

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

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Case No. CV 09-0037-CW

VIETNAM VETERANS OF AMERICA, *et al.*,

Plaintiffs,

v.

CENTRAL INTELLIGENCE AGENCY, *et al.*,

Defendants.

DECLARATION OF JOHN J. SPINELLI

I, John J. Spinelli, declare as follows:

1. I am a Senior Advisor to the Secretary of the Department of Veterans Affairs (“VA”). I was appointed to this position on January 21, 2009. Prior to that, I served as Deputy Director of the U.S. Army Center of Military History.

2. As a Senior Advisor, I am responsible for, among other things, advising the Secretary of Veterans Affairs on a range of strategy and policy issues regarding VA transformation, operations, and activities. I assist VA leadership in identifying, articulating, and disseminating vision, strategic guidance, operational priorities, and strategies for communication and legislative and public affairs. In this capacity, I supervise approximately six employees in the analysis and formulation of written documents and broad strategy regarding the VA budget, health and benefits programs, and other key business lines associated with VA transformation and operations for senior VA leadership. As Senior Advisor to the Secretary, I report to the Chief of Staff for the Department of Veterans Affairs.

3. In connection with my responsibilities as a Senior Advisor, I am generally familiar with this litigation brought by plaintiffs against various federal agencies, including VA, and I am able

1 to determine whether certain predecisional documents contain deliberative process materials, the
2 public disclosure of which would chill the decision-making process.

3 4. By delegation executed by the Secretary of Veterans Affairs, dated August 30, 2011, I
4 have been delegated responsibility to assert the deliberative process privilege over these
5 documents. That delegation is attached as Exhibit A.

6 5. During my tenure at VA, VA's efforts to notify veterans of the potential hazards to which
7 they were exposed during active service and adjudication of claims for disability compensation
8 and dependency and indemnity compensation have been of significant interest to many different
9 parties, including Congress, other Executive Branch agencies, the VA Inspector General's office,
10 Veterans Service Organizations, and others. As part of this interest, VA policy makers are often
11 called to explain decisions and actions taken by the Department in its notice and adjudication
12 efforts.
13

14 6. Based upon my review and personal consideration of each document, I hereby formally
15 assert the deliberative process privilege on behalf of VA for the following 114 documents, which
16 are potentially responsive to Plaintiffs' requests for production of documents.
17

18 **Documents Concerning VA's Outreach to Chem-Bio Veterans:**

19 7. The following 24 documents include emails and draft documents concerning VA's
20 outreach efforts directed towards Chem-Bio test participants, including internal deliberations
21 regarding draft notice letters for signature by the Secretary of Veterans Affairs. The Department
22 considers many ideas from many employees and stakeholders in formulating policy, and the ideas
23 considered are merely the opinions of individuals, and not the Department's official policy. It
24 would greatly chill the policymaking process if these tentative views could be subject to public
25 scrutiny.
26

27 8. The documents stamped DVA090 0356-0362, 0390-0397, and 0602-0610 are email
28 chains reflecting deliberations concerning the potential eligibility for VA healthcare and

1 discussions concerning VA examinations for recipients of the Chem-Bio notice letter, which pre-
2 date the final decision on the issue and issuance of the final notice letter that includes VA's final
3 policy decision on healthcare for these veterans. I understand that the final notice letter has been
4 produced to Plaintiffs in this case (2742-2743). Release of these documents would infringe upon
5 VA's deliberative process by hindering its ability to obtain candid input from its employees about
6 how to resolve critical health-care issues, which is necessary for informed decisionmaking by VA
7 senior leaders.

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9 9. The documents stamped DVA090 0369-0370, 0251, 0256-0257, 0550-0559, 0635-0637,
10 and DVA097 0472-0475 are emails and emails with attachments regarding VA's efforts to send
11 outreach notices to veterans. They include discussions and recommendations regarding VA's
12 ability to send notice letters and draft notice letters and briefing memoranda concerning this
13 outreach effort which pre-date the decisions regarding these outreach efforts memorialized in the
14 final notice letter. Public release could inhibit VA employees from openly expressing their ideas
15 and creatively developing policy for notifying veterans of a chemical or biological exposure. If
16 such discussions were halted by being subject to public release, VA would be prevented from
17 developing, through input and open discussion with its employees, the best and most appropriate
18 services possible to our nation's veterans. I understand that DVA090 0550-0559 is a partial
19 duplicate of another document reviewed by this Court, DVA078 000142-000145. I also
20 understand that this Court upheld VA's assertion of the deliberative process privilege over
21 DVA078 000142-000145. I further understand that the only difference between the two
22 documents is that DVA090 0550-0559 contains an attachment, a draft letter that was not
23 contained in DVA078 000142-000145.

