

For Immediate Release

New Report on Asylum Work Authorization “Clock” Released: *Broken Asylum Clock Prevents Asylum Applicants from Working*

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Washington, D.C. - Today, [Penn State Law’s Center for Immigrants’ Rights](#) and the [American Immigration Council’s Legal Action Center](#) released a new study, [Up Against the Clock: Fixing the Broken Employment Authorization Asylum Clock](#). The report examines the laws, policy, and practice of the “Employment Authorization Document (EAD) asylum clock”—a clock which measures the number of days after an applicant files an asylum application before the applicant is eligible for work authorization. The law requires asylum applicants to wait 150 days after filing an application to apply for a work permit and in some instances, permits the government to extend this waiting period by “stopping the clock” for certain incidents caused by the applicant. Nevertheless, the report reveals that applicants often wait much longer than the legally permitted timeframe to receive a work permit.

For years, policy experts, academics, immigration and federal court judges, and attorneys have highlighted the problems with and proposed reforms for the immigration adjudication system. One less known but critically important component of the adjudicatory process is the EAD asylum clock, which affects potentially more than 50,000 asylum applicants each year.

The study examines problems identified by immigration practitioners and advocates including, but not limited to, a lack of transparency in the government’s management of the EAD asylum clock; a lack of clarity and comprehensiveness of the government’s policy; and a misinterpretation of the regulations. The report recommends that the government develop a new policy that properly interprets the statute and regulations governing the EAD asylum clock. The new approach to the asylum clock and specific recommendations contained in the report are designed to resolve perennial asylum clock problems.

“We are hopeful that this report and its recommendations will inspire the government to work with stakeholders to overhaul the asylum clock,” said Emily Creighton, staff attorney for the American Immigration Council.

“Preparing [*Up Against the Clock*](#) for the American Immigration Council was one of the most challenging and rewarding working experiences I have ever had,” said Penn State Law student David Rodriguez, one of the co-authors of the report.

“We are thrilled to have collaborated with the American Immigration Council on this important topic. [*Up Against the Clock*](#) provides the government with practical solutions for fixing the asylum clock and ensuring that genuine asylum seekers have the ability to earn a livelihood while their applications are pending,” said Shoba Sivaprasad Wadhia, clinical professor and director of Penn State Law’s Center for Immigrants’ Rights.

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