DEPARTMENT OF VETERANS AFFAIRS
Veterans Benefits Administration
Washington, D.C. 20420

FOIA Request 26-01020-F

December 17, 2025

Mr. Wesley Alonzo McCauley
Owner United Veteran's Disability, LLC
P.O. Box 1162
Valdosta, GA 31796
wesley@unitedforvets.com

Dear Mr. McCauley:

This letter is the initial agency decision to your November 3, 2025, request under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, to the Department of Veterans Affairs (VA), Veterans Benefits Administration Central Office (VBACO) FOIA Office.

In summary, you requested the following records:

> Any memorandum discussing the removal of male breast cancer as a presumptive condition. I also want a copy of the memorandum dated June 15, 2025, signed by Secretary Collins.

Request Procedural History

Your request was received in this office on November 3, 2025. The FOIA request was assigned the tracking number at the top of this letter. Please include the tracking number in all future communications concerning this FOIA request.

Search

The Program Analyst from the Office of Compensation Service (CS) searched their SharePoint site repository, where their documents are maintained. At the conclusion of their search, CS provided our office with the 2-page memorandum document that was determined to be responsive to your request.

My review of the documents revealed that they contained information that falls within the disclosure protections of FOIA Exemption 5, 5 U.S.C. § 552(b)(5). Exemption 5 protects from disclosure records subject to the deliberative process privilege, which shields documents consisting of advisory opinions and deliberations comprising the process by which the Government or agency formulates decisions and policies. 5

U.S.C. § 552(b)(5). The deliberative process privilege protects agency documents that are predecisional and deliberative. Stated another way, information is considered "predecisional" if it is prepared "to assist an agency's final decision maker in arriving at a decision." It must be created before the adoption of an agency policy or the final decision. Ireland v. IRS, 2017 U.S. Dist. LEXIS 66835; Hall v. CIA, 268 F. Supp. 3d 148 (2017). Information is "deliberative" if it "reflects the give-and-take of the consultative process by which the decision itself is made," Pinson v. DOJ, 236 F. Supp. 3d 338 (2017) (quoting Coastal States Gas, 617 F.2d at 866).

Specifically, the information I am withholding, as indicated on the enclosed documents, under FOIA Exemption 5 consists of the entire memorandum document base on the following: The memorandum in question provides the Secretary of VA (SecVA) with recommendations regarding amending the presumption for male breast cancer; it also seeks to obtain the SecVA's decision to amend the presumption for male breast cancer. Since the memorandum is deliberative, I am withholding it in its entirety under Exemption 5.

Additionally, the requester must demonstrate how the public's need to understand the information significantly outweighs the privacy interest of the person to whom the information pertains. Upon consideration of the materials provided, I have not been able to identify a countervailing public interest of sufficient magnitude to outweigh the privacy interest in this case. The individuals associated with this information have a personal privacy interest in the information that outweighs any public interest served by the disclosure of their identities under FOIA. Consequently, I am denying your request for this information under FOIA Exemption

Appeal

If you disagree with my determination to withhold the information under FOIA Exemption 5, please be advised you may appeal to:

Office of the General Counsel (024)
Department of Veterans Affairs
810 Vermont Avenue, N.W.
Washington, D.C. 20420
Email: ogcfoiaappeals@va.gov

If you should choose to file an appeal, your appeal must be postmarked or electronically transmitted no later than ninety (90) calendar days from the date of this letter. Please include a copy of this letter with your written appeal and clearly state why you disagree with the determinations set forth in this response.

You may also seek assistance and/or dispute resolution services for any other aspect of your FOIA request, excluding the release determination, from VBA's FOIA

Initial Agency Decision Letter
December 17, 2025
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Public Liaison and or Office of Government Information Services (OGIS) as provided below:

VBA FOIA Public Liaison:
Email Address: FOIA.VBACO@va.gov
Fax: (202) 495-5567

Office of Government Information Services (OGIS)
Email: ogis@nara.gov
Mailing Address: Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road
College Park, MD 20740-6001

Thank you for your interest in VA. If you have any further questions, please contact us via email at FOIA.VBACO@va.gov and reference your case number 26-01020-F.

Sincerely,

Marc Williams
VBACO FOIA Officer