

From: [John Eakin](#)
To: [Gardner, Gregory L CIV USARMY HRC \(US\)](#); dougkelder@gmail.com
Cc: [Strawn, Susan \(USATXW\)](#); [Cox, William E CIV USARMY HRC \(US\)](#)
Subject: Re: Private Arthur H. Kelder Identification (UNCLASSIFIED)
Date: Sunday, January 25, 2015 8:46:20 AM

Greg,

My apologies for keeping you out late on a Saturday night, but this is much appreciated. You've certainly met us more than half-way on this issue and I sincerely thank you. Everything has been forwarded to our experts.

I've only skimmed the material so far, but I haven't noticed a few things normally included in these packages. Please let Doug and I know if you find any additional material you can share with us.

The most obvious question at this point is when do you anticipate concluding the other thirteen related identifications?

Thanks again. Enjoy what's left of your weekend.

John

At 09:21 PM 1/24/2015, Gardner, Gregory L CIV USARMY HRC (US) wrote:

>Classification: UNCLASSIFIED

>Caveats: FOUO

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>Mr. Kelder/Mr. Eakin,

>

>In the near future you will receive an e-mail that provides a link to an FTP >server. By following that link you will be able to download the >Identification Package for Private Arthur H. Kelder. If you run into any >problems with the link/download please let me know. This is an Army site and >we use it for transferring all large digital files. Below is a short >explanation of what the package consists of (so you can be sure you have all >of the files) and your rights regarding these remains. We usually cover all >of this during the identification briefing (plus a lot more) as it is much >less frustrating to families when we can immediately answer questions >face-to-face.

>

>1. Besides the Title Page (1 - Title Page for FINAL (JPAC)), the package >should include the following files:

- > - Lab Admin Memo
- > - Scientific Director's Memo
- > - Encl 01, Historical Report for KELDER
- > - Encl 02, Forensic Odontology Report
- > - Encl 03, Forensic Anthropology Report
- > - Encl 04, DNA Report
- > - Encl 05, DNA Report
- > - Encl 06, DNA Report
- > - Encl 07, Material Evidence Report
- > - Encl 08, Individual Deceased Personnel File
- > - Encl 09, Manila #2 X-0816
- > - Encl 10, Reports of Death
- > - Encl 11, Consultant Review

>

>2. The Department of Defense makes no claims that these remains are
>complete. Clearly, a portion of Arthur Kelder's remains are not present.
>While each case is different, most if not all identified remains we return
>to families from past conflicts are incomplete.
>
>3. There is a standard Army process for returning additional remains that
>are subsequently identified. During the Identification Briefing Mr. Cox
>will explain that process and you will elect how you want those remains to
>be handled. Whatever you choose, there is no additional cost to the family.
>
>4. The Primary Next of Kin/Person Authorized to Direct Disposition of
>Remains (PNOK/PADD) has the right to contest this identification. After the
>Identification Briefing by Mr. Cox you have 90 calendar days to file any
>contest with my office. This process is governed by Department of Defense
>Instruction 3001.03. It is available for download by searching "DoDI
>3001.03" or at this link
>(<http://www.dtic.mil/whs/directives/corres/ins1.html>). One key note is that
>the instruction allows the PNOK/PADD to conduct independent DNA testing at a
>lab of their choice and present any evidence to the board, including expert
>witness testimony. The instruction lays out a very clear timeline for all
>actions related to these proceedings.
>
>5. Your concerns regarding needing to prepare for the Identification
>Briefing are unfounded. The Identification Briefing only gets the mortuary
>process started and no decisions are required during or immediately after.
>The PNOK/PADD will make all decisions when they are ready.
>
>Because families continue to tell us that explaining all of this for the
>first time in person saves them significant frustration and time, our
>standard process is to present all of this information at the Identification
>Briefing. However, since your rights and the mortuary timeline doesn't
>change we can certainly provide the PNOK/PADD the Identification Briefing at
>a later time.
>
>The Army is here to support you during the mortuary process. Our sole
>concern is to ensure Private Arthur H. Kelder is honorably buried and that
>you are assisted in every way possible.
>
>Please let me know if you have any questions.
>
>Sincerely,
>
>
>Greg Gardner
>Chief, Past Conflict Repatriations Branch (PCRB)
>Casualty and Mortuary Affairs Operations Center (CMAOC)
>
>Personal Line: (502)613-8259
>Team Line: (800)892-2490
>gregory.l.gardner10.civ@mail.mil
>
>U.S. ARMY HUMAN RESOURCES COMMAND
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>
>-----Original Message-----
>From: John Eakin [<mailto:jeakin@airsafety.com>]
>Sent: Thursday, January 22, 2015 5:00 PM
>To: Gardner, Gregory L CIV USARMY HRC (US)

>Cc: susan.strawn@usdoj.gov; dougkelder@gmail.com

>Subject: Bud Kelder Identification

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>Greg,

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>I just want to follow up with you and also let Susan know where we're at.

>Doug talked to Mr. Cox a few minutes ago and explained the power of attorney

>situation. (I don't have his email address so please read him in.)

>

>Doug and I are of one mind on this, plus he is better located to make

>funeral arrangements so please feel free to deal with him on funeral and

>escort arrangements. If you have to ask me something I'll have to call him

>so feel free to conference call or email us both, if you must. We're both

>pretty easy to work with so make it easy on yourself.

>

>Doug said Mr. Cox told him that the ID package could not be provided in

>advance of the briefing. That puts us at a significant disadvantage and

>sounds pretty one-sided if you don't wish us to ask informed questions. I

>ask that you reconsider this to allow review by the anthropologist and DNA

>expert we have retained. That will speed up the process, considerably.

>

>I just got off the phone with Susan, and as I told her, there are issues

>outstanding beyond return of Private Kelder's remains. If there has ever

>been the right time to try to resolve these issues, this is it. We can all

>fight on forever, or we can try to work cooperatively to solve the problem

>and properly remember these men who gave all.

>

>Best,

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>John

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>*****

>John Eakin

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>No one is home until we are all home.

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