

**STATEMENT
OF
THE AMERICAN LEGION
BEFORE THE
COMMITTEE ON VETERANS' AFFAIRS
UNITED STATES HOUSE
ON
PENDING LEGISLATIVE**

SEPTEMBER 10, 2020

Chairman Takano, Ranking Member Roe, and distinguished members of the committee; On behalf of National Commander James W. "Bill" Oxford, and the nearly 2 million members of The American Legion, thank you for inviting us to submit the following statement for the record on veteran mental health issues and suicide prevention. Mental health is a delicate topic that is often stigmatized and not openly discussed, especially in military or veteran communities.¹ We encourage continued discussion among the House Veterans' Affairs Committee, Senate Veterans' Affairs Committee, Veteran Service Organizations, and the greater veteran community to further address suicide among veteran populations.

Suicide among veterans occurs twice as often as civilian suicides. This statistic is concerning on its own; however, it becomes especially concerning when the Department of Veterans Affairs (VA) notes that veterans make up 14 percent of all suicides in the United States, while only being 8 percent of the total population.² In response to these alarming statistics, The American Legion instituted a nationwide program in an effort to take an active role in the fight against veteran suicide and destigmatize mental health issues. The Buddy Check program, established in May 2019, encourages dialogue on mental health and overall wellness by having members do informal wellness check-ins with their fellow veterans.³ However, this awareness is not enough to curb the alarming rate of veteran suicide. Programs like The American Legion's Buddy Check Program must be followed by data-driven policies that are designed to help those most in need.

BACKGROUND

The American Legion is a resolution-based organization that takes our legislative priorities and direction directly from our dues-paying members. Many Legionnaires have been personally impacted by suicide or have witnessed the impacts of suicide on close friends in the military and veteran community.⁴ Our support on these topics are personal and come from a place of particular concern. The bills presently being considered offer insight into an innovative data-driven approach

¹ Dingfelder, S. F. (2009, June). The Military's War on Stigma. Retrieved September 01, 2020, from <https://www.apa.org/monitor/2009/06/stigma-war>

² Fox, M. (2018, June 19). Veterans more likely than civilians to die by suicide, VA study finds. Retrieved September 01, 2020, from <https://www.nbcnews.com/health/health-news/veterans-more-likely-civilians-die-suicide-va-study-finds-n884471>

³ The American Legion. (2019, May 08). Resolution No. 18: Buddy Check. Retrieved September 03, 2020, from <https://hdl.handle.net/20.500.12203/10488>

⁴ The American Legion. (2019). The American Legion 2019 Mental Health Survey Executive Report. Retrieved 2020.

to the veteran suicide crisis. The extensive research and ongoing studies to provide accurate data, coupled with targeted pilot programs, serve as a comprehensive approach that will serve as the foundation for future policy initiatives to address veteran suicide.

RESEARCH

The issue of veteran suicide must be studied in a systematic and comprehensive manner to ensure that programs designed to assist veterans in a mental health crisis are effective. Research on topics such as increased accessibility to VA services and environmental impact on suicidal ideation would provide data that could offer clarity on how to best address the needs of veterans contemplating suicide. Additionally, The American Legion supports the publication of such reports to provide transparency on the services, programs, and various training initiatives within VA healthcare system. We support the following proposed studies:

- *The VA High Altitude and Suicide Research Act*
- *The VA Research Technology Act*
- *REACH VET Reporting Act*
- *Solid Start Reporting Act*

The American Legion supports provisions and legislation that encourage further research and studies on suicide and mental health-related topics. Additionally, Resolution No. 132: *Request Congress Provide the Department of Veterans Affairs Adequate Funding for Medical and Prosthetic Research* states that The American Legion urges Congress to pass legislation “that will expand and improve the care provided to veterans and servicemembers who have mental health issues or are at risk for suicide.”⁵

PROGRAMS

The American Legion supports implementing pilot programs derived from the research and reports to ensure that they deliver the best possible results. We encourage VA to continue to be an innovative leader in the healthcare space and actively work to pilot the safest and best programs to serve our veterans' mental health needs. The American Legion supports the following pilot programs and programmatic adjustments:

