

## Detail

Hello – These notes sound choppy because they are collected notes, not a cover letter. Quick orientation, attached *Substantiation...pdf* document page 12. Summary:

- 1) FEMA claims the science attached to email 1/2 as an authority when we want to tell someone what to do,<sup>1</sup> but then shields it as draft, preliminary, or superseded when someone wants to hold us accountable.<sup>2</sup>
- 2) Our censorship of this unclassified risk information caused additional loss of life in 2017 and 2020,<sup>3,4</sup> and it endangers the public today.<sup>5</sup>

## Pandemic and general

Most of the pandemic discussion is in the attached *Substantiation...pdf* document. Its focus is the same as it was for the partial disclosure that I made in July:

Pandemics have been the #1 or #2 (after drugs) non-CBRN risk on DHS's list since 2011. The SNS was empty and the Nation was unprepared because we suppressed those risk assessments. We are still doing so.

with additional parts about 2017 (p. 14) and general issues (pp. 12-13 and 16-18) to support the broader disclosure. The 2 + 2 = 5 issue described on pp. 17-18 is especially relevant [that section won't make sense if it's the first thing you look at: I'm pointing it out for its relevance, not as a recommended starting point].

## Clarification in advance

The problem that I am disclosing is not that the agency stopped using this risk assessment, or replaced it with something else (I'm mentioning this because it is probably the first thing they will tell you). FEMA has every right to do that, if it wanted to. The problem is that it hasn't actually done so (*Substantiation...pdf* pp. 17-18). Instead, the agency represents that it has or has not in different contexts, depending on what is most advantageous for it to be true at a given moment (pp. 9, 15).

## Maria

FEMA had all the information needed to count Maria's deaths in 2017. Not in real time, not after the fact, but before they happened. But nobody knew that.

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<sup>1</sup> DHS (10/02/2015). Risk and the Core Capabilities. National preparedness goal pp. 4-5, [https://www.fema.gov/sites/default/files/2020-06/national\\_preparedness\\_goal\\_2nd\\_edition.pdf](https://www.fema.gov/sites/default/files/2020-06/national_preparedness_goal_2nd_edition.pdf). DHS (5/13/2022). Risk-based core capabilities, pp. 9, 25, 35-36, A-1-2, 14, 18-19, 21-23, 28-31, 49, B.1-3, 12, C-2, 5, D-13, E-9, F-12, G-16, H-1-3, 10, 14, 26, 28-32, 35. Preparedness grants manual. At [https://www.fema.gov/sites/default/files/documents/fema\\_fy-2022-preparedness-grants-manual.pdf](https://www.fema.gov/sites/default/files/documents/fema_fy-2022-preparedness-grants-manual.pdf). Risk-based national preparedness system, cited references *FOIA appeal 2017-FEFO-00165 20171101.pdf* p. 8; *Substantiation...pdf* p. 9 end, pp. 17-18 subsection *DHS/FEMA #2*.

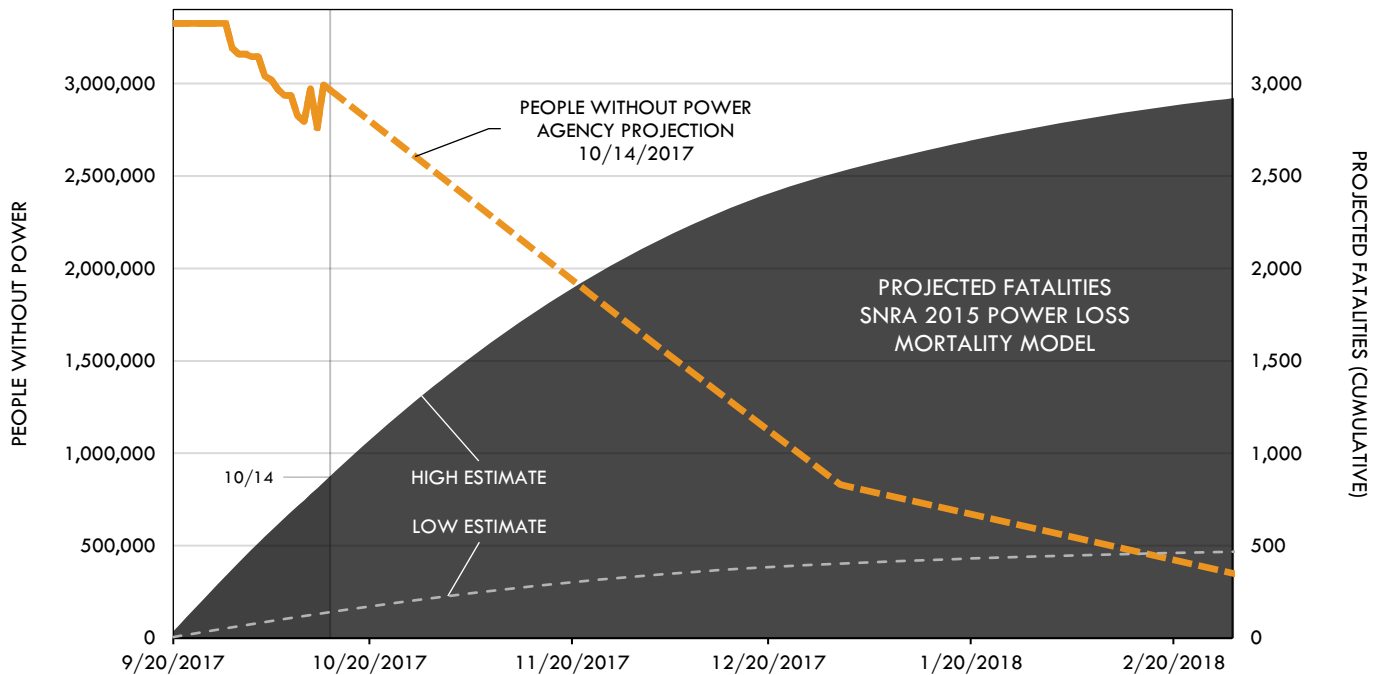
<sup>2</sup> *Process failure* below. *FOIA appeal 2017...pdf* pp. 1-2 (November 2017), 9-11 (October 2016). March 2019 *FAQ* p. 3 col. 2 - p. 6 col. 1. *SNRA follow-up letter 20201016.pdf* section 5. *Substantiation...pdf* page 1 (*DHS/FEMA*), p. 9 first bullet, pp. 10-12, 15-19.

