



FEMA

February 9, 2021

SENT VIA E-MAIL TO: andrew.janca@outlook.com

Mr. Andrew Janca
PO Box 76303
Washington, DC 20013

Re: FEMA FOIA Case Number 2020-FEFO-00401

Dear Mr. Janca:

This is the first interim response to your Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), dated February 18, 2020 and received in this office on February 21, 2020. You are seeking records relating to the National Preparedness Goal, National Risk Assessment, and the National Threat and Hazard Identification and Risk Assessment (THIRA) as described in the nine (9) itemized record descriptions.

We conducted a search of FEMA's Office of Resilience – National Preparedness Directorate (NPD) for documents responsive to your request. The search produced a total of 304 pages. Of those pages, I have determined that 110 pages of the records are releasable in their entirety, 1 page is partially releasable, and 193 pages are withheld in their entirety pursuant to Title 5 U.S.C. § 552 (b)(5), (b)(6). This interim response addresses requested items #1 through #8. Item #6a and #6b are not applicable.

FOIA Exemption 5 protects from disclosure those inter- or intra-agency documents that are normally privileged in the civil discovery context. The three most frequently invoked privileges are the deliberative process privilege, the attorney work-product privilege, and the attorney-client privilege. After carefully reviewing the responsive documents, we determined that portions of the responsive documents qualify for protection under the following privilege:

- **Deliberative Process Privilege**

The deliberative process privilege protects the integrity of the deliberative or decision-making processes within the agency by exempting from mandatory disclosure opinions, conclusions, and recommendations included within inter-agency or intra-agency memoranda or letters. The release of this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of information among agency personnel.

FOIA Exemption 6 exempts from disclosure of personnel or medical files and similar files the release of which would cause a clearly unwarranted invasion of personal privacy. This requires a balancing of the public's right to disclosure against the individual's right to privacy. The privacy interests of the individuals in the records you have requested outweigh any minimal public interest

in disclosure of the information. Any private interest you may have in that information does not factor into the aforementioned balancing test.

We are in the process of searching for additional records. The records will be assessed and processed upon receipt. We will continue to provide responses to your request until such time the search is completed and the documents are reviewed for release. We estimate our next response to be on or near March 9, 2021.

Because we are still processing our response to your request, I ask that you refrain from appealing any determination made on this interim response until the final determination has been made. Instructions on how to file an appeal will be included in our final response letter.

As part of the 2007 amendments, the Office of Government Information Services (OGIS) was created to offer mediation services to resolve disputes between FOIA requesters and Federal agencies. You may contact OGIS in any of the following ways:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road- OGIS
College Park, MD 20740-6001
E-mail: ogis@nara.gov
Web: <https://ogis.archives.gov>
Telephone: 202-741-5770/Toll-free: 1-877-684-6448
Facsimile: 202-741-5769

If you need any further assistance or would like to discuss any aspect of your request, please contact the assigned FOIA Specialist at ----- PII ----- @fema.dhs.gov and refer to FOIA case number 2020-FEFO-00401. You may also contact someone by emailing fema-foia@fema.dhs.gov, calling, (202) 646-3323, and you may contact our FOIA Public Liaison in the same manner.

Sincerely,

[signature]

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Disclosure Branch Chief
Information Management Division
Office of the Chief Administrative Officer
Federal Emergency Management Agency
U.S. Department of Homeland Security