- *H.R. 7747 – VA Solid Start Reporting Act*
- *H.R. 7541 – VA Zero Suicide Demonstration Project Act.*
- *VA Expand Care Hours Act*
- *VA Peer Specialist Act*
- *Veterans’ Acute Crisis Care from Emergent Suicide Symptoms Act*
- *Ensuring Veterans’ Smooth Transition Act*

Through Resolution No. 165: *Traumatic Brain Injury and Post Traumatic Stress Disorder Programs*, The American Legion supports the execution of various programs that ultimately support

⁵ The American Legion. (2016, August 01). Resolution No. 238: Suicide Prevention for American Veterans Act. Retrieved September 01, 2020, from <https://hdl.handle.net/20.500.12203/5562>

veterans' mental health treatment.⁶ The American Legion is excited to see the various programs outlined within the multiple pieces of legislation implemented.

VA STAFFING

The American Legion is aware that VA often endures the burden of vacancies among its staff of health care professionals. While the hiring process was expedited during the initial stages of COVID-19 to respond to the significantly increased demand for healthcare professionals, a retention effort to retain health care professionals is of equal importance. During a site visit to a VA healthcare facility conducted by The American Legion's Annual System Worth Saving program, a participant said, "The system needs licensed practical nurses with mental health backgrounds". Another participant shared their experiences dealing with the "unofficial waitlist for mental healthcare" at VA facilities.⁷

The American Legion supports hiring efforts within VA to fill vacancies in health care positions as advocated for in *VA Mental Health Staffing Improvement Act*. This legislation would direct VA to review its mental health staffing plan and report back to Congress about the number of mental health care provider positions, how many are unfilled, and how the Department plans to address those gaps. The American Legion Resolution No. 115: *Department of Veterans Affairs Recruitment and Retention* urges Congress to pass legislation that would help the "Veterans Health Administration continue to develop and implement staffing models for critical need occupations." VA must have the necessary resources to obtain the best-qualified individuals to care for our veterans.⁸

LETHAL MEANS

The American Legion supports lethal means safety training and awareness campaigns that focus on the intersection of mental health issues and firearm safety. There is no single cause of suicide. It is the result of multiple contributing elements, events, and environmental factors.⁹ However, improving the quality of lethal means training will serve to educate those providing care to veterans on best practices when a veteran experiencing mental health issues has access to firearms. The American Legion encourages the practice of educating, training, and promoting the nuanced needs of those experiencing suicidal ideations.

H.R. 8084 – Lethal Means Safety Training Act would require VA to provide lethal means training to VA staff and contractors who regularly interact with veterans. This legislation would greatly expand the number of VA staff getting lethal means training today and will better prepare them for caring for our nation's veterans even in an emergency. In Resolution No. 20: *Suicide Prevention Program* we encourage the "examination of recent trends of veteran suicide." This includes trends

⁶ The American Legion (2016, August 30). Resolution No. 165: Traumatic Brain Injury and Post Traumatic Stress Disorder Programs. Retrieved September 01, 2020, from <https://hdl.handle.net/20.500.12203/5505>

⁷ The American Legion. (2019). The American Legion System Worth Saving Fayetteville, AR. Retrieved 2020, from https://www.legion.org/documents/legion/pdf/SWS_Report_Fayetteville_2019.pdf

⁸ The American Legion. (2016, August 01). Resolution No. 115: Department of Veterans Affairs Recruitment and Retention. Retrieved September 01, 2020, from <https://hdl.handle.net/20.500.12203/5772>

⁹ TBI/PTSD Committee. (2018). Veteran Suicide: A White Paper Report. The American Legion Veterans Affairs & Rehabilitation. Retrieved 2020, from https://www.legion.org/sites/legion.org/files/legion/publications/61VAR0618_White_Paper_on_Veteran_Suicide.pdf

surrounding the evaluation of methods used by those who attempt suicide and how to educate peers and families on removing lethal means from the environment¹⁰.