<sup>3</sup> *Maria*. *SNRA follow-up...pdf* sections 1, 5, section 6 (*Small picture*). *Substantiation...pdf* pp. 12-14.

<sup>4</sup> *Pandemic*. *SNRA follow-up...pdf* sections 2, 5, section 6 (*Big picture*). *Substantiation...pdf* pp. 1-10, 12-13, 19.

<sup>5</sup> *Future risks*. *SNRA follow-up...pdf* sections 3, 5, 6. *Substantiation...pdf* pp. 1 (*DHS*), 9-11, 13, 17-19.

FIGURE 2: SNRA 2015 POWER LOSS MORTALITY MODEL. RETROSPECTIVELY PROJECTED FATALITIES IN PUERTO RICO, BASED ON THE INFORMATION AVAILABLE TO FEMA IN OCTOBER 2017



Power loss mortality model: Linear extrapolation of best-estimate (90) excess fatalities, New York City 14-15 August, 2003 East Coast Blackout, Anderson et al (2012) (*Epidemiology* 23(2) 189-193, NIH public access <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3276729/pdf/nihms348988.pdf>) to total person-days without electric power. Low estimate (1.8 fatalities/million person-days) assumes the 90 NYC fatalities represented all fatalities from the multi-state blackout (50 million person-days without power in U.S. and Canada); high estimate (11.25 per million person-days) assumes the 90 NYC fatalities represented impacts only in NYC (8 million person-days). The SNRA used the low-estimate-assumptions for the electric-power-related hazard events which FEMA added in 2015 (space weather & physical attack on the power grid). FEMA also included indirect fatalities in other events added or revised in 2015 where defensible numbers were available, but these were not specific to electric lifeline failure.

Maria power restoration curve: 9/20-10/13, FEMA senior leadership briefing (SLB) 10/13/17 1700 EDT (<https://oversight.house.gov/sites/democrats.oversight.house.gov/files/Senior%20Leadership%20Briefing%20and%20Recovery%20Snapshots.pdf>); projected 10/14-3/31 (linear interpolation), FEMA daily operations brief 10/14/17 (<https://www.hsdl.org/?view&did=804878>). Assumption of constant population (Census July 2017). Official fatality total (47 as of 10/14) not included in chart.

The Maria retrospective mortality projection chart added to page 14 (*Substantiation...pdf*) is the second of a pair from a February 2020 FOIA letter, also attached.<sup>6</sup> The first chart of the pair is on page 2 of *SNRA follow-up letter 20201016.pdf*.

- This chart (*Substantiation...pdf* page 14 figure 2, reproduced above) shows what the 2015 SNRA's power loss mortality model<sup>7</sup> would have projected with the information available to FEMA on October 14, 2017. Including the 47 then-known direct fatalities not depicted on the chart, the model's low and high projections are respectively 515 and 2,970 excess fatalities by March 2, 2018, when the chart ends.

As far as I know, nobody suppressed the SNRA because of this Maria link. I didn't realize it myself until two years later, too late to do any good.

<sup>6</sup> Attached zipfile, *Supporting files and context.zip* / FOIA letters 2020 / *PR data FOIA...pdf*.