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26 10. The documents stamped DVA090 0373-0379, 0513-0514, 0518-0523, 0524, 0525-0527,
27 0528, 0529-0531, 0532-0533, 0534-0536, 0546-0547, and 0548 are emails reflecting deliberative
28 discussions regarding the draft notice letter and attachments to emails containing draft notice

1 letters, including drafts with handwritten or redline edits, which pre-date the final notice letter.
2 Disclosure of these emails would unduly chill the open and candid exchange of ideas and
3 suggestions necessary to the development of sufficiently well-considered and thorough strategies
4 for communicating notification of test exposure to veteran populations. These documents are
5 internal deliberations that, if subject to public release, would both chill productive agency
6 discussion and could confuse the public. I understand that DVA090 0518-0523 is a partial
7 duplicate of another document reviewed by this Court, 00805-00815, with the only difference
8 being that DVA090 0518-0523 contains an attachment. I also understand that this Court upheld
9 VA's assertion of the deliberative process privilege over 00805-00815. The email chain on
10 DVA090 0518-0523 is contained within 00805-00815, but the attachment to DVA090 0518-0523
11 is not attached to 00805-00815.
12

13 11. The documents stamped DVA097 0187 and 0188-0189 are emails reflecting deliberations
14 concerning a potential Veterans Health Administration agreement with the Internal Revenue
15 Service for information for outreach efforts, which pre-date a decision regarding the agreement.
16 This document involves internal deliberations that, if subject to public release, would both chill
17 productive agency discussion and could confuse the public. I understand that there was never an
18 agreement reached for data sharing between VHA and the IRS.
19

20 12. The document stamped DVA090 0242-0244 is an email containing deliberations among
21 VA employees regarding potential outreach efforts that VA and the Department of Defense
22 ("DoD") considered and the content of potential briefing items for Congressional staff on test
23 participants, which pre-dates a decision on both of those issues. It is important to the proper
24 functioning of the VA that it be able to fully and freely consider all options suggested by VA
25 employees in the continuing development of the notification and outreach program to Chem-Bio
26 veterans. It is equally important to the proper functioning of the VA that VA employees be able
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1 to discuss all ramifications of an issue before briefing Congress. Release of this document would
2 chill the contributions necessary to such consideration.

3 13. The document stamped DVA097 0554-0557 is an email reflecting deliberations
4 concerning a potential response to a media inquiry regarding VA outreach efforts, which pre-
5 dates a final decision regarding a response. It is important to the proper functioning of the VA
6 that it be able to fully and freely consider all options suggested by VA employees in responding
7 to media inquiries. Release of this document would chill the contributions necessary to such
8 consideration.
9

10 **Documents Concerning the Chem-Bio Training Letter:**

11 14. The following 12 documents are emails containing discussions regarding the Chem-Bio
12 training letter as well as draft training letters. These emails pre-date the final version of the
13 Chem-Bio training letter, which I understand was produced to Plaintiffs at 00182-00189. The
14 purpose of the Training Letter was to educate and inform VA field personnel about claims
15 stemming from DoD's release of the Chem-Bio Database. Disclosure of such documents would
16 stifle the free exchange of ideas and suggestions by VA subordinates which are necessary to
17 informed decision-making by management.
18

19 15. The documents stamped DVA090 0440-0449, 0460-0468, 0469-0479, 0480-0489, 0490-
20 0491, 0492-0501, 0502-0512 and 0581-0600 are emails with draft Chem-Bio training letters
21 attached containing deliberations regarding the draft letter, which pre-date the final training letter.
22

23 16. The document stamped DVA090 0459 is an email reflecting deliberations concerning the
24 draft training letter, which pre-dates the final training letter.

