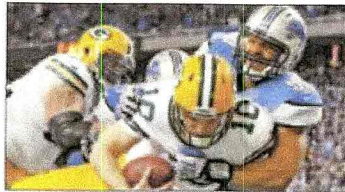


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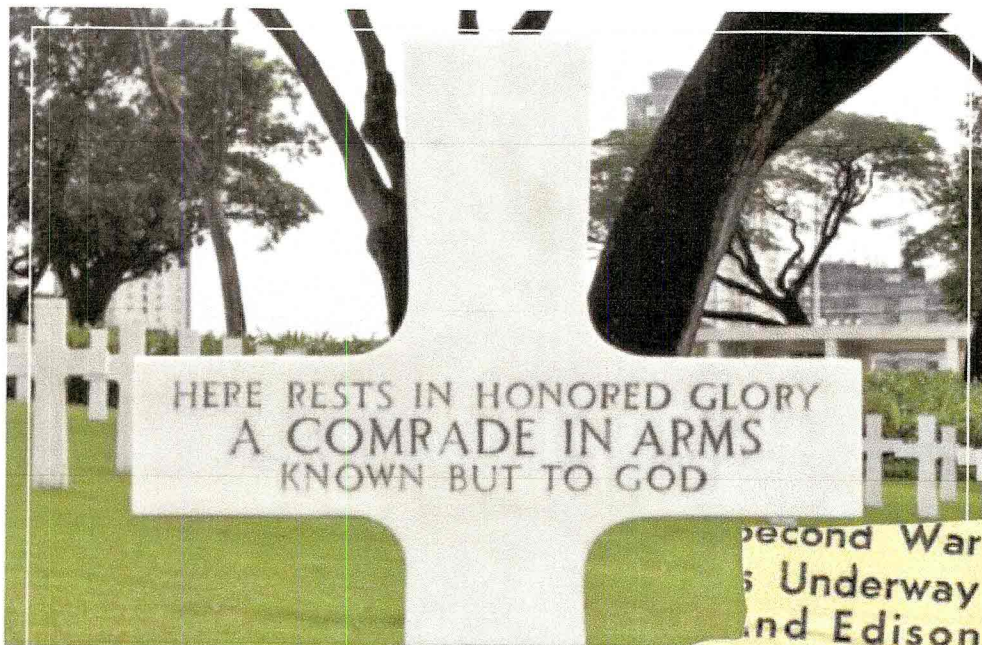
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**AFGHANISTAN**

## Would pact delay cause harm to US planning?

By CHRIS CARROLL  
*Stars and Stripes*

WASHINGTON — World leaders have hammered Afghan President Hamid Karzai with threats of the "zero option," hinted that billions of dollars of international aid are at stake and even suggested his own ministers could simply sidestep him.

What they want is a signature by the end of 2013 on the bilateral security agreement worked out between the United States and Afghanistan over the last year, and approved in recent weeks by a grand council of local Afghan leaders and tribal elders.

But the mercurial Karzai now insists he'll wait until after the April 2014 election of his successor to sign the BSA, which sets the parameters of a post-2014 U.S. mission in Afghanistan and guarantees legal immunity to U.S. troops.

On Tuesday, meeting with NATO allies in Brussels, U.S. Secretary of State John Kerry said someone else in the Afghan government should step in and sign it — perhaps Defense Minister Bismullah Kahn Mohammadi.

"This is not fooling around," Kerry said.

The U.S. response delivered

## For critics, families of war dead, only unknown is: Where's JPAC?

By MATTHEW M. BURKE  
*Stars and Stripes*

**E**tched on a sun-kissed cross above grave A-12-195 at the Manila American Cemetery is the phrase, "Here Rests in Honored Glory a Comrade in Arms Known But to God."

They are the words of a grateful nation meant to honor the remains of an unknown American servicemember who died during World War II, but for relatives of Pvt. Arthur "Bud" Kelder, they make the blood boil in their veins.

