

# **Exhibit A**

# **to Spinelli Declaration**

Department of  
Veterans Affairs

# Memorandum

Date: AUG 30 2011  
From: Secretary of Veterans Affairs  
Subj: Delegation of Authority to Assert Deliberative Process Privilege  
To: Senior Advisor to the Secretary of Veterans Affairs, John J. Spinelli

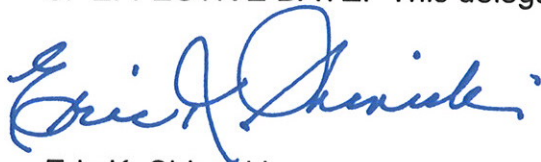
1. PURPOSE OF DELEGATION. The Department of Veterans Affairs (VA) has been named a defendant in Vietnam Veterans of Am. v. Central Intelligence Agency, No. CV 09-0037-CW (N.D. Cal.). Plaintiffs in that case seek to compel discovery of numerous documents that may include pre-decisional advice and deliberations of VA personnel. To invoke the deliberative process privilege applicable to such documents in litigation, Federal courts generally require a declaration, from the head of the Department or an officer of the Department to whom appropriate authority has been delegated, that is made after personal consideration of the documents at issue and that specifies the reasons for invoking the privilege.

2. DELEGATION. This memorandum delegates to John J. Spinelli, Senior Advisor to the Secretary of Veterans Affairs, the authority to assert the deliberate process privilege on behalf of VA in the case of Vietnam Veterans of Am. v. Central Intelligence Agency, No. CV 09-0037-CW (N.D. Cal.), based on his personal consideration of the relevant documents. This delegation includes the authority to determine whether the privilege should be invoked with respect to each document and to attest to the reasons for asserting confidentiality over the information withheld.

3. AUTHORITY. 38 U.S.C. § 512.

4. RESTRICTIONS. None.

5. EFFECTIVE DATE. This delegation of authority is effective upon signature.



Eric K. Shinseki