25 17. *The documents stamped DVA097 0084-0085 and 0088-0089 are emails reflecting*
26 *deliberative discussions regarding whether procedures for adjudication of mustard gas and*
27 *Lewisite claims can be applied to pending Chem-Bio claims which pre-date the final training*
28 *letter. These documents pre-date the final decision on utilizing the mustard gas procedures. This*

1 decision is codified in the Chem-Bio training letter, which was produced to Plaintiffs at 0182-
2 0189.

3 18. The document stamped DVA097 0522-0533 is an email reflecting deliberations
4 concerning an individual test participant's claim with draft training procedures attached, which
5 pre-dates the final training letter as well as VA's determination of the individual's claim.

6 **Documents Concerning the Potential Contents of the Department of Defense's**
7 **CBRNE Database:**

8 19. The documents stamped DVA090 0226-0228, 0398-0399, and DVA097 0121-0124 are
9 emails between Veterans Benefits Administration ("VBA") employees and DoD employees with
10 questions, recommendations, and deliberations concerning the potential content of the Chem-Bio
11 database, which pre-date the final decision regarding the items to be included in the database.

12 These documents are inter-agency deliberations that, if subject to public release, would both chill
13 productive inter-agency discussion and could confuse the public.

14 **Documents Concerning Individual Claims for Benefits:**

15 20. The following 23 documents include emails between VBA employees reflecting
16 deliberations regarding the processing of mustard gas and chemical agent claims brought by
17 individual veterans, a response to a media request for a review of an individual's claims file, and
18 modifications to the mustard gas claims procedures in relation to the individual claims. It would
19 chill the policymaking process if these tentative views and suggestions of VA employees could be
20 subject to public scrutiny.

21 21. The documents stamped DVA097 0074, 0075-0076, 0077-0078, 0079-0080, 0081, 0082,
22 0083, 0086, 0087, 0092-0094, 0097, 0221-0222, 0223-0224, 0225, 0246, 0290, 0514-0516, 0535-
23 0536, and DVA101 0001-0003 are emails containing a deliberative discussion concerning the
24 processing of an individual mustard gas or chemical agent claim, which pre-date the final
25 decisions on those claims.
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1 22. The document stamped DVA090 0232-0233 is an email reflecting deliberations and
2 recommendations concerning a claims file review request made by a member of the media which
3 pre-dates the final decision regarding the request.

4 23. The documents stamped DVA097 0240-0241, 0242-0243 and 0244-0245 are emails
5 containing deliberations regarding the processing of mustard gas claims brought by individual
6 veterans. These documents also contain a discussion of potential modifications to general
7 procedures for processing those claims. These deliberations pre-date final decisions on those
8 claims and VA's final determination whether to alter procedures for processing mustard gas
9 claims. Those finalized procedures are codified in the mustard gas training letter, produced to
10 Plaintiffs at 00014-00031.
11

12 **Documents Concerning VA's Response to a Freedom of Information Act ("FOIA")**
13 **Request:**

14 24. The documents stamped DVA097 0430-0440 and 0441 are emails between and among
15 VA employees containing discussions regarding a response to a FOIA request made by a member
16 of the media, which pre-date the agency's decision regarding its response. Disclosure of these
17 documents would unduly chill the open and candid exchange of ideas and suggestions necessary
18 to the development of sufficiently well-considered and thorough strategies for responding to
19 FOIA requests.
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21 **Documents Concerning VA's Potential Response to the Government Accountability**
22 **Office ("GAO") 2008 Report:**

23 25. The following 4 documents include emails containing deliberations regarding VA's
24 potential responses to a report by and requests from the GAO concerning VA's outreach to
25 veterans. *The final report by GAO is publically available at*
26 *<http://www.gao.gov/new.items/d08366.pdf>. Disclosure of these pre-decisional, deliberative*
27 *documents would unduly chill the open and candid exchange of ideas and suggestions necessary*
28 *to the development of sufficiently well-considered and thorough strategies for conducting*

1 outreach to veterans. It is important to the proper functioning of the VA that it be able to fully
2 and freely consider all options suggested by VA employees in the continuing development of the
3 notification and outreach program to Chem-Bio veterans.