Family members insist it is Kelder who is buried underneath the blanket of meticulously manicured grass at A-12-195. They want the body exhumed, tested for DNA and brought home to be buried with his beloved parents, Julia and Herman Kelder, but the Joint Prisoners of War, Missing in Action Accounting Command — whose mission it is to find and identify the missing from America's wars — has refused, prompting a lawsuit by the family.

SEE JPAC ON PAGE 14

Family members of Pvt. Arthur "Bud" Kelder insist the Army medic is



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Today's front page: Critics say JPAC ignoring clues that could bring unknowns home stripes.com/1.255732 pic.twitter.com/AAYLFB4vdr

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**FEATURE STORY**

# Ex-investigator, critics say JPAC ignoring clues, technology that could bring unknowns home



Former JPAC investigator Rick Stone said he found seven potential matches for the remains in this grave at the Punchbowl in Hawaii, and he believes that DNA testing could easily identify the body. JPAC says it is taking steps now to make the identification.

PHOTO COURTESY OF RICK STONE

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By Matthew M. Burke

Stars and Stripes  
Published: December 4, 2013

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Etched on a sun-kissed cross above grave A-12-195 at the Manila American Cemetery is the phrase, “Here Rests in Honored Glory a Comrade in Arms Known But to God.”

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Family members insist it is Kelder who is buried underneath the blanket of meticulously manicured grass at A-12-195. They want the body exhumed, tested for DNA and brought home to be buried with his beloved parents Julia and Herman Kelder, but the Joint Prisoners of War, Missing in Action Accounting Command — whose mission it is to find and identify the missing from America’s wars — has refused, prompting a lawsuit by the family.

Kelder is one of 73,652 servicemembers unaccounted for from the war. His family believes he belongs to an even more exclusive group, the more than 8,500 American servicemembers from World War II who are buried as unknowns in American cemeteries around the world.

Families of the missing and JPAC whistleblowers believe modern technology and the analysis of war and post-war documents can easily identify a great number of these World War II unknowns but say JPAC has chosen to ignore them.

JPAC officials say that steps are being taken to address the issue, but critics remain skeptical.

“I thought it would be difficult to identify Bud’s remains but that was the easiest thing to do,” said Kelder’s cousin, John Eakin, who is suing the government for a timely identification on behalf of the family. Eakin works with other families to ID their loved ones.

“We know where [these World War II unknowns] are. The law says they’re supposed to return the remains. Bud should have been reburied in the family plot in Chicago years ago.”

### ‘Inconceivable’ refusals

Bud Kelder’s story is a sad one.

He survived the horrors of the Bataan Death March in April 1942, but succumbed to malaria, pellagra and diphtheria Nov. 19 at the Cabanatuan Prisoner of War Camp in Luzon, relatives said. The 26-year-old Army medic was buried in communal grave 717 along with 13 other Americans who died that day.

After the war, overwhelmed American Graves Registration Service personnel opened grave 717 and were able to identify four of the individuals using prisoner-maintained burial records, identification tags and military dental records, according to records and former JPAC officials. The remaining 10 Americans were buried as unknowns at the cemetery in Manila, lost to the limits of the day's technology, a never-ending roster of war dead and confusion following the war. The burial records were classified, and the Kelders were told that their beloved son's body was "not recoverable."

In 2009, Eakin began studying declassified records pertaining to the 10 unknowns from grave 717. Kelder's file indicated that the Army knew he was one of the 10 unknowns.

Eakin contacted family members and discovered that Kelder had gold inlays in his teeth, courtesy of his dentist brother. Two of the 10 unknowns had dental patterns that matched Kelder, yet only one had gold inlays. Those remains, designated as Manila #2 X-816, were buried beneath the white cross in grave A-12-195.

Eakin vehemently believes this is his cousin. His conclusions have been backed by two forensic dentists, both of whom have consulted with JPAC, and the former deputy chief of JPAC's World War II Research and Investigation Branch, Rick Stone, who said that Kelder's documented physical characteristics matched those of the remains in A-12-195.

