Statement of

The Fleet Reserve Association

on

Military Personnel Policy, Benefits, and Compensation

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Senate Armed Services Committee
Personnel Subcommittee
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By

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The FRA

The Fleet Reserve Association (FRA) celebrated 90 years of service last November 11, and is the oldest and largest enlisted organization serving active duty, Reserves, retired and veterans of the Navy, Marine Corps, and Coast Guard. It is Congressionally Chartered, recognized by the Department of Veterans Affairs (VA) as an accrediting Veteran Service Organization (VSO) for claim representation and entrusted to serve all veterans who seek its help. In 2007, FRA was selected for full membership on the National Veterans’ Day Committee.

FRA was established in 1924 and its name is derived from the Navy’s program for personnel transferring to the Fleet Reserve or Fleet Marine Corps Reserve after 20 or more years of active duty, but less than 30 years for retirement purposes. During the required period of service in the Fleet Reserve, assigned personnel earn retainer pay and are subject to recall by the Navy.

FRA’s mission is to act as the premier “watch dog” group in maintaining and improving the quality of life for Sea Service personnel and their families. FRA is a leading advocate on Capitol Hill for enlisted active duty, Reserve, retired and veterans of the Sea Services. The Association also sponsors a National Americanism Essay Program and other recognition and relief programs. In addition, the FRA Education Foundation oversees the Association’s scholarship program that presents awards totaling nearly $123,000 to deserving students each year.

The Association is also a founding member of The Military Coalition (TMC), a 32-member consortium of military and veteran’s organizations. FRA hosts most TMC meetings and members of its staff serve in a number of TMC leadership roles.

For more than nine decades, dedication to its members has resulted in legislation enhancing quality of life programs for Sea Services personnel, other members of the uniformed services plus their families and survivors, while protecting their rights and privileges. CHAMPUS, (now TRICARE Standard) was an initiative of FRA, as was the Uniformed Services Survivor Benefit Plan (USSBP). More recently, FRA led the way in reforming the REDUX Retirement Plan, obtaining targeted pay increases for mid-level enlisted personnel, and sea pay for junior enlisted sailors. FRA also played a leading role in advocating enacted predatory lending protections and absentee voting reform for service members and their dependents.

FRA’s motto is: “Loyalty, Protection, and Service.”

Certification of Non-Receipt Of Federal Funds

Pursuant to the requirements of House Rule XI, the Fleet Reserve Association has not received any federal grant or contract during the current fiscal year or either of the two previous fiscal years.
The Fleet Reserve Association (FRA) is an active participant and leading organization in The Military Coalition (TMC) and strongly supports the recommendations addressed in the more extensive TMC testimony prepared for this hearing. The intent of this statement is to address other issues of particular importance to FRA’s membership and the Sea Services enlisted communities.

**Introduction**

Mr. Chairman, FRA salutes you, the Ranking member and all members of the Subcommittee, and your staff for the strong and unwavering support of programs essential to active duty, Reserve Component, and retired members of the uniformed services, their families, and survivors. The Subcommittee’s work has greatly enhanced care and support for our wounded warriors and significantly improved military pay, and other benefits. This support is critical in maintaining readiness and is invaluable to our uniformed services engaged throughout the world fighting to stop terrorism and fulfilling commitments to those who’ve served in the past.

**MCRMC Final Report**

The Military Compensation and Retirement Modernization Commission (MCRMC) recommendations were addressed in earlier statements. The FY 2013 National Defense Authorization Act (H.R. 4310 – P.L. 112-239) establishes the MCRMC but limits its recommendations from being BRAC-like, as originally proposed, in its review of the current compensation and military retirement system. FRA believes it’s important that this distinguished Subcommittee, and its House counterpart maintain oversight over the commission recommendations. The Association appreciates the opportunity to testify before this Subcommittee on MCRMC recommendations related to health care. However, FRA is disappointed that no enlisted personnel were appointed to serve on the Commission. More than 75 percent of the current active force is enlisted and they had no representation on this Commission.