<sup>7</sup> *Strategic National Risk Assessment (SNRA) 2015 - Consolidated unclassified documentation.pdf* pp. 197-198, 201, 204-205. Email #1 or 1/2 first attached, or [https://5usc2302.github.io/risk/Strategic%20National%20Risk%20Assessment%20\(SNRA\)%202015%20-%20Consolidated%20Unclassified%20documentation.pdf](https://5usc2302.github.io/risk/Strategic%20National%20Risk%20Assessment%20(SNRA)%202015%20-%20Consolidated%20Unclassified%20documentation.pdf) [[https://web.archive.org/web/20211231153713/https://5usc2302.github.io/risk/Strategic%20National%20Risk%20Assessment%20\(SNRA\)%202015%20-%20Consolidated%20Unclassified%20documentation.pdf](https://web.archive.org/web/20211231153713/https://5usc2302.github.io/risk/Strategic%20National%20Risk%20Assessment%20(SNRA)%202015%20-%20Consolidated%20Unclassified%20documentation.pdf)].

## Justification for disclosure

### 1) Future risks

These problems have done a lot of harm. The harms that they have done in the past evidence the harms that they would cause in the future, if they continued.

### 2) Process failure

FEMA claims the science attached to email 1/2 as an authority when we want to tell someone what to do,<sup>8</sup> but then shields it as draft, pre-decisional, or superseded when someone wants to hold us accountable.<sup>9</sup> We deny FEMA's state<sup>10</sup> and local<sup>11</sup> partners the data they need to protect their people,<sup>12</sup> and blame our failures on their ignorance of the information that we censored.<sup>13</sup> We mislead our leaders,<sup>14</sup> defraud Congress,<sup>15</sup> lie in court,<sup>16</sup> abuse FOIA,<sup>17</sup> and censor this unclassified science inside FEMA itself<sup>18</sup> to protect these contradictions.

FEMA has successfully exploited the monopoly on information that it is fighting to protect to defeat every lawful means of correction, short of public disclosure at scale, that I and others have tried in the past six years. The agency's systematic abuse of that monopoly – over the facts of the problem, and the thing being censored itself – has neutralized or disabled every correction path that doesn't involve breaking that monopoly (the censorship) first. If you own the truth you can cheat everything else, and my agency has.

I can fight an agency that lies in court and gets caught, or corrects itself when the falsehood is pointed out internally. I can't fight an agency that lies in court, and wins because of it.<sup>19</sup> Neither can anyone else.

I am disclosing the unclassified risk assessment attached to email 1/2 for these reasons, and the others described above.

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<sup>8</sup> DHS (5/13/2022). Risk-based core capabilities, pp. 9, 25, 35-36, A-1-2, 14, 18-19, 21-23, 28-31, 49, B.1-3, 12, C-2, 5, D-13, E-9, F-12, G-16, H-1-3, 10, 14, 26, 28-32, 35, [https://www.fema.gov/sites/default/files/documents/fema\\_fy-2022-preparedness-grants-manual.pdf](https://www.fema.gov/sites/default/files/documents/fema_fy-2022-preparedness-grants-manual.pdf). SNRA as FEMA's evidential authority for these requirements, DHS (10/02/2015) Risk and the Core Capabilities, pp. 4-5, [https://www.fema.gov/sites/default/files/2020-06/national\\_preparedness\\_goal\\_2nd\\_edition.pdf](https://www.fema.gov/sites/default/files/2020-06/national_preparedness_goal_2nd_edition.pdf).

<sup>9</sup> *Substantiation...* pdf pp. 9, 15, 17-18.

<sup>10</sup> E.g. the 27 states and territories which reported that pandemics posed zero risk to their populations in December 2019. CY 2019 THIRA submissions (records held by DHS/FEMA/NPD). --FOIAbility of THIRA information, see *NTHIRA FOIA...* pdf p. 5 note 14.

<sup>11</sup> E.g. the 26 high-risk cities which reported that pandemics posed zero risk to their populations in December 2019 (*ibid*).

<sup>12</sup> DHS Homeland Security Advisory Council (2016, March 17). Grant review task force final report, spring 2016, p. 21 (*Observations: Consistency...*). At [https://www.dhs.gov/sites/default/files/publications/HSAC%20-%20Grant%20Review%20Task%20Force%20-%20Final%20Report%20-%20FINAL%20\(accessible\).pdf](https://www.dhs.gov/sites/default/files/publications/HSAC%20-%20Grant%20Review%20Task%20Force%20-%20Final%20Report%20-%20FINAL%20(accessible).pdf). FEMA National Advisory Council (2020, November 30). November 2020 report pp. 20-22, at [https://www.fema.gov/sites/default/files/documents/fema\\_nac-report\\_11-2020.pdf](https://www.fema.gov/sites/default/files/documents/fema_nac-report_11-2020.pdf). *Substantiation...* pdf p. 9.

