UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

FAYEZ MANSOR, et al., Plaintiffs, v. UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES, et al., Defendants.	CASE NO. C23-0347JLR ORDER

On November 12, 2024, the parties filed cross motions for summary judgment briefing the issue of whether Defendant U.S. Citizenship and Immigration Services' ("USCIS") Prima Facie Eligibility Streamlined Case Processing ("PFE SCP") system for adjudicating concurrently-filed applications for employment authorization and temporary protected status ("TPS") complies with certain statutory and regulatory requirements. (Plfs. MSJ (Dkt. # 89); Defs. MSJ (Dkt. # 92).) On February 10, 2025, Defendants filed a "Notice of Administrative Action" stating that they have "paused PFE SCP to review

the sufficiency of the background checks within the PFE SCP workflow" and to "ensure compliance with" certain January 20, 2025 Executive Orders. (*See* Not. (Dkt. # 97).) On February 11, 2025, the court ordered the parties to show cause why their cross motions should not be stricken from the docket, with leave to refile the motions after Defendants complete their review, if appropriate. (2/11/25 Order (Dkt. #98).) The parties timely responded to the court's order to show cause. (Defs. Resp. (Dkt. # 99); Plfs. Resp. (Dkt. # 100).)

In their response, Defendants stated that Defendant USCIS had "just begun its review" of the PFE SCP workflow and did not know whether the substance of the parties' motion for summary judgment briefing will be affected" by this review. (Defs. Resp. at 2.) Plaintiffs responded that in pausing PFE SCP review, Defendants were "effectively . . . back to [using] *only* one-touch processing for all applications" and were failing to comply with the controlling statute and regulations "regardless of which processing system" Defendants applied. (Plfs. Resp. at 3 (emphasis in original).) The court concluded that it could not resolve the parties' disputes regarding either the PFE SCP system or the one-touch processing system without knowing if or how those systems may be impacted by Defendants' review. (2/18/25 (Dkt. # 101).) Accordingly, the court directed the Clerk to renote the parties' cross motions for March 14, 2025, and ordered Defendants to file a report regarding the status of USCIS's review and its effect, if any, on the parties' pending cross motions by that date. (*See id.*)

Defendants timely filed a status report. (Report (Dkt. # 102).) Defendants' report provides that on March 13, 2025, the Senior Advisor for the Director's Office of USCIS

"submitted recommendations based on his in-depth review of TPS PFE SCP" and "USCIS is now internally deliberating next steps regarding TPS SCP and TPS PFE SCP." (Report ¶¶ 1-2 (citing McDermott Decl. (Dkt. # 103) ¶¶ 1, 8-9).) Defendants also note that they are "deliberating whether to make changes to USCIS's adjudicatory practices as described in Defendants' motion for summary judgment." (*Id.* ¶ 3 (citing McDermott Decl. ¶ 8).) Defendants represent that they "will endeavor to determine whether [USCIS] will make any changes to the processes at issue in the parties' [cross] motions" within 30 days. (Report at 4.)

In the interest of efficiently using judicial resources, the court DIRECTS the Clerk to renote the parties' cross motions for summary judgment (Dkt. ## 89, 92) for **April 14, 2025**. Defendants are ORDERED to file a status report regarding the status of USCIS's review and its effect, if any, on the pending cross motions by **April 14, 2025**.

Dated this 17th day of March, 2025.

JAMES L. ROBART
United States District Judge