**Defense out of Sequestration**

Before commenting on the Administration’s FY 2016 proposed budget and the Associations 2015 legislative agenda, FRA wants to note with growing concern the impact of sequestration. Budget cuts mandated by the Budget Control Act of 2011 pose a threat to national security and will substantially impact member pay and benefits. These automatic cuts, known as Sequestration, require that 50 percent come from Defense, even though Defense only makes up 17 percent of the federal budget. These cuts were intended to be so punitive that Congress and the Administration would be forced to work together to find reasonable alternatives.
Unfortunately, this has not occurred and Congress along with the White House has been unable to come to a long term agreement on the budget without sequestration cuts. Unless current law is changed, the DoD will have to cut an additional $38 billion in FY 2016 and some $269 billion over the following five fiscal years.

The DoD budget was already scheduled to be cut by $487 billion over a 10-year period BEFORE the enactment of sequestration, which will cut an additional $500 billion in the defense spending if fully implemented. The Bipartisan Budget Act of 2013 mitigated the spending cuts for FY 2014 and 2015. However, the original sequestration cuts for FY 2016 thru 2021 remain in effect-continuing to place national security at risk.

Pentagon officials have repeated expressed concern that personnel cost are “eating us alive.” The facts do not support that assertion. Other data indicates that personnel costs have remained at approximately one-third of the Defense budget for many years. FRA opposes new TRICARE fee increases, cuts to commissary benefits and cuts to Basic Allowance for Housing (BAH). FRA also believes that active-duty pay increases should at least keep pace with comparable civilian pay increases as measured by the Employment Cost Index (ECI).

Former Secretary of Defense (SecDef) Chuck Hagel has warned that future sequestration budget cuts will create a “hollow force.” The Services have already canceled deployment of ships, slashed flying hours, renegotiated critical procurement contracts, temporarily furloughed civilian employees, and are in the process of reducing force structure. These cuts will give America the smallest military force since before World War II. If sequestration is not ended, additional force reductions will likely go deeper and training and modernization levels will be further impacted.

**TRICARE Benefits and Fee Increases**

The Administration’s FY 2016 budget request includes a complex plan to merge TRICARE Prime, Standard and Extra into one program for all retirees under age 65; Raising annual fees for retirees under age 65 and active duty family members; Dramatically increasing pharmacy co-pays for retirees under age 65; and new annual fee for new TRICARE-for-Life (TFL) beneficiaries. These fee increases are virtually identical to those proposed and rejected in the FY 2015 budget except for an increase pharmacy co-pays. FRA opposes both the proposed fee increases included in the FY 2016 Administration’s budget and the merger of programs that will result in TRICARE Standard and Extra beneficiaries, who will paying a new annual “participation” fee. TRICARE Prime beneficiaries will also pay higher co-pays and deductibles.

FRA advocates that The Defense Department (DoD) must sufficiently investigate and implement other options to make TRICARE more cost-efficient as alternatives to shifting costs to TRICARE beneficiaries. The Association also opposes any indexing of future TRICARE Fee increases beyond CPI indexed COLA increases.
FRA will vigorously oppose Pentagon efforts to shift the cost of health care to beneficiaries. The DoD proposed merging TRICARE Prime, Standard, and Extra into one program is a pretext to force retirees under age 65 to accept TRICARE Standard benefits with TRICARE Prime enrollment fees. Fee increases under the guise of better access, does not provide more choice for our members.

It should be noted that military retirees under age 65 and are enrolled in TRICARE Prime experienced a 13-percent increase in their annual enrollment fees three years ago, and these fees are increased annually based on inflation. TRICARE Standard, Extra, and Prime beneficiaries have their pharmacy co-pays increased every year with the rate of inflation.

The Association believes that DoD should fix inefficiencies first before shifting health care costs to retirees. There have been many GAO reports that indicate that the DoD cost accounting system is dysfunctional and cannot be audited. Also consolidating the DoD health care system into a unified medical command would create a more efficient organization that could obtain substantial savings. Decades of GAO and other reports demonstrate DoD cost accounting systems lack transparency and cannot be audited.