4 26. The documents stamped DVA090 0325-0327 and 0328-0346 are emails containing
5 deliberations regarding a potential response to a GAO exit conference request for purposes of the
6 2008 GAO report, which pre-date a final decision regarding that request.

7 27. The document stamped DVA090 0349 is an email reflecting discussions regarding the
8 potential uses of Social Security Administration databases in connection with outreach efforts
9 based on an inquiry from the GAO. This discussion pre-dates the decision concerning that
10 potential use and the 2008 GAO report.

11 28. The document stamped DVA090 0429-0434 is an email and attachment reflecting
12 deliberations concerning a draft response to a GAO Data Reliability Questionnaire which pre-
13 dates VA's response to the final Questionnaire. The final version of this document was produced
14 to Plaintiffs at DVA002 004543-4547.
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17 **Document Concerning a VA Medical Study on the Effects of Chemical Exposure:**

18 29. The document stamped DVA090 0107-0108 is an email reflecting deliberative comments
19 concerning how VA would utilize a study on Gulf War veterans exposed to sarin gas and
20 cyclosarin, which pre-dates a final decision concerning those plans. Disclosure of this document
21 would stifle the free exchange of ideas and suggestions by VA subordinates that are necessary to
22 informed decision-making by management.
23

24 **Document Concerning the Mustard Gas Memorandum for Use in the**
25 **Undersecretary for Benefits' ("USB") Notebook:**

26 30. The document stamped DVA097 0010-0012 is an email with an attached deliberative
27 draft version of a mustard gas memorandum that was intended for use in the Undersecretary for
28 Benefits' notebook, which pre-dates the final memorandum. The Undersecretary of Benefits'

1 notebook was used in order to keep the USB updated on VBA business. VBA employees would
2 gather pertinent information that would be used to periodically update the notebook in order to
3 inform the USB about current issues, including chem-bio outreach. The selection of facts
4 contained within this draft memorandum was deliberative, as VBA employees used their
5 discretion and judgment to select the facts to include in the notebook. Disclosure of this
6 document would stifle the free exchange of ideas and suggestions by VA subordinates, which are
7 necessary to informed decision-making by management.

8
9 **Documents Concerning the Mustard Gas Notice Letter:**

10 31. The following 4 documents are emails containing deliberative discussions regarding the
11 potential content of the mustard gas notice letter as well as drafts of notice letters. If VBA
12 employees are questioned or otherwise scrutinized about this work, it would discourage their
13 willingness to freely provide feedback and recommendations in response to future requests from
14 policy makers. Disclosure of these emails would unduly chill the open and candid exchange of
15 ideas and suggestions necessary to the development of sufficiently well-considered and thorough
16 strategies for communicating notification of test exposure to veteran populations. These
17 documents are internal deliberations that, if subject to public release, would both chill productive
18 agency discussion and could confuse the public. As noted below, one of these emails also
19 includes both the seeking and provision of legal advice from VA's Office of General Counsel,
20 and as such, is also covered by the attorney-client privilege.

21
22 32. The document stamped DVA097 0208-0209 is an email with a draft training letter
23 attached seeking and providing deliberative and pre-decisional comments and legal advice
24 regarding the draft mustard gas notice letter from VA employees, including VA attorneys. The
25 first two emails in the email string are also covered by the attorney-client privilege. The final two
26 emails, located at the top of the email string (from Dr. Hyams on 2/10/2005 and from
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1 VAVBAWAS/CO/MUSTARDGAS on 2/10/2005) are covered only by the deliberative process
2 privilege.

3 33. The documents stamped DVA097 0134-0136 and 0539-0540 are emails reflecting
4 deliberative comments concerning the draft mustard gas notice letter, which pre-date the final
5 notice letter, produced to Plaintiffs at 00171-00173, 00174-00176, and 00177.

