



PERSONNEL AND
READINESS

MAR 01 2011

UNDER SECRETARY OF DEFENSE
4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000

The Honorable Mike Pompeo
United States House of Representatives
Washington, DC 20515

Dear Representative Pompeo:

Thank you for your letter dated February 2, 2011, to the Secretary of Defense concerning the Medal of Honor nomination for Chaplain (Captain) Emil J. Kapaun. This matter falls under the purview of the Under Secretary of Defense for Personnel and Readiness, and I have been asked to respond.

Then-Secretary of the Army, the Honorable Pete Geren, notified the Senate and House Armed Services Committees of his determination that the actions of Chaplain (Captain) Kapaun warranted award of the Medal of Honor in accordance with title 10, United States Code, Section 1130. Then-Secretary of the Army Geren's notification letter identified the need for time waiver legislation to title 10, United States Code, Section 3744, providing the President with the authority to award the Medal of Honor, should he choose to do so. Initial versions of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 included such time waiver legislation, but it was not enacted. Similar legislation has been introduced in the House and Senate, H.R. 437 and S. 213 respectively, which the Department supports.

While the Department supports the enactment of time waiver legislation, that endorsement of the legislation should not be seen as an endorsement of the award itself, which is a matter for the President to determine. The Medal of Honor nomination for Chaplain (Captain) Kapaun is being considered in the same manner that all other Medal of Honor nominations are considered.

We trust that this information is helpful, and deeply appreciate your continued support to those who serve our great Nation.

Sincerely,

A handwritten signature in black ink that reads "Clifford L. Stanley". The signature is written in a cursive style.

Clifford L. Stanley