"Why they won't do it is just inconceivable," Eakin said.

Stone told Stars and Stripes that he recommended the disinterment and DNA testing for all 10 of the grave 717 unknowns, but top JPAC officials refused to sign off and buried the report.

Eakin said that Johnie Webb, JPAC's deputy to the commander for external relations and legislative affairs, verbally denied his request for disinterment and said there was no evidence to support continued investigation. Scientific director and deputy to the command for Central Identification Laboratory operations, Thomas Holland, stated in a memo written Jan. 28, 2013, that the case did not meet the standard of "scientific certainty" necessary to justify disinterment for DNA identification. JPAC commander Maj. Gen. Kelly McKeague used Holland's memo as the basis for JPAC's opinion and forwarded the case to the Defense POW/Missing Personnel Office for a decision — virtually ending Eakin's quest.

"My investigative reports at JPAC on the 10 cases recommended that DNA be obtained from the families of all the possible matches and then all 10 unknowns be disinterred simultaneously and tested against the family DNA to make the final identifications," Stone said. "In the real world, it would take any competent medical examiner less than two weeks" to make the identifications.

McKeague, Webb and Holland declined requests for interviews by Stars and Stripes through a JPAC spokesman.

### **Burden of proof**

The revelations are the latest affront to JPAC's credibility.

In July, The Associated Press exposed an internal review written by a management consultant that chronicled turf wars and questionable recovery results that the JPAC brass had covered up. The agency was labeled "acutely dysfunctional." A Government Accountability Office [report mirrored those findings](#).

JPAC was bound by congressional mandate three years ago to recover at least 200 fallen troops a year from overseas battlefields by 2015, but officials have said they will not be able to meet that goal. Currently the Hawaii command averages fewer than 70 identifications a year.

In October, JPAC admitted that they had been holding [phony repatriation ceremonies](#) for seven years, with honor guards carrying flag-draped coffins off cargo planes as though they held remains returning that day from old battlefields.

Lawmakers then proposed giving the Defense Department [one year to detail](#) how they intend to clean up the "mess" that has become the nation's accounting apparatus.

JPAC officials declined to comment on the Kelder case due to the pending litigation but said that JPAC has implemented a program to research and identify more than 2,900 unknown remains buried at the National Memorial Cemetery of the Pacific, called the Punchbowl. They are also researching cases for disinterment around the world and are looking for more efficiencies.

"Recently, JPAC's Central Identification Laboratory has expanded the disinterment program to include unknown remains from World War II buried in American cemeteries in the U.S., Europe and the Pacific," said JPAC spokesman Army Maj. Jamie Dobson.

Dobson said there are significant challenges to identifying World War II remains: the sheer number of unknowns, the lack of historical records and a high burden of proof before the final resting place of an unknown can be disturbed. JPAC has disinterred 25 sets of World War II remains in the past 10 years, compared with 63 from the Korean War. Out of 25 World War II disinterments, 28 bodies have been identified, due to comingled remains.

"A decision to disinter a set of remains now marked as 'unknown' must be based on sufficient circumstantial and anatomical evidence which when combined with current forensic science techniques would lead to a high probability of positive identification," DOD disinterment policy established in 1999 states. The memo goes on to state that if JPAC can narrow the number of potential candidates down to the point where DNA can identify the unknown, they will gather the DNA and test.

"If the Central Identification Laboratory-Hawaii believes positive identification is highly probable, it will coordinate with the appropriate cemetery authority for disinterment."

In 2012, the accounting community's stakeholders established new procedures to streamline the approval of requests for disinterment of unknowns. Even still, only one World War II unknown was disinterred in 2013, and none was disinterred in 2012, Dobson said. The

Secretary of the Army is the approval authority for disinterment cases.