6 34. The document stamped DVA097 0191-0205 is an email between VA and DoD employees
7 reflecting interagency deliberative comments concerning the draft mustard gas notice letter with
8 an attached draft notice letter, which pre-dates the final notice letter.
9

10 **Documents Concerning Mustard Gas Outreach:**

11 35. The following 14 documents include emails and draft documents reflecting deliberations
12 concerning mustard gas outreach efforts. These documents are internal deliberations that, if
13 subject to public release, would both chill productive agency discussion and could confuse the
14 public.
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16 36. The documents stamped DVA097 0260-0273, 0274, 0275-0278, 0279-0281, 0282-0285,
17 and 0286-0288 are emails containing deliberative comments concerning a potential and draft
18 mustard gas action plan, which pre-date a decision on the final outreach plan. The final outreach
19 plan is codified in VA's mustard gas training letter and notice letter, produced to Plaintiffs at
20 0014-0031, 00171-00173, 00174-00176, and 00177. The selection of facts included in this action
21 plan is deliberative because the VA employees used their discretion and judgment as to which
22 facts to include in the action plan.
23

24 37. The document stamped DVA097 0157-0158 is an email containing deliberations
25 concerning the analysis and verification of mustard gas claims as it pertains to outreach efforts,
26 which pre-dates a final decision on how to best articulate the data regarding mustard gas outreach.

27 38. The documents stamped DVA097 0357-0368, 0369-0381, 0383, 0392-0410, 0411-0412,
28 0413-0423, 0426-0428 are emails and attachments containing discussions concerning a draft

1 mustard gas white paper and bullet points reflecting agency deliberations, which pre-date the final
2 version of the white paper and an agency decision on outreach. These drafts reflect VA's internal
3 deliberations regarding the selection of facts to include in the final paper.

4 **Documents Concerning Procedures for Processing Mustard Gas Claims:**

5 39. The following 11 documents include emails and draft documents concerning potential
6 modifications to procedures for processing mustard gas claims as well as to the mustard gas
7 training letter. These emails and draft documents pre-date the final decisions on these issues.
8 Disclosure of such documents would stifle the free exchange of ideas and suggestions by VA
9 subordinates which are necessary to informed decision-making by management.
10

11 40. The documents stamped DVA097 0169-0170, 0237-0238, 0291-0322, and DVA090
12 0419-0426 are emails and draft mustard gas training letters reflecting deliberative comments
13 regarding potential changes to the mustard gas training letter and procedures, which pre-date the
14 final training letter.

15 41. The documents stamped DVA097 0239 and 0249-0250 are emails containing deliberative
16 discussion regarding mustard gas claims procedures and the manual of those procedures, which
17 pre-date a final decision regarding those procedures, which is codified in the mustard gas training
18 letter, produced to Plaintiffs at 0014-0031. In addition, the emails pre-date the final M21-1
19 manual of those procedures, which is publicly available.
20

21 42. The document stamped DVA097 0125-0133 is an email and a draft operations paper
22 containing edits reflecting deliberations concerning mustard gas claims procedures, which pre-
23 dates the mustard gas training letter reflecting those procedures and produced to Plaintiffs at
24 0014-0031.
25

26 43. The documents stamped DVA097 0226, 0247-0248, 0137-0139, and 0140-0141 are
27 emails containing deliberations concerning mustard gas claims procedures, which pre-date a final
28 decision on those procedures, incorporated into the training letter (0014-0031).

1 **Documents Concerning the Contents of VA's Website Related to Mustard Gas**
2 **Exposure:**

3 44. The documents stamped DVA097 0147-0150, 0151-0153, 0154-0156, 0159, 0160-0162,
4 0164-0165, 0166-0168, 0507-0508, and 0509 are emails reflecting deliberations concerning the
5 information to include on the VA website regarding mustard gas, including draft screenshots,
6 which pre-date a final version of those sites. Disclosure of such documents would stifle the free
7 exchange of ideas and suggestions by VA subordinates which are necessary to informed decision-
8 making by management. I understand that DVA097 0507-0508 is a partial duplicate of another
9 document reviewed by this Court, DVA078 004260-61, and over which the Court upheld VA's
10 assertion of privilege. Both documents contain the initial email from David Abbot to Mark
11 Brown, dated August 1, 2006. DVA097 0507-0508 contains additional emails after that initial
12 email. I further understand that DVA097 0509 is a partial duplicate of another document
13 reviewed by this Court, DVA078 004260-004261, and over which the Court upheld VA's
14 assertion of privilege. Both documents contain the initial email from David Abbot to Mark
15 Brown, dated August 1, 2006. DVA097 0509 contains one additional email after that initial
16 email.
17

