

OFFERED BY COUNCILORS ED FLYNN, BREADON, COLETTA, DURKAN,
FERNANDES ANDERSON, FITZGERALD, MEJIA, MURPHY, PEPÉN,
SANTANA, WEBER, WORRELL, AND LOUIJEUNE



CITY OF BOSTON
IN CITY COUNCIL

RESOLUTION IN SUPPORT OF S. 3452, *The Fred Hamilton
Veterans' Lost Records Act*

WHEREAS: In 1973, a fire at the National Personnel Records Center (NPRC) in St. Louis, Missouri, destroyed the records of 16 million Army and Air Force veterans; *and*

WHEREAS: After the fire, the Department of Veteran Affairs (VA) established a regulatory process for those affected, which allowed veterans whose records were lost to use the next closest medical record or a buddy statement to meet the burden of proof; *and*

WHEREAS: S. 3452, *The Fred Hamilton Veterans' Lost Records Act*, was introduced in the Senate in December 2023 by U.S. Senator Jon Tester, Chairman of the Senate Veterans' Affairs Committee. The bill ensures all veterans, whose records were lost by the Department of Veterans Affairs (VA) or Department of Defense (DoD) through no fault of their own, can still receive their earned VA benefits; *and*

WHEREAS: This bill would also authorize the VA to grant disability compensation claims using other documentation in place of military treatment records for veterans whose records were lost when being transferred from the DoD to the VA; *and*

WHEREAS: The bill's name refers to Fred Hamilton, an Air Force veteran who was exposed to toxic substances during his service in the Vietnam War. His military treatment records, along with many others, were lost through no fault of his own after being transmitted from DoD to VA when he retired from military service. Unfortunately, without these records, he cannot prove his health conditions are service-connected, and as a result, he has been denied benefits which he is entitled to; *and*

WHEREAS: In 2022, the passage of the Promise to Address Comprehensive Toxics (PACT) Act - a bill that expanded VA health care and benefits for veterans exposed to toxic substances - enabled the VA to grant part of Fred's claim that was previously denied. However, to this day, he is still waiting on benefits for other health conditions he cannot prove are service-connected without the records that the VA lost; *and*

WHEREAS: Our veterans, who have served our country honorably and earned their benefits, should not be denied services or have to fight to prove their disabilities are service-connected due to the mistakes by the DoD and the VA through no fault of their own; *and*

NOW THEREFORE BE IT ORDERED:

That the Boston City Council supports the passage of S. 3452, *The Fred Hamilton Veterans' Lost Records Act* in Congress, and urges prompt action so that our veterans can receive the VA benefits that they earned and are entitled to.

Filed on: April 3, 2024