“Since JPAC has the inherent responsibility to ensure that disinterred remains bear a high probability for identification, the disinterment group painstakingly works to develop strong historical and forensic evidence to validate and justify a disinterment,” Dobson said. “The disinterment decision-making process is continually reviewed and evaluated in order to ensure that the probability is as high as possible that a disinterred unknown will be identified.”

Many believe JPAC’s burden of proof is too high. An American-led team of researchers recently petitioned the French and German governments to obtain a disinterment and DNA testing on an unknown soldier buried in a German cemetery on French soil. They believe the remains belong to U.S. Army Pvt. 1st Class Lawrence Gordon, a Canadian citizen who moved to Wyoming and died fighting with the 3rd Armored Division on Aug. 13, 1944, in Normandy, France.

Gordon was 28 when he and another soldier were killed instantly in an M8 armored car that was struck by a German anti-tank shell, according to testimony from the lone survivor of the attack and military records. Gordon was killed in the gun turret with James Bowman of Kentucky.

Bowman was buried as an unknown but fingerprints taken before the burial would later identify him. The body he was recovered with was first buried as an American unknown and then reprocessed seven months later as a German because of German clothing or equipment found with the body.

The team believes this unknown is Gordon.

Records indicate that the vehicle Gordon and Bowman died in was most likely recovered. Further fanning the flames of belief in the identification is the fact that Gordon’s blood-stained wallet was sent home to his family — indicating that his body was most likely recovered as well. In addition, Bowman’s records indicate he was found with a German raincoat, leading the team to believe the only thing that put this unknown in a German cemetery means very little.

“If you have the wallet, the guy next to Pvt. 1st Class Gordon and the vehicle, then you must have recovered the body,” said team member Jed Henry, whose grandfather Staff Sgt. David Henry fought alongside Gordon during World War II.

Forensic dentists have compared Gordon’s charts with the unknown and say they look good for a match, according to team members.

The research team has continuously reached out to JPAC for assistance but found them less than helpful, Henry said. JPAC disputed that they had enough evidence to test for DNA and wished them luck. However, the French and Germans agreed that there was enough evidence and ordered an exhumation and DNA testing at their own cost. The results are expected later this month.

“It’s sad that you’ve got enough information for the French and the Germans but it’s still not good enough for the American system,” said Henry. “If you need 100 percent proof before you test, why are they marked as unknowns to begin with?”

### **Focus on Tarawa**

Stone, a highly decorated former Dallas Police Department officer who had a minor role in the 1976 House Select Committee on Assassinations’ investigation into the death of President John. F. Kennedy, joined JPAC in June 2011.

He worked many cases over the course of the year, one month and 11 days he was with JPAC, but his primary focus was on identifying 103 sets of remains recovered from the Battle of Tarawa buried as unknowns in the Punchbowl. There are 513 missing from the battle, the majority of which are buried in mass graves on the atoll.

Stone used a police technique called “random incident statistical correlations” to try to narrow down the number of potential candidates for each unknown so DNA testing could take care of the rest. He prepared historical and biometric profiles on each of the missing from the battle and compared it with the historical and biometric profiles for each of the unknowns. He would then look for correlations.

Perhaps a loss date narrowed the field of candidates or perhaps only a handful of the 513 missing had the same height, weight, hair color or matching dental features as unidentified remains in Hawaii. Setting up the data was painstaking work. Of the 103 unknowns buried in the Punchbowl, he worked 94 cases; documentation had been lost for the other nine, he said. Some he was able to narrow down to between as few as two servicemembers, others he narrowed to a handful of potential matches.

For example, one of the sets of remains belongs to a soldier of short stature. At approximately 5-foot-2, the body could only belong one of two of the missing, Stone said. His records indicate that when he was found, he had the bars of a second lieutenant in his pocket. One of the two possible candidates was a second lieutenant, Army Air Corps 2nd Lt. Stanley Alenier. To Stone’s knowledge, these remains have never been disinterred and tested. Alenier is listed as missing on the DPMO website.

