

# **EXHIBIT 9**

**From:** Tuttle, Mandi CIV OSD OUSD POLICY (US) [REDACTED]  
**Sent:** Thursday, September 21, 2017 3:26 PM  
**To:** McCament, James W [REDACTED];  
[REDACTED]  
**Cc:** Brown, Daniel J Lt Col USAF JS J5 (US) [REDACTED]; Williams,  
Robert G CIV JS J5 (US) [REDACTED]; Widdersheim, Nicole R.  
EOP/NSC [REDACTED]; Sutphin, Paul R  
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(US) [REDACTED]; Minatelli, Matthew A CIV OSD OUSD POLICY  
(US) [REDACTED]; Bain, Ally P. EOP/OMB  
[REDACTED]  
**Subject:** TPS for Sudan  
**Attach:** Congressional Letter to POTUS, Sudan July 2017 - Bipartisan Letter-Delay....pdf

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Sarah/James,

It has been brought our attention that the USG is considering removal of Temporary Protective Status (TPS) for Sudan. We recognize that DHS and State Department have the greatest equities in this issue and defer to them on the ultimate decision. With that said, DoD has significant interests in Sudan and would greatly appreciate an opportunity to be included in policy discussions that may impact future behavior of the Government of Sudan, along with U.S. foreign and defense policy interests with Sudan.

Specifically, in the current draft of the Federal Register Notice (FRN), we are concerned with the language that "There is no longer an ongoing armed conflict that prevents the return of nationals to Sudan without posing a serious threat to their personal safety" and that " Further, extraordinary and temporary conditions within Sudan no longer prevent nationals from returning in safety." It is DoD's understanding that all parties have not agreed to a ceasefire, provision of security in these areas is scarce (at best) and insurgents conducted a significant military offensive as recently as this spring in Darfur. This is reiterated in the 30 August 2017 report submitted by the UN Secretary General on the situation in Darfur.

The FRN statements cited above are a clear departure to past DoD messaging on Darfur to our Congressional committees and foreign partners. We are entering a delicate phase in our relationship with the Government of Sudan that may set the future trajectory of the relationship for years to come, and maintaining domestic and international partner support through consistent and credible messaging will be critical to achieving defense interests in Sudan.

I recommend the following actions be taken in advance of external messaging on this issue:

1. The analysis on which the aforementioned judgements were made are shared with stakeholders (including DoD) and reviewed with DNI to ensure a common understanding of the facts and the TPS language is adjusted appropriately to ensure consistency.
2. If the decision is made to remove TPS, the messaging of this should be aligned with the communication plan and legislative outreach for the Five Track Engagement Plan to ensure consistency of messaging to concerned members of Congress (see attached member letter that highlights concerns from more than 50 Congress members relating to TPS designation).

We have no objections to a changed USG understanding of the current security environment in Darfur or subsequent policy changes, but want to ensure that such changes are deliberate, that they are based on the facts

on the ground, and that the consequences are well understood. In short, while DoD defers to DHS and State on whether Sudan should be removed from TPS, we want to ensure the messaging is factually accurate, credible, and is an integral part of other USG messaging on this issue.

I have cc'd Nicole Widdersheim at the NSC and State Department to provide situational awareness of these in advance of legislative engagement next week on the Five Track Engagement Plan and the upcoming PC on Sudan.

I thank you in advance for your consideration of DoD's interests in this matter.

R,

Mandi Tuttle

Mandi Tuttle

Director, East/Central/Southern Africa

OSD/Policy, Office of African Affairs

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