

# **EXHIBIT 48**

**From:** Nuebel Kovarik, Kathy [REDACTED]  
**Sent:** Tuesday, August 29, 2017 10:52 PM  
**To:** McDonald, Christina [REDACTED]; Hamilton, Gene [REDACTED]; Shah, Dimple [REDACTED]; McCament, James W [REDACTED]; Baroukh, Nader [REDACTED]; Symons, Craig M [REDACTED]  
**Cc:** Petyo, Briana [REDACTED]; Westmoreland, Megan [REDACTED]; Maher, Joseph [REDACTED]  
**Subject:** RE: Sudan TPS

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Yes.

**Kathy Nuebel Kovarik**  
Chief, Office of Policy and Strategy  
U.S. Citizenship and Immigration Services  
Direct: [REDACTED]  
Cell: [REDACTED]

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**From:** McDonald, Christina  
**Sent:** Tuesday, August 29, 2017 10:31 PM  
**To:** Hamilton, Gene; Nuebel Kovarik, Kathy; Shah, Dimple; McCament, James W; Baroukh, Nader; Symons, Craig M  
**Cc:** Petyo, Briana; Westmoreland, Megan; Maher, Joseph  
**Subject:** RE: Sudan TPS

Kathy - will you guys send an updated memo on Wed am? We can then send it to ESEC and ask them to swap out the doc.

Christina E. McDonald  
Office of the General Counsel  
U.S. Department of Homeland Security  
[REDACTED]

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**From:** Hamilton, Gene  
**Sent:** Tuesday, August 29, 2017 10:10:35 PM  
**To:** Nuebel Kovarik, Kathy; Shah, Dimple; McCament, James W; McDonald, Christina; Baroukh, Nader; Symons, Craig M  
**Cc:** Petyo, Briana  
**Subject:** RE: Sudan TPS

We need to repackage.

Gene P. Hamilton  
Senior Counselor to the Secretary  
U.S. Department of Homeland Security

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**From:** Nuebel Kovarik, Kathy  
**Sent:** Tuesday, August 29, 2017 10:09 PM  
**To:** Hamilton, Gene [REDACTED]; Shah, Dimple [REDACTED]; McCament, James W [REDACTED]; McDonald, Christina [REDACTED]; Baroukh, Nader [REDACTED]; Symons, Craig M [REDACTED]  
**Cc:** Petyo, Briana [REDACTED]  
**Subject:** RE: Sudan TPS

Well, I will take the blame for this. The options memo went up, and because of our rush to add recommendations, I didn't catch the contradiction. How would you like us to proceed?

**Kathy Nuebel Kovarik**  
Chief, Office of Policy and Strategy  
U.S. Citizenship and Immigration Services  
Direct: [REDACTED]  
Cell: [REDACTED]

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**From:** Hamilton, Gene  
**Sent:** Tuesday, August 29, 2017 9:52 PM  
**To:** Shah, Dimple; McCament, James W; McDonald, Christina; Baroukh, Nader; Nuebel Kovarik, Kathy; Symons, Craig M  
**Cc:** Petyo, Briana  
**Subject:** Sudan TPS  
**Importance:** High

My understanding is that there is a problem with the Sudan TPS memo.

On page 1 of the decision memo it says:

assessment and recommendation are under review by Secretary Tillerson's office. The draft package that was submitted to Secretary Tillerson's office for review assesses that the statutory conditions supporting Sudan's TPS designation continue to be met and recommends an 18-month extension of Sudan's designation for TPS. This memorandum relies upon the content of the draft

At the bottom of page 3 it says this:

Options

Your options include the following actions:

1) *Extend Sudan's Designation for TPS*

Under the TPS statute, if you determine that the statutory conditions supporting a country's designation for TPS continue to exist, you must extend the TPS designation for an additional period of 6, 12, or 18 months. The review of conditions in Sudan indicates that it remains unsafe for individuals to return to Sudan and that the statutory requirements to designate a country for TPS under *Immigration and Nationality Act* § 244(b)(1)(A) (ongoing armed conflict) and under § 244(b)(1)(C) (extraordinary and temporary conditions) continue to be met.

On page 4 it says:

3) *Terminate Sudan's Designation for TPS*

If you determine that Sudan no longer continues to meet the statutory requirements for its TPS designation, you must terminate TPS for Sudan. Termination would end TPS benefits for existing Sudanese TPS beneficiaries. Upon the termination of TPS benefits, former beneficiaries without another immigration status or authorization to remain would no longer have permission to work and remain in the United States. Because the conditions supporting Sudan's TPS designation persist, termination does not appear to be warranted.

And then on page 5, despite all the foregoing, the recommendation is to terminate TPS for Sudan!

**Recommendation:** USCIS recommends termination, but to delay the effective date of the termination by 12 months to provide for an orderly transition for those recipients to return to Sudan. This recommendation is supported by the following factors:

Gene P. Hamilton  
Senior Counselor to the Secretary  
U.S. Department of Homeland Security