**COLA Cuts**

FRA welcomed the provision in the FY 2015 NDAA that further delays the one-percent COLA cut for those joining the military before January 1, 2016, but was disappointed the COLA cut applies to future retirees. The Association remains concerned that the one-percent COLA cut provision for those enlisting after January 1, 2016, will have a negative impact on recruitment and the future of the All-Volunteer-Force (AVF). FRA will continue to advocate for repealing COLA cuts for all future retirees.

**Active Duty Pay**

FRA strongly supports a full Employment Cost Index (ECI) military pay increase for FY 2016. The Administration has requested 1.3 percent even though the ECI is 2.3 percent. If this request is approved it will be the third year in a row that Congress has enacted pay increases that are smaller than civilian pay increases. Pay and allowances remain the top retention choice for active duty military personnel since the beginning of the All-Volunteer Force (AVF). This is reflected in the FRA online survey that indicates that 93.6 percent of active duty views base pay as “Very important.” The Master Chief Petty Officer of the Navy (MCPON), Michael Stevens noted in his testimony (House Appropriations, MilCon/VA Subcommittee – Feb. 25, 2015) … “that ongoing discussion regarding possible changes to future pay and compensation has created an air of uncertainty.”
In the 1970s several annual pay caps contributed to a serious retention problem that was fixed by large pay increases in 1981 and 1982. Throughout the 1980s and 1990s budget limitations lead to several pay caps providing pay increases below the annual ECI. In 1999, it was determined that there was a 13.5 percent gap between military and private sector pay, and Congress made a commitment then to gradually close that gap. FRA believes that Congress should hold fast to that “faith” commitment. The gap was gradually reduced to 2.4, but is now is headed in the other direction with the 1 percent increases in 2014 and 2015 the smallest increases in many years. The 2014 bump of just one percent was the smallest in the 41-year history of the All-Volunteer Force (AVF). These increases and the proposed increase for FY 2016 do not keep pace with the civilian increases as measured by the ECI. With recent annual pay increases failing to keep pace with civilian counterparts and a shrinking unemployment rate, these increases could cause recruiting shortfalls in the future. Adequate pay increases are needed to at least in part offset the extraordinary demands and sacrifices expected in a military career.

**BAH Cuts**

Basic Allowance for Housing (BAH) is an allowance paid to active duty service members based on pay grade, dependency status, and geographic location within the United States. The FY 2015 budget reduced compensation by one-percent and the proposed FY 2016 budget reduces renter’s insurance and cuts the average payment by five percent, as the original FY 2015 budget requested. FRA opposes reducing BAH benefits. More than 90 percent of active duty in FRA’s online survey sees housing allowances as “Very Important.” FRA opposes cuts to Basic Allowance for Housing (BAH) payments. The Association supports reforming enlisted housing standards by allowing E-7s and above to reside in separate homes. FRA also wants to ensure BAH rates are commensurate with actual housing costs.

**Protect the Commissary and Exchange Systems**

FRA opposes the proposed funding reduction for military commissaries. Military commissaries and exchanges are essential parts of the military benefit package. FRA’s on-line survey completed in February 2015 indicates that 71 percent of active duty respondents (up ten points from last year’s survey) and more than 61 percent of retirees rated Commissary/Exchange privileges as “very important.”

A 2013 study by the Resale and MWR Center for Research entitled “Costs and Benefits of the DoD Resale System” indicates that these programs provide military members, retirees and their families with shopping discounts worth $4.5 billion annually. These stores are the biggest employers of military family members with 50,000 spouses, dependent children, retirees and veterans on the payrolls, adding $884 million a year to military household incomes. Exchange
profits also fund important base morale, welfare and recreation programs (MWR) that contribute to an enhanced quality of life for military beneficiaries.