18 **Documents Concerning Collaboration Between DoD and VA Regarding Outreach to**
19 **Veterans:**

20 45. The following 6 documents include emails, draft meeting notes, and memoranda
21 containing deliberations between VA and DoD employees regarding chem-bio outreach efforts
22 and which pre-date the final decisions regarding those efforts. VA must be allowed to gather
23 information, consult, and deliberate with other Executive Branch agencies about the best means to
24 carry out this important Department mission without fear that those preliminary deliberations
25 would be subject to public scrutiny. While the Department considers many ideas from many
26 employees and stakeholders in formulating policy, the ideas considered are merely the opinions
27
28

1 of individuals, and not the Department's policy. It would greatly chill the policymaking process
2 if these tentative views were subject to public scrutiny.

3 46. The documents stamped DVA090 0364-0368 and 0574-0579 are emails with attached
4 draft meeting notes reflecting interagency deliberations regarding chem-bio outreach, which pre-
5 date the final version of the meeting notes, produced to Plaintiffs at DVA004 14682-14686. I
6 further understand that VA has now produced to Plaintiffs DVA090 0410-0418 and DVA097
7 0251-0259.

8 47. The document stamped DVA090 0380-0381 is an email reflecting deliberations and edits
9 to a memorandum regarding a Deployment Health Support Directorate, VA, and DoD meeting
10 concerning VA's notice letter. The inter-agency deliberations pre-date the VA's final notice
11 letter (2742-2743). I understand that this document is a partial duplicate of another document
12 reviewed by this Court, DVA078 004264-004265, and over which the Court upheld VA's
13 assertion of privilege. I further understand that the only difference between the two documents is
14 that DVA090 0380-0381 contains an additional email at the top of the first page, sent from David
15 Abbot to Joe Salvatore.
16

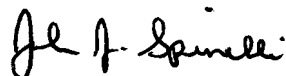
17 48. The document stamped DVA090 0630-0634 is an email with redacted attached draft DoD
18 fact sheets and frequently asked questions regarding field testing, which contain deliberations and
19 pre-date the final versions of these documents maintained on the DoD website. I understand that
20 the email has been produced to the Plaintiffs. I further understand that the Court previously
21 upheld DoD's assertion of privilege over this attachment (VET125_050288-050291).
22

23 49. The document stamped DVA090 0611-0612 is an email reflecting VA deliberations
24 concerning questions and requests for information for DoD regarding outreach efforts, which pre-
25 dates a final decision concerning what information to use in outreach efforts. The final decision
26 on the information is codified in the VA notice letter (2742-2743).
27

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1 50. The document stamped DVA097 0171-0174 is an email with an attached draft DoD
2 memorandum containing redlined deliberative edits regarding DoD's potential certification of the
3 mustard gas database. I understand that these edits may pre-date the final version of the
4 certification, and I further understand that a final, signed version of the certification may be
5 available at the National Archives and Records Administration.
6

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8 I declare under penalty of perjury that the foregoing is true and correct. Executed in
9 Washington, D.C. on June 27, 2012.
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12 _____
13 John J. Spinelli
14 Senior Advisor to the Secretary
15 U.S. Department of Veterans Affairs
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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

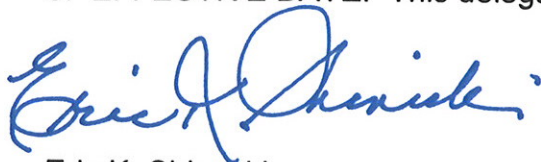
1. PURPOSE OF DELEGATION. The Department of Veterans Affairs (VA) has been named a defendant in Vietnam Veterans of Am. v. Central Intelligence Agency, No. CV 09-0037-CW (N.D. Cal.). Plaintiffs in that case seek to compel discovery of numerous documents that may include pre-decisional advice and deliberations 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