

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
and Immigration
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
and Immigration
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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
and Immigration
Services**

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