Another example is the set of unknown remains in grave number 12, Section E, with the date Jan. 21, 1944, two months after the main battle. The only casualties on Tarawa on that day came from two separate B-24 bomber crashes. Out of the 20 men on board, whose names are known, only 12 cases remain unresolved. Some survived the crashes and some of the bodies were identified. So right away, the remains are narrowed down between 12 people, Stone said. They can be narrowed down to seven potential matches when comparing the physical characteristics of the remains with those of the missing.

This led Stone to discover another gap in the accounting process. Stone contacted the U.S. Army Casualty Office to see how many family reference DNA samples they had for the 12 unresolved Army Air Corps casualties from Jan. 21, 1944. The case manager claimed that he had not been informed by JPAC there were any Army casualties from Tarawa that were unaccounted for. Stone provided them with the names but ultimately, nothing was done, Stone said.

Out of the 94 cases he worked, Stone recommended a full forensic review for 80 that he believed could be solved. Not a single report was accepted by Holland. Stone claims that he was told they weren't even being read as they went up the chain.

"I couldn't even get them to read the reports," Stone said of his work at JPAC, which ended with his resignation in August 2012.

"It's simple deductive reasoning. ... Nobody at JPAC has given any interest to these cases at all."

Stone's assertions were backed by other former JPAC employees who declined to be identified for fear of reprisal.

Dobson said that all reports generated by JPAC investigators are read and evaluated.

"The Tarawa cases are more complex than people realize because missing servicemembers from Tarawa include the graves of the unknowns at Punchbowl as well as remains still on the island that have yet to be recovered," Dobson said. "Later this fiscal year, JPAC will submit to DOD a request to disinter all 94 unknown caskets at Punchbowl so as to begin the identification process in a more deliberate and effective manner."

Stone called the move to disinter all 94 ridiculous.

"I believe that the lack of leadership and management skills at JPAC, the inability of the JPAC lab to show a track record of credible results of more than five or six dozen identifications a year, the JPAC lab's failure to build a DNA database to make these identifications quickly and easily and JPAC's admission that the average length of time it takes the laboratory to make an identification already exceeds 11 years makes the proposal by JPAC to disinter all the Tarawa remains in the Punchbowl a ridiculous suggestion," Stone said.

He said the Defense Department had collected family reference samples of DNA for less than 1 percent of the missing from World War II at the time of his resignation. In addition to taking far too long to make identifications, Stone said the JPAC lab — which ships all its samples to the Armed Forces DNA Identification Laboratory in Dover for analysis and coding — has more than 1,000 sets of remains in backlog and is technologically behind the times.

"As much as I would like to see any of my Tarawa kids get identified and sent home to their families, it makes absolutely no sense to blindly disinter all of the Punchbowl remains just so they can be added to the 1,000 or so cardboard boxes that now sit on JPAC shelves that the lab cannot ID," Stone said. "Why wouldn't they just disinter a few of the cases where I found only a few most likely matches, after they had the DNA comparisons in hand for those few possible matches, and test the system? For example, in the Alenier case, JPAC needs two DNA samples to make the comparisons, not 513, to determine if it is who the investigation says it is."

Dobson said there are more than 1,000 boxes of remains at the JPAC laboratory in Hawaii, but it is not a backlog. Some belong to those who cannot be identified so they accumulate over time. He said that all of the remains have been examined.

"It's such a big mess," Stone said. "It's heart-wrenching to think of these families and what they go through."

Stone says that he sees the photos of the missing when he closes his eyes. In July, he traveled to the Punchbowl and the Jan. 21, 1944, unknown gravesite, saddened that he could do nothing to help identify one of the 12 missing who is buried in the grave.

"Every detective hopes to find the smoking gun," he said. "This was one, where, holy cow, here it is. I'm thinking, 'I can bring this kid home. I can put a name here.' But a couple of years later and nothing's been done."

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## Timeline of Failure

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