

**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 - February 28, 2023**  
**Aggregated by Fiscal Year and Month**  
**Potential *Rosario* Class Members**



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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
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%
	<b>Total</b>	<b>34,845</b>	<b>7,120</b>	<b>338</b>	<b>31</b>	<b>104</b>	<b>42,438</b>	<b>82.1%</b>	<b>98.9%</b>
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%
<b>Total</b>	<b>70,845</b>	<b>34,468</b>	<b>9,000</b>	<b>2,437</b>	<b>1,242</b>	<b>117,992</b>	<b>60.0%</b>	<b>89.3%</b>	
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*	6,513	1,287	287	86	23,300	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*	1,796	140	28,551	3,185	1,220	34,892	5.1%	5.5%
SEP*	2,502	2,619	27,572	709	447	33,849	7.4%	15.1%	
<b>Total</b>	<b>81,130</b>	<b>14,966</b>	<b>59,640</b>	<b>15,766</b>	<b>82,344</b>	<b>253,846</b>	<b>32.0%</b>	<b>37.9%</b>	
2023	OCT*	3,567	10,486	22,727	239	183	37,202	9.6%	37.8%
	NOV*	3,924	14,901	12,294	273	411	31,803	12.3%	59.2%
	DEC*	5,445	169	31,895	96	293	37,898	14.4%	14.8%
	JAN*	11,252	12,072	30,684	807	692	55,507	20.3%	42.0%
	FEB*	9,660	28,297	18,687	767	532	57,943	16.7%	65.5%
	<b>Total</b>	<b>33,848</b>	<b>65,925</b>	<b>116,287</b>	<b>2,182</b>	<b>2,111</b>	<b>220,353</b>	<b>15.4%</b>	<b>45.3%</b>
<b>Grand Total</b>		<b>220,668</b>	<b>122,479</b>	<b>185,265</b>	<b>20,416</b>	<b>85,801</b>	<b>634,629</b>	<b>34.8%</b>	<b>54.1%</b>

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 February 28, 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	63,998	40,198	5,313	468	292	110,269	58.0%	94.5%

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: February 28, 2023**



**U.S. Citizenship  
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**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