The American Legion also recognizes the importance of not infringing on veterans' fundamental rights as they seek treatment at VA. It is imperative that veterans do not fear the removal of their firearms, or being denied the ability to purchase one, as a result of seeking treatment. Such perceptions amongst veterans could stigmatize mental health issues and result in resistance among veterans to seek treatment. The American Legion stands firm on ensuring veterans' firearms are not removed without due process under the law. A judge, magistrate, or equivalent official must be consulted before any veteran is restricted from owning a firearm. Therefore, The American Legion strongly supports H.R. 3826 - *Veterans 2nd Amendment Protection Act* and H.R. 3450. These bills would prevent veterans from losing their Second Amendment right because of a disability rating or receiving help managing their VA benefits without due process. The American Legion Resolution No. 27: *Amend Title 38, United States Code, to Clarify the Treatment of a Veteran as Adjudicated Mentally Incompetent for Certain Purposes* urges Congress to prohibit VA "from transmitting in any form, findings about a veteran's mental status, or ability to handle his or her funds, to other agencies without the order or finding of a judge, magistrate, or other judicial authority of competent jurisdiction."¹¹

VETERANS ACCESS ACT

While The American Legion supports many of the provisions discussed in this hearing, we do have concerns with expanding eligibility for VA care beyond the current population. While we support examining recent trends in veteran suicide, we cannot support legislation that expands access to those who have not earned veteran benefits. If access is extended to a larger population with no increase in resources, the quality of care could be diminished. The American Legion does not want to see benefits of any kind decrease in quality at VA, but especially pertaining to services that deal with such a sensitive area; mental health.

The American Legion opposes *H.R. 5697 – Veterans ACCESS Act of 2020*. This bill would grant all veterans emergent mental health care regardless of discharge status or whether they receive care at VA hospitals. The American Legion's Resolution No. 23: *Department of Veterans Affairs* states that The American Legion supports services for veterans with Other Than Honorable and General Discharges. We can only extend support to care that will expand and improve the care provided. We do not believe this stand-alone will do so by allocating finite resources to a larger population.¹²

CONCLUSION

¹⁰ The American Legion. (2018, May 01). Resolution No. 20: Suicide Prevention Program. Retrieved September 01, 2020, from <https://hdl.handle.net/20.500.12203/9286>

¹¹ "Resolution No. 27: Amend Title 38, United States Code, to Clarify the Treatment of a Veteran as Adjudicated Mentally Incompetent for Certain Purposes." 2017. The American Legion. May 1, 2017. <https://archive.legion.org/handle/20.500.12203/6495>.

¹² The American Legion. (2018, May 01). Resolution No. 20: Suicide Prevention Program. Retrieved September 01, 2020, from <https://hdl.handle.net/20.500.12203/9286>

The American Legion, like many other VSOs, has a deep concern on the rate of suicide among servicemembers and veterans. It is unfortunately a number that has been consistent for years despite the tireless efforts of the veteran community and this committee.¹³ The American Legion supports research to allow VA to understand the complexities of mental health issues and encourages the public release of these studies. This targeted research, coupled with experimental pilot programs, will serve as the bedrock to a comprehensive policy approach to the veteran suicide crisis.

We strongly urge that the committees in both chambers of Congress move expeditiously to reconcile their versions of the S. 785 to ensure that this critical legislation is passed before the end of the 116th Congress. The American Legion is thankful for the invitation to submit this statement for the record and stand ready to assist when needed on these issues and any other issues. For additional information regarding this testimony, please contact Legislative Associate Ms. Alexandria Evers at (202) 263-2990 or aegers@legion.org.

¹³ U.S. Department of Veterans Affairs Office of Mental Health and Suicide Prevention (OMHSP). (2018). Facts About Veteran Suicide: June 2018. Retrieved 2020, from https://www.mentalhealth.va.gov/docs/FINAL_VA_OMHSP_Suicide_Prevention_Fact_Sheet_508.pdf