



LEAGUE *of* UNITED LATIN
AMERICAN CITIZENS

The League of United Latin American Citizens (LULAC), the nation's oldest and largest Latino civil rights organization, has supported military veterans for nearly 100 years. We've advocated for key legislation like The PACT Act and The Brandon Act to ensure service members receive the care and benefits they deserve. LULAC is committed to advancing the wellbeing of all veterans by advocating for access to education, affordable housing, healthcare, and other essential services.

The Need for Accountability and Standardization in Implementing “The Brandon Act”

Introduction

The passage of H.R. 3942 and S. 2088, collectively known as “The Brandon Act,” was a pivotal step toward improving access to mental health services for service members (SMs). However, its implementation across the Armed Forces has revealed critical gaps that hinder its effectiveness.

Each service branch has developed its own interpretation and guidance for The Brandon Act, leading to inconsistent procedures and a lack of accountability mechanisms. These variations not only dilute the intent of the law but also risk perpetuating harmful practices and behaviors that can contribute to suicides within the ranks.

This assessment is informed by input from hundreds of service members and families who have reached out for assistance, highlighting the real challenges they face within their organizations. The following issues and proposed resolutions aim to address these systemic shortcomings and ensure the law fulfills its intended purpose of protecting the mental health and well-being of those who serve.



Key Issues



Inconsistent Application: Each military branch interprets the law differently, leading to unequal support for service members.

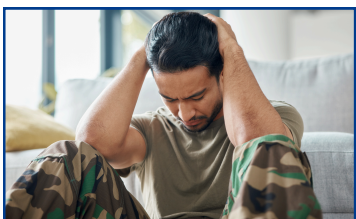
Lack of Accountability: No universal standards exist to ensure leaders uphold the law's intent, allowing unchecked authority under the UCMJ.

Unclear Mental Health Procedures: No standardized timeline or protocol ensures timely care when service members seek help.

Persistent Harmful Practices: Without accountability, damaging behaviors and policies may continue unchecked.

Inconsistent Suicide Investigations: No uniform process exists for investigating suicides, reducing trust in leadership.

National Guard & Reserves Exclusion: No tailored policies exist, leaving these service members without clear guidance or resources.



Intent

Accountability for Failures: Hold individuals and organizations accountable if their actions or inactions contribute to a suicide, thereby reinforcing responsibility and fostering systemic improvement.

Timely and Effective Care: Ensure that service members receive swift and appropriate care when mental health services are requested under The Brandon Act.

Systemic Improvement in Suicide Prevention: Rectify organizational failures through clear accountability and actionable follow-up on identified shortcomings.

Mechanisms for Investigation and Prosecution: Establish formalized investigative and prosecutorial processes to address organizational or individual contributions to suicides.



Proposal

Reevaluate the Fatality Review Board Process: Engage an independent agency to conduct Fatality Review Boards, ensuring unbiased and thorough investigations of suicides.

Establish Clear Standards for The Brandon Act Implementation: Create uniform procedures across all military branches, ensuring consistent mental health care, accountability, and support for service members.



Conclusion

The Brandon Act was created to protect and support our service members, yet its current state of implementation lacks the necessary mechanisms to ensure consistent and effective execution. By addressing these gaps in accountability, standardization, and oversight, the Armed Forces can honor the intent of the law, provide essential mental health support to service members, and prevent future tragedies. This proposal seeks to foster a culture of responsibility, transparency, and care within the military, ultimately ensuring that no service member's plea for help goes unanswered.



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