

Detail

Hello – If these notes sound choppy it is because they are collected notes, not a cover letter. Quick orientation, attached *Substantiation...pdf* document page 12.

FEMA claims the science attached to email 1/2 as an authority when we want to tell someone what to do,¹ but then shields it as draft, preliminary, or superseded when someone wants to hold us accountable.² Our censorship of this unclassified risk information caused additional loss of life in 2017 and 2020.^{3,4} If it stays invisible, that will happen again.⁵

I don't know that 'censor' is still an accurate word for what FEMA is doing now, because I have been sharing this information with outlets for two months now, and have experienced no retaliation for doing so.⁶ But the result of many years of it is that this data is still invisible, and that leaves communities vulnerable to the risks that it was collected to help them manage. Since I'm responsible for getting it buried in the first place,⁷ I'm pushing it out myself before someone tries to lock it up again.

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 2021:

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.~~ (maybe not)

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.

¹ 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. 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. 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.

² *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.

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

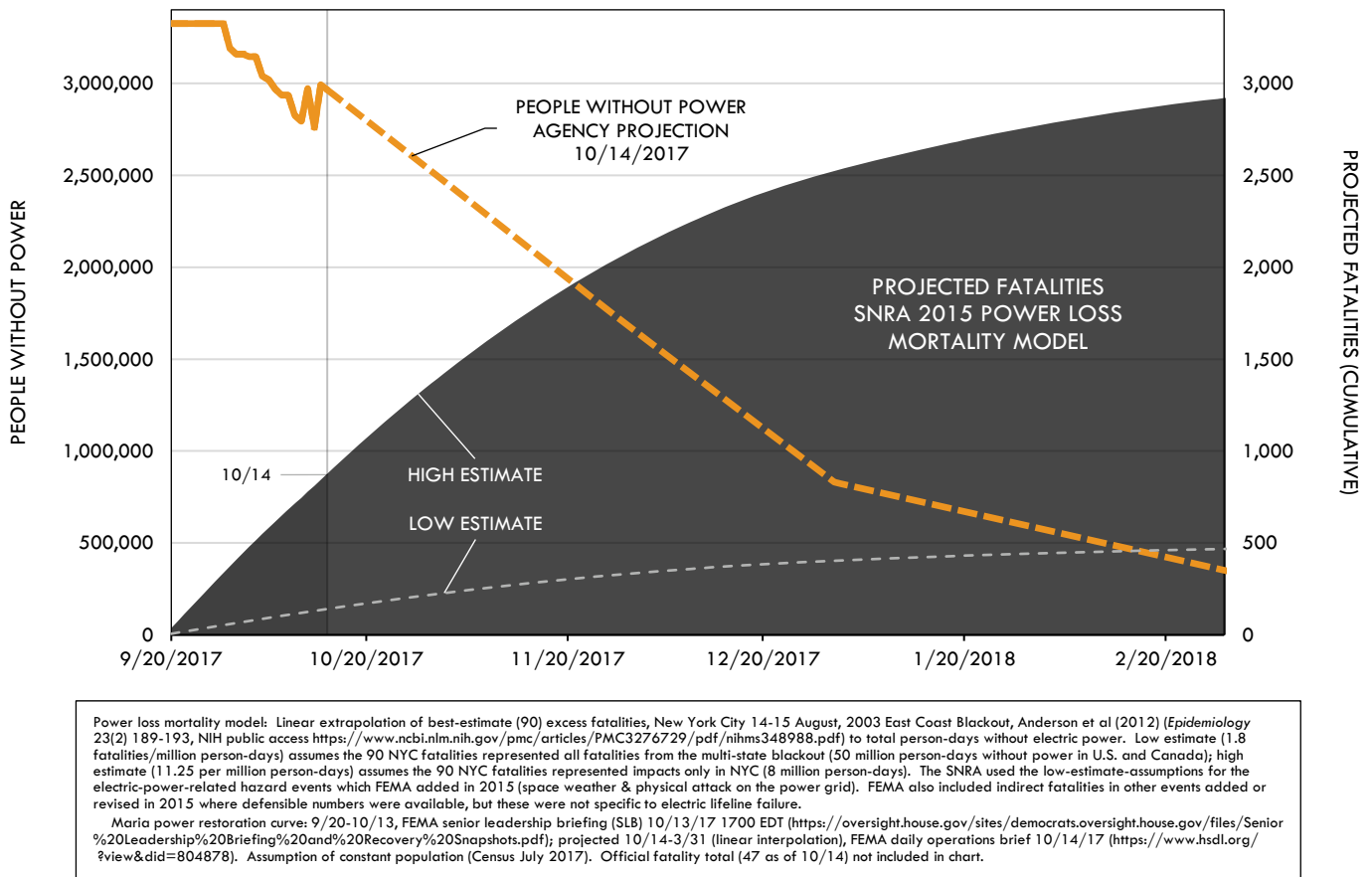
⁴ *Pandemic*. *SNRA follow-up...pdf* sections 2, 5, section 6 (*Big picture*). *Substantiation...pdf* pp. 1-10, 12-13, 19.