Adequate End Strengths

Adequate military end strength is vital in sustaining our national security, and FRA is concerned about budget-driven calls for reducing end strength. The strain and inadequate dwell time of repeated deployments are significant and related to end strength levels. This is reflected in troubling stress-related statistics that include alarming suicide rates, prescription drug abuse, alcohol use and military divorce rates. For the last 14 years, service members and their families have endured unprecedented sacrifices often having less than a year at home before returning for another year in combat.

Now with these even greater end strength reductions, many service members worry if they will be able to continue serving their nation.

FRA believes that the nation needs to maintain an adequate force to respond to unexpected contingencies and retaining combat experience by encouraging departing veterans to join the Guard and Reserve. On September 11, 2001 no one expected the following fourteen years would find us engaged in a protracted war. The Association is thankful that Congress has provided the Services with various voluntary tools to draw down the forces, but in the sequester-driven budget times, the Services are reverting to use of involuntary methods.

Concurrent Receipt

FRA continues its advocacy for legislation authorizing the immediate payment of concurrent receipt of full military retired pay and veterans’ disability compensation for all disabled retirees. The Association appreciates the progress that has been made on this issue that includes a recently enacted provision fixing the Combat Related Special Compensation (CRSC) glitch that caused some beneficiaries to lose compensation when their disability rating was increased. There still remain Chapter 61 retirees receiving Concurrent Retirement and Disability Pay (CRDP) and CRDP retirees with 20 or more years of service with less than 50 percent disability rating that should receive full military retired pay and VA disability compensation without any offset.

The Association strongly supports pending legislation to authorize additional improvements that include Senate Minority Leader Harry Reid’s legislation (S.271), Rep. Sanford Bishop’s “Disabled Veterans Tax Termination Act” (H.R. 3 33) and Rep. Gus Bilirakis’ “Retired Pay Restoration Act” (H.R. 303).
Wounded Warriors & Seamless Transition

FRA strongly supports the Administration’s efforts to create an integrated Electronic Health Record (iEHR) for every service member which would be a major step towards the Association’s long-standing goal of a truly seamless transition from military to veteran status for all service members. This would permit DoD, the Department of Veterans Affairs (VA), and private health care providers immediate access to health data.

The importance of fully implemented interoperability of electronic medical records cannot be overstated. The Association was grateful that the FY 2014 National Defense Authorization Act (NDAA) has a provision that requires DoD and VA to implement a seamless electronic sharing of medical health care data by October 1, 2016. This provision was in response to the VA and DoD shelving plans to jointly develop an integrated Electronic Health Record (iHER) system due to cost and schedule challenges. Instead the two agencies decided to pursue separate efforts to modernize or replace their existing systems. However, according to a new Government Accountability Office (GAO) report (GAO-14-302), the VA and DOD "have not substantiated their claims that the current approach will be less expensive and more timely than the single-system approach." The GAO report also notes that neither department has provided a joint strategic plan that explains lines of responsibility, time schedule, how to eliminate management barriers, and how much the project will cost. FRA has long supported efforts to ensure adequate funding for DoD and VA health care resource sharing in delivering seamless, cost effective, quality services to personnel wounded in combat and other veterans, and their families.

There is some sharing now between DoD, VA and the private sector, but more needs to be done. Wider expansion of data sharing and exchange agreements between VA, DoD and the private sector is needed. VA’s “Blue Button” initiative permits veteran’s online access to some medical history, appointments, wellness reminders and military service information, but most is only accessible after in-person authentication. VA is also moving forward on its paperless disability processes that are Health Insurance Portability and Protection Act (HIPPA) compliant.

Jurisdictional challenges notwithstanding this subcommittee must remain vigilant regarding its’ oversight responsibilities associated with ensuring a “seamless transition” for our Nation’s wounded warriors.

