



DEPARTMENT OF THE ARMY
U.S. ARMY HUMAN RESOURCES COMMAND
1600 SPEARHEAD DIVISION AVENUE
FORT KNOX, KY 40122

November 4, 2011

Casualty and Mortuary Affairs

Mr. John Eakin
9865 Tower View Road
Helotes, Texas 78023

Dear Mr. Eakin:

In a recent letter you asked that a Casualty and Mortuary Affairs Board of Officer's (CMABO) be convened under Army Regulation (AR) 638-2 paragraph 8-16, dated December 2000, regarding your cousin, Private (PVT) Arthur Kelder to review new evidence that you have obtained and consider the recoverability status of your family member.

After careful review of the governing regulations and laws that have been enacted since the publication of the AR 638-2, I have determined that the CMABO does not have the jurisdiction to review PVT Kelder's case.

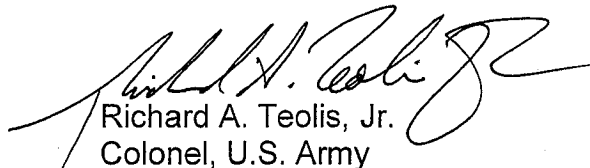
Since the publication of AR 638-2, changes in the Federal statute, primarily Public Law 111-84, dated 28 Oct 2009 (NDAA 2010), have made the Department of Defense, through the Defense Prisoner of War/Missing Persons Office, responsible for the search, recovery, and identification of the remains of US service members still unidentified from World War II through the Persian Gulf War. As such, the Defense Prisoner of War/Missing Persons Office is responsible for determining the recoverability and priority for recovery of all remains from World War II through the Persian Gulf War. The Army is no longer involved in that part of the repatriation process.

The Army has provided both the Defense Prisoner of War/Missing Persons Office and the Joint Prisoner of War/Missing in Action Accounting Command with all of the information that you have provided to us. Any questions concerning their policies regarding recoverability and priority of recovery should be addressed to:

DPMO
2600 Defense Pentagon
Attn: External Affairs
Washington DC 20301-2600

Thank you for conveying your concerns related to the recovery of your cousin, Private (PVT) Arthur Kelder. Copies of this letter have been furnished to Defense Prisoner of War/Missing Persons Office and the Joint Prisoner of War/Missing in

Action Accounting Command. If you have additional questions, please do not hesitate to contact Mr. Greg Gardner at 502-613-8259.

A handwritten signature in black ink, appearing to read "Richard A. Teolis, Jr.", with a large, stylized flourish at the end.

Richard A. Teolis, Jr.
Colonel, U.S. Army
Casualty and Mortuary Affairs
Operations Center