

ATTACHMENT 2

ADMINISTRATIVE RECORD PAGES 199-201

Joint PoW/MIA Accounting Command
Memorandum dated January 14, 2011, subject:
“Philippines JPAC Incident 425 –
Cabanatuan Grave 717”
(Kupsky Memorandum)

**J-2 MEMO**

Date: 14 January 2011

To: File

From: Greg Kupsky, ORISE Historian

Subject: Philippines JPAC Incident 425 – Cabanatuan Grave 717

Associated Individuals

<u>Name</u>	<u>Rank</u>	<u>Serial Number</u>	<u>Status</u>
Bain, Daniel C.	Pfc, Army	33035131	IDed on Recovery
Collins, Frederick G., Jr.	Cpl, Army	6578818	Not Recovered
Gutierrez, Juan F.	Pfc, Army	20843125	IDed later
Hanscom, Lawrence K.	Sgt, Army	6137280	IDed later
Hirschi, Harold S.	Pvt, Army	19038407	Not Recovered
Kelder, Arthur H.	Pvt, Army	36016623	Not Recovered
Kovach, John, Jr.	Pfc, Army	20500764	Not Recovered
Lobdell, Lloyd J.	Pfc, Army	20645267	Not Recovered
Nichols, Harvey A.	Pfc, Army	7009171	IDed later
Overbey, Evans E.	Pvt, Army	13035026	Not Recovered
Ruark, John W.	Cpl, USMC	278681	Not Recovered
Simmons, George G.	Cpl, Army	19019886	Not Recovered
Waid, Charlie M.	Pvt, Army	19049058	Not Recovered
York, George, Sr.	Civilian		Not Recovered

Associated Manila #2 X-Files

x-812,(x-813), x-814, x-815, x-816, (x-817), x-818, (x-819), x-820, x-821, x-822, x-823, x-824

On 13 January 2011, the Historical Section received a request via Rachel Phillips to review the case of Pvt Arthur Kelder (36016623) and the other individuals associated with Grave 717, Cabanatuan POW Camp Cemetery, in the Philippines. Deceased prisoners in that camp had been buried according to date, and Grave 717 contained the remains of fourteen individuals who died of various diseases on 19 November 1942.

A 7 September 2010 memo by Heather Harris of DPMO summarizes the historical background and investigations, and it outlines the various problems with this case. The shallow and poorly

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maintained graves underwent years of natural disturbance, resulting in severe deterioration of remains. After the war, when American officials disinterred all remains, they created tooth charts. However, tooth decay and loss from malnutrition, combined with the efforts of a dentist among the prisoners, made matches with pre-captivity records difficult. These initial field investigations yielded hundreds of identifications, and the other sets of remains were buried as unknowns in Manila #2.¹

After late 1947, the remains from Manila #2 moved to the Manila Mausoleum, and a second effort began to identify the unknowns. Field Boards of Review again examined the remains, but the AGRS did not employ professional anthropologists in this process. As a result, anthropologists reviewing the cases in the early 1950s routinely overturned the findings of the investigators in Manila. Ultimately, on the recommendations of the anthropologists, the AGRS discontinued the effort to try to identify the remaining unknowns. Notably, however, families that had already been notified of loved ones' identifications still received remains, and it is thus likely that misidentified remains were taken from the set of Cabanatuan unknowns.²

As for Grave 717, incomplete records suggest that fourteen sets of remains were taken from it. One set was identified at the time of disinterment as Pfc Bain, and the others received unknown designations x-812 through x-824 at Manila #2. From these, dental comparisons led to the identification of Pfc Gutierrez (x-817), Sgt Hanscom (x-813), and Pfc Nichols (x-819), although the memo by Harris notes multiple discrepancies in the dental and physical records. In 1950 the AGRS declared the missing servicemen to be non-recoverable, rejecting a group identification because of the poor quality of existing records.³ The memo by Harris compiles considerable data to support the AGRS findings and voices strong doubts as to whether "advances made in the science and technology of forensic identification could be put to good use here."⁴

John Eaker, the cousin of Private Kelder, has conducted considerable research relevant to this case. He has stated that Kelder's brother, a dentist, used gold inlays in relatives' teeth instead of silver, and that Pvt Kelder had gold inlays. Eakin states further that only one of the ten x-files from Grave 717 notes the presence of gold inlays.⁵ Eakin has arranged for his family to provide maternal and paternal DNA samples to AFDIL and, as of May 2010, he had contacted eight of the ten missing servicemen's families to request that they do the same, so that all commingled remains can be cut for DNA.⁶

The dental records for x-816 indicate the presence of eight gold inlays in 7 February 1946. At the time of the next examination on 12 August 1948, all eight of these teeth were missing. The records for x-815 note the presence of gold partials and crowns, but not inlays.⁷

¹ Heather Harris, Memorandum, Subj: Historical Research Concerning Grave 717, Cabanatuan Camp #3 Cemetery (Philippines, JPAC Incident 425), in DPMO Materials, Incident 425 Electronic File, Philippines Active Case Folder, JPAC, 3; 4;

² Harris, 4-6.

³ Harris, 6-7.

⁴ Harris, 9.

⁵ E-mail Subj: Re: Bud's Dental Records, 3rd Party Research, JPAC Incident 425 File, Philippines Active Case File, JPAC.

⁶ John Eakin to Lincoln Berry, 11 May 2010, Correspondence, JPAC Incident 425 File, Philippines Active Case File, JPAC.

⁷ Various dental records in Manila #2 x-815 and x-816 files; displayed in Harris, 12-13.

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ANRC-PDC-R

27 April 2011

Recommendations

Having reviewed the relevant documents, this section generally concurs with Heather Harris's findings. Physical evidence, already in an exceedingly poor state in the 1950s, will have further deteriorated and will provide no additional information. This leaves the documentary records, which have been shown to be inconsistent and unreliable. Because misidentifications may have been made in the four resolved cases from Grave 717, JPAC suggests that the Central Identification Laboratory examine the records of all fourteen individuals and all fourteen unknowns to determine prospects for identification. In particular, because x-815 and x-816 note the presence of gold dental work in 1946, the Historical Section recommends a comparison of those files against Pvt Kelder.

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