



## CONGRESS OF THE UNITED STATES

May 6, 2020

Honorable Ryan McCarthy  
Secretary of the Army  
1600 Army Pentagon  
Washington, DC 20310-1600

RE: PFC Kenneth David  
SSN: XXX-XX-XXXX  
Recommendation for Award  
Medal of Honor

Dear Secretary McCarthy:

We are writing to recommend and support the awarding of the Medal of Honor to PFC Kenneth David, a resident of my district.

Fifty years ago, May 7<sup>th</sup>, 1970, twenty-year-old Ken David saw his Lieutenant killed instantly before a firefight, and he decided then and there to take the fight to the enemy. It was his actions that morning that secured the landing zone so that casualties could be extracted, and lastly the wounded soldier himself. He was awarded the Distinguished Service Cross, the nation's second highest valorous medal.

Being the humble and dutiful soldier, he remains so today as a disabled veteran, living his life with little fanfare. The veteran community began to call for an upgrade to his award in the late 1990's and numerous federal, state and local legislators have been very supportive of this effort. This request was submitted to Human Resources Command several times, and each response would be returned asking for additional information, and the information requested would be provided. Furthermore, personal trips at the expense of the veteran and his local advocates were made to the Archives at College Park, MD, and requests were made by legislators to retrieve records from the Richard M. Nixon Presidential Library, the VA Records Management Center, and the National Personnel Record Center. The original war-time chain of command was recreated. Two living eyewitnesses were located, and affidavits provided. This travesty of justice can stand no longer.

We ask that this case be given special attention and full reconsideration. Fifty years is too long given what this soldier did that morning to save the lives of his comrades. His bravery and gallantry that May morning are worthy of our nation's highest award.

Enclosed, you will find the information the United States Army requested in order to forward the recommendation for reconsideration to the Army Decorations Board. The information enclosed includes the following:

1. Reply letter from the Awards and Decoration Branch, dated 25 July 2019
2. Affidavit stating the original DA 638 from is irretrievable
3. A new DA Form 638 submitted by Stephen Avgerinos, Platoon Sergeant D Company
4. Narrative description of the events that transpired on 7 May 1970
5. Eyewitness statement submitted by Gregory Phillips
6. Eyewitness statement submitted by Stephen Avgerinos
7. Proposed Citation
8. Reply letter from the Awards and Decoration Branch, dated 19 Sept 2017
9. Letter of justification
10. Supporting documentation, including morning reports, personnel records, previous awards, records concerning Kenneth Kays, and awards recommendations & orders for Kenneth Kays

Thank you for careful consideration with this matter. Please kindly reply to ours Washington, D.C. offices with your determination. If you have any questions or concerns, please don't hesitate to contact us at your convenience.

Sincerely,



Sherrod Brown  
United States Senator

/s

Rob Portman  
United States Senator



Tim Ryan  
Member of Congress



Bill Johnson  
Member of Congress



David P. Joyce  
Member of Congress