<sup>13</sup> <https://www.hsd.org/?view&did=848274> p. 2, callout block. <https://www.hsd.org/?view&did=862169> pp. 3, 76. *Substantiation...* p. 9.

<sup>14</sup> The President (12/19/2020) and Congressional leadership [Speaker Pelosi, HSGAC, FEMA's appropriators] (12/22/20), <https://www.hsd.org/?view&did=848274> pp. 1-3 [*Substantiation...* pdf p. 9 (third bullet), p. 11 (12/22/20)], pp. 6-7, 17-18, 28-31, 74-76 [*ibid*. pp. 17-18]. The Secretary (12/15/2021), the President (12/17/21), and Congressional leadership (12/21/21), <https://www.hsd.org/?view&did=862169> pp. 3, 76 [*Substantiation...* pdf p. 11 (4/28/21, 5/11/21)], pp. 35, 74-81, 89-90 [*ibid*. pp. 17-18].

<sup>15</sup> *FAQ* page 5 column 1 (*Why is/did FEMA / DHS...*). *SNRA follow-up...* pdf section 6 (*Small picture*). *Substantiation...* pdf p. 10 note 75.

<sup>16</sup> DHS/FEMA National Preparedness Directorate (NPD) (4/30/2019) *PEER v. DHS* (1:18-cv-00158-ckk D.D.C.) declaration 28-1, <https://www.courtlistener.com/docket/6284501/28/1/public-employees-for-environmental-responsibility-v-united-states/>. Query and agency response, attached *NTHIRA FOIA...* pdf, production <https://5usc2302.github.io/risk/2020-FEFO-00401/>. A. NPD (4/30/2019) 28-1 ¶ 9, regarding 2011 version used in 2015. B. 28-1 ¶ 2, 8, 10, 14, 16, and 17, FEMA using other products instead. C. 28-1 ¶ 2, 8, 16, National THIRA from 2015. ==> Detail, *Substantiation...* pdf page 16 note 121.

<sup>17</sup> 1) *Substantiation...* pdf p. 1 note 8, pp. 16 notes 116, 117, 121. 2) Side by side comparison of redacted and original pages (only the documents that were released with redactions) at [https://5usc2302.github.io/risk/5\\_U.S.C.\\_2302\\_justification/What's\\_missing\\_\(full\).pdf](https://5usc2302.github.io/risk/5_U.S.C._2302_justification/What's_missing_(full).pdf). An abbreviated version (*What's missing.pdf*) of this side-by-side comparison is in the attached zipfile.

## Notes

1. Additional notes that didn't fit anywhere else are in the document *Additional notes.doc* in the attached zipfile.
2. A longer version of this document which focuses more on the justification for lawful disclosure (it's the top attachment on this email when I forward it to internal audiences) than the context is inside the zipfile (*Supporting files and context.zip* / *Other* / *Detail (full).pdf*).
3. I am not speaking for my Department or Component (DHS/FEMA), any past or present DHS organization, or any past or present colleagues. I will forward these letters to my chain of command, DHS, and DHS/FEMA once I've sent them all to you and the committees.

Everything is unclassified, and non-security sensitive.

The unredacted information that these letters, attachments, and links communicate is explicitly within the scope of 5 U.S.C. § 2302, and communicated solely for its lawful purposes.

Thank you,

Andrew Janca  
[andrew.janca.2@outlook.com](mailto:andrew.janca.2@outlook.com) (this address)

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<sup>18</sup> FEMA internal orders 2/21/2017, 3/26/2019, 5/11/2021, *Supporting files and context.zip* / *Other* / *Restrictions.pdf* pp. 1-2. These are not the best example for a number of reasons – they're the orders on me personally which made the censorship explicit, after I had crossed the unspoken lines which internally enforce it; and they no longer apply to me directly since I changed jobs in March (this risk assessment is still effectively locked up inside FEMA, but for other reasons) – but they're the part that I can substantiate without embarrassing anyone other than me.

<sup>19</sup> U.S. District Court for the District of Columbia (D.D.C.) (12/17/2020) *PEER v. DHS* (1:18-cv-00158-ckk D.D.C.) document 33, <https://www.courtlistener.com/docket/6284501/33/public-employees-for-environmental-responsibility-v-united-states/>. **A.** NPD (4/30/2019) declaration 28-1 ¶ 9 ==> D.D.C. (12/17/2020) document 33 p. 11. **B.** NPD 28-1 ¶ 2, 8, 10, 14, 16, 17 ==> D.D.C. 33 p. 22. **C.** NPD 28-1 ¶ 2, 8, 16 ==> D.D.C. 33 pp. 3, 22.