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

⁶ I don't want to suggest that DHS or FEMA are happy with what I'm doing, or authorize it, or endorse it in any way. But so long as I stay within the boundaries of the whistleblower law (5 U.S.C. § 2302) they are respecting those boundaries too.

⁷ *SNRA FAQ* p. 2 (*How this happened*), p. 5 (*Why didn't FEMA get the SNRA out...?*), p. 7 (*What are the 'White House findings'?*).

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



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.⁸ 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 model⁹ 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.

⁸ Attached zipfile, *Supporting files and context.zip / FOIA letters 2020 / PR data FOIA...pdf*.

⁹ *Strategic National Risk Assessment (SNRA) 2015 - Consolidated unclassified documentation.pdf* pp. 197-198, 201, 204-205. Email 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 lawful 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,¹⁰ but then shields it as draft, pre-decisional, or superseded when someone wants to hold us accountable.¹¹ We are still doing these things today.¹²

Many of these harms and abuses have happened because of mistakes that I made myself relating to FEMA's interpretation and use of this risk assessment since 2015.¹³ But I can't correct them while it remains invisible.¹⁴

There are many lawful ways to correct such problems, short of unilateral public disclosure. But I've tried nearly all of them. They didn't work.¹⁵

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

¹⁰ 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. 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.

¹¹ *Substantiation...pdf* pp. 9, 15, 17-18.

¹² *Supporting files and context.zip / Other / Detail (full).pdf* page 3.

¹³ Management failures, *Substantiation...pdf* p. 1 note 5; *FAQ* p. 2 (*How this happened*), page 4 (all), p. 5 col. 2 (*Why didn't FEMA get the SNRA out...?*), p. 7 col. 1 (*What are the 'White House findings'?*), col. 2 top (*Relevance*). Compliance, *Supporting files and context.zip / Other / Detail (full).pdf* note 18, *FAQ* p. 8 (*the small picture*), *SNRA follow-up...pdf* sections 3, 5, 6, *Substantiation...pdf* p. 18 note 149. Creating ambiguities, *Supporting files and context.zip / Other / Glass houses...pdf*. 2017, *FAQ* p. 4 (*Why does a highly technical product...*), *FOIA appeal 2017...pdf* p. 12, *SNRA follow-up...pdf* section 1, *Supporting files and context.zip / Other / Detail (full).pdf* section *Maria*. 2020, *FAQ* p. 4 (*Why does a highly technical product...*), *Substantiation...pdf* pp. 5-6, *SNRA follow-up...pdf* section 2, *Substantiation...pdf* p. 10 note 67.

¹⁴ SNRA pp. 664-666. *FOIA appeal 2017...pdf* pp. 1-2, 9-11, appendix last two pages (*Information Quality Act*). *FAQ* p. 3 column 2 – p. 5 column 1, p. 5 col. 2 (*Why did you FOIA...*), p. 6 column 1. *Substantiation...pdf* p. 9 last paragraph and notes, pp. 10-11, 13, 17-19.

¹⁵ I mean the solution paths, not the people who are part of them. Many people have tried very hard to solve these problems too, but they and their hard work hit the same obstacles in the end.

Notes

1. The SNRA is still effectively locked up inside as well as outside FEMA. For me, the main obstacle to socializing it now is a pair of [valid] non-disclosure agreements which my unsuccessful attempts to fix these problems inside the system left me with. Although the who/what/why details [the protected content] of the FEMA-internal wrongdoing which is keeping this information locked up aren't essential context for someone on the outside to use it now, they are for someone inside FEMA, and I can't communicate that.^{16, 17}
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*).¹⁸
3. Additional notes that didn't fit anywhere else are in the document *Additional notes.doc* in the attached zipfile.
4. 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 next, either today or tomorrow.

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,

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¹⁶ These have the whistleblowing exceptions, and I've used them for exceptional situations. It's the routine communications that are essential for everyday work that they complicate to the point of being prohibitive.

¹⁷ I haven't experienced any retaliation in this context either (or any context). This is one thing that often goes wrong in whistleblowing situations that, in my own experience, DHS, FEMA, and my management – in my entire time at DHS and DHS/FEMA – have done an absolutely outstanding job at doing everything right. I'm pointing this out here because it sounds like that's what I'm referring to, and it isn't.

¹⁸ The previous version of this document (*Detail (brief).pdf*) which I sent the June 2022 recipients (see email chain) is at <https://5usc2302.github.io/risk/5%20U.S.C.%202302%20justification/20220627/>.