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

Pending before the court are the parties' 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 informed the court 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).) Because the court could not resolve the parties' motions without knowing whether or how the case processing systems at issue may be impacted by Defendants' review, the court directed the Clerk to renote the parties' cross motions for March 14, 2025, and ordered Defendants to file a status report regarding the status of USCIS's review and its effect, if any, on the parties' pending cross motions by that date. (*See* 2/18/25 Order (Dkt. # 101).)

On March 14, 2025, Defendants timely filed a status report. (Report (Dkt. # 102).) In their report, Defendants indicated that the Senior Advisor for the Director's Office of USCIS had "submitted recommendations based on his in-depth review of TPS PFE SCP" and that "USCIS [was] internally deliberating next steps regarding TPS SCP and TPS PFE SCP." (Report ¶¶ 1-2 (citing McDermott Decl. (Dkt. # 103) ¶¶ 1, 8-9).) Defendants also represented that they "endeavor[ed] to determine whether [USCIS] [would] make any changes to the processes at issue in the parties' [cross] motions" within 30 days of the filing of their status report. (Report at 4.) The court accordingly directed the Clerk to renote the parties' cross motions for April 14, 2025 and ordered Defendants to file an updated status report by that date. (3/17/25 Order (Dkt. # 104).)

On April 14, 2025, Defendants timely filed a second status report. (2d Report (Dkt. # 105).) Defendants state that USCIS "continues to internally deliberate next steps regarding TPS SCP and TPE PFE SCP" and is deciding "whether to make changes to USCIS's adjudicatory practices as described in Defendants' motion for summary judgment." (*Id.* at 3.) Defendants anticipate that a decision will be made regarding the

TPS SCP and TPS PFE SCP systems "in short order." (*Id.* at 3-4.) Defendants therefore request that the court stay the parties' cross motions until April 28, 2025. (*Id.* at 4.) Plaintiffs oppose Defendants' request. (Opp. (Dkt. # 106).) They assert that Defendants have resorted to the "one-touch processing" system for all applications during USCIS's review process, and argue that the one-touch processing system "deprive[s] class members of the benefits they are entitled to[.]" (*Id.* at 1.) Plaintiffs also contend that Defendants' use of the one-touch processing system is "empowering [Defendants] to ignore the law and remove [TPS applicants]." (*Id.* at 2.) The court is aware of the sensitivity of the issues in this case. The court cannot, however, anticipate whether or how Defendants' review of the processing systems at issue will affect the parties' arguments in support of their respective cross motions. The court accordingly concludes that continuing the stay is appropriate.

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 28, 2025**. Defendants are ORDERED to file a report regarding the status of USCIS's review and its effect, if any, on the pending cross motions by **April 28, 2025.**

Dated this 15th day of April, 2025.

JAMES L. ROBART
United States District Judge