

Testimony by Congressman Darrell Issa before the Committee on Education and Labor, Subcommittee on Workforce Protections for September 18, 2007

Chairwoman Woolsey, and the Subcommittee on Workforce Protections, thank you for inviting me to speak today. I also thank Senator Dodd, Senator Clinton, and the bipartisan Senate delegation for their leadership on this issue. As well, I'd like to thank Congressman Rahall for joining me as a leader in the House on this issue by cosponsoring my bill H.R. 3391.

While the title of the law we examine today, the Family and Medical Leave Act, emphasizes "leave," the discussion is truly about the return. What level of care will we as a nation provide to our military upon their return? In this case the answer does not involve money. It is about the power of family and the commitment of our communities to rebuilding lives after military service.

The history of protecting civilian employment rights for active military and veterans began in 1940 with the Veterans Reemployment Rights Act and the Selective Training and Service Act. Over time, work protections have been expanded and clarified. In 1993, with the passage of the Family and Medical Leave Act, employment protections were extended beyond the scope of the military to include eligible employees for the birth of a child, adoption, foster care, and the care of personal or immediate family member health. Now, in 2007, employment protections can come full circle to incorporate leave for service members and their families.

The need to discuss the expansion of the Family Medical and Medical Leave Act for the family of our wounded service members is unmistakable. Today, our military men and women are surviving combat-related injuries that even a generation ago, would have been impossible.

The President's Commission on Care for America's Returning Wounded Warriors estimated 11% of the wounded received Seriously Injured status. Over 9% of the wounded have Traumatic Brain Injuries, 2% are amputees, 2% are seriously burned, 1% have spinal cord injuries, less than 1% are blinded, and 1.4% are polytrauma patients.

Health studies show that regular family support is a critical component of patient recovery. Physicians often regard the family as the "ally" in combating illness, as they are the daily support for recovering patients. Studies have shown that their time and presence directly corresponds to the improvement of individual health. Family participation in healthcare is vital to both the demanding physical and mental needs of recovery. According to both physicians and medical studies, the presence and participation of supportive relatives is essential to improving the health of an individual.

The Commission found that families are keeping this important commitment to care, but often at the cost of continued employment. Approximately 1/3 of service members indicated their family or close friends relocated for extended times to assist with care. Family members testified to the Commission that they have been forced to make the decision between their job and staying by their wounded family member's side during

recovery. Between 15-20% reported close friends and family gave up a job to be by their side.

My bill, H.R. 3391, responds to this need and follows the Commission's recommendation to expand the Family and Medical Leave Act to 26 weeks of leave for parents, spouses, and children caring for qualified wounded service members.

The power of a strong support and dedicated families is no more evident than in my Congressional District in Northern San Diego County, which includes Camp Pendleton Marine Corp Base. Here I have seen the Wounded Warrior Clinic and the Naval Hospital, where I have talked with the men, their families, and health professionals who care for them. The positive impact of a regular family caretaker is never clearer than in the stories of their recovery. These men and women receiving care are determined and the community is strong and resolute in their commitment.

I realize challenges exist in the expansion of this Act for military family leave. As a former business owner myself, I understand the difficulties of balancing employment demands. It is my sincere hope that we can find an appropriate balance in this discussion, so that employers will not just comply with the Family and Medical Leave Act, but will also embrace it.

My bill, H.R. 3391, and many of the other legislative proposals are about giving our military members the best chance at recovery by allowing their family to provide support

for an extended recovery period. I am eager to work with my colleagues in the House and Senate to appropriately extend our country's commitment to our military and their dedicated families.