(s): C08

Initial RFE Codes: FBA, FBC, 109, 1436, 1438

Additional RFE Codes: FBB, 1437

RFE Received Codes: HA, 110

ELIS Base Fee Code : E