Suicide/Mental Health

FRA believes post-traumatic stress should not be referred to as a “disorder,” but rather an “Injury.” The disorder terminology adds to the stigma of this condition, and the Association believes it is critical that the military and VA work to reduce the stigma associated with PTS and TBI. Access to quality mental health service is a vital priority, along with a better understanding of these conditions and improved care. “Roughly 20 percent of the 2.5 million men and women
who served in Afghanistan and Iraq have PTSD or other mental ill. Of the 200,000 incarcerated veterans in the U.S., make up about 14 percent of the nation’s prisoners. Contrary to public perception, Afghanistan and Iraq vets are only half as likely to be incarcerated as those who fought in earlier wars, but... suffer from PTSD at three times the rate of older veterans.”1 PTSD diagnosis and treatment remain a major challenge for the VA. “The number of veterans who received VA treatment for PTSD and other mental health issues reached 1.3 million last year, up 400,000 since 2006”2

FRA is thankful that DoD has agreed to reconsider the bad-paper discharge of thousands of Vietnam era veterans who may have suffered from PTSI but were kicked out of the military before this injury was diagnosable. The change in policy is a result of litigation originating from the Yale Law School Veterans’ Legal Service Clinic. The lawsuit estimates that of the 250,000 less than Honorable discharges during the Vietnam war; that as many as 80,000 may have been a result of PTSI.

According to the Associated Press “Suicides among members of the active-duty military personnel rose slightly in 2014, led by increases in the number of sailors and airmen who took their own lives, new Defense Department figures show. There were fewer suicides by Army soldiers and Marines, the two services that have seen the most combat in Iraq and Afghanistan during the past decade.

According to preliminary Pentagon data, there were 288 confirmed and suspected suicides by active-duty personnel in 2014, compared with 286 in 2013. Both totals, however, represent a sharp drop from the 2012 number of 352. A year ago, officials were a bit heartened to see the number of suicides in 2013 drop by more than 15 percent from 2012, but they have consistently warned that this is a very difficult problem to address. All of the services have beefed up programs to identify and reach out to troops who may having problems, encouraging service members to come forward if they need help and urging others to recognize and react to any signs of trouble in their unit colleagues”3.

FRA is thankful that although “the Marines had the highest suicide rate among the services in 2013, the number of Marines that took their own lives dropped in 2014”4

FRA supported the “Clay Hunt Suicide Prevention for American Veterans Act” that was introduced January 7, 2015 (H.R. 203/S. 167). The measure was sponsored by Rep. Tim Walz (Minn.) and Sen. John McCain respectively and had bi-partisan support. It was signed into law (P. L. 114-2) February 12, 2015 and requires the Department of Veterans Affairs (VA) and the (DoD), to at least annually allow for an independent third party evaluation of their mental health care and suicide prevention programs.

2 The Washington Post, Nov. 11, 2013 “VA Shinseki is determined to Leave no Vet Behind” Steve Vogel
3 Stars & Stripes, Jan 13, 2015, Military Suicides Up Slightly in 2014. Lolita C. Baldor
4 San Diego Union-Tribune, Jan. 17, 2015, Military Suicide report Mixed, Gretel Kovach
The Association welcomes the recent reduction in active duty suicides, but is concerned about increasing suicide rates in special operations forces and the reserve component. The Association appreciates the FY 2015 NDAA including an additional $18.8 million that has been targeted for special operations units that have experienced an increase in suicides last year.

FRA is cautiously optimistic about a new screening system that can flag those at highest risk of suicide. “The system-a computer program that rates more than 20 actuarial factors, including age at enlistment, history of violence, and prescription drug use - would be the most rigorous suicide prediction model available, if it performs as expected in real-world settings.”

The actuarial factors were identified in a new study published in the Journal of the American Medical Association (JAMA) Psychiatry. Some of the factors related to higher risk for suicide were anticipated, such as previous suicide attempts, history of using weapons, and symptoms of Traumatic Brain Injury (TBI). Other factors were unexpected, such as higher I.Q. and being older than 26 at enlistment. This system, if it can be assimilated well into the military’s health system, would allow doctors to follow high-risk service members after they have been discharged and, if necessary, take preventative measures.

Uniformed Services Former Spouses Protection Act (USFSPA)

The latest annual report on military suicides released by DoD in January indicates nearly half had failed romantic relationship within the previous 90 days (i.e. divorce in many cases), and 25 percent had financial or workplace difficulties (in many cases stemming from divorce and division of income). FRA believes that common-sense reform of USFSPA could help reduce military suicide.

FRA urges Congress to review the Uniformed Services Former Spouses Protection Act (USFSPA) with the intent to amend the language so that the Federal government is required to protect its service members against State courts that ignore the Act. The USFSPA was enacted 30 years ago; the result of Congressional maneuvering that denied the opposition an opportunity to express its position in open public hearings. The last hearing, in 1999, was conducted by the House Veterans’ Affairs Committee rather than the House Armed Services Committee which has oversight authority for USFSPA.

Reserve Component Issues

More than 900,000 Reserve Component members have been mobilized since September 11, 2001 and more than 325,000 have experienced multiple deployments. This high operational tempo underscores the need for enhanced benefits for the longevity of the Reserve Component.

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FRA stands foursquare in support of the Nation’s Reservists and to improve compensation and benefits packages to attract recruits and retain currently serving personnel. These changes should include early retirement credit retroactive to September 11, 2001, after which the Reserve Component changed from a strategic reserve to an operational reserve. FRA supported the enactment of the Post 9/11 GI Bill that provides benefits for reservists. Reserve Montgomery GI Bill program benefits have not been adjusted in 14 years and are less than 22 percent of the benefits provided for active duty participants despite the intended 47 percent to 50 percent level of benefits. FRA urges attention to this inequity by authorizing a restoration of the benefits for selected reserve personnel.

Retirement of Final Full Month’s Retired Pay

FRA urges the Subcommittee to authorize the retention of the full final month’s retired pay by the surviving spouse (or other designated survivor) of a military retiree for the month in which the member was alive for at least 24 hours. FRA strongly supports “The Military Retiree Survivor Comfort Act” (HR 454); introduced by Rep. Walter Jones (N.C.) that achieves this goal.

Current regulations require survivors of deceased military retirees to return any retirement payment received in the month the retiree passes away or any subsequent month thereafter. Upon the demise of a retired service member in receipt of military retired pay, the surviving spouse is to notify DoD of the death. The Department’s financial arm (DFAS) then stops payment on the retirement account, recalculates the final payment to cover only the days in the month the retiree was alive, forwards a check for those days to the surviving spouse (beneficiary) and, if not reported in a timely manner, recoups any payment(s) made covering periods subsequent to the retiree’s death. The recouping is made without consideration of the survivor’s financial status.

The measure is related to a similar pay policy enacted by the VA. Congress passed a law in 1996 that allows a surviving spouse to retain the veteran’s disability and VA pension payments issued for the month of the veteran’s death. FRA believes military retired pay should be no different.

Dislocation Allowance

Moving households on government orders can be costly. Throughout a military career, service members endure a number of permanent changes of station (PCS). Often, each move requires additional out of pocket expenses for relocating to a new area far away from the service member’s current location. To help service members defray these additional expenses Congress in 1955 authorized the payment of a special allowance referred to as “dislocation allowance.” Unfortunately, service members preparing to retire from the military are not eligible for this
allowance, yet are subject to the same additional expenses they experience in a PCS. In either case, moving on orders to another duty station or retiring are both reflective of a management decision. Therefore FRA supports authorizing payment of a dislocation allowances to service members retiring or transferring to an inactive status such as the Fleet Reserve or Fleet Marine Reserve who execute a “final change of station” move.

**SBP/DIC Offset Repeal**

FRA supports the elimination of the Survivor Benefit Plan (SBP)/Dependency and Indemnity Compensation (DIC) offset for widows and widowers of service members. This offset, also known as the “widow’s tax,” impacts approximately 60,000 widows and widowers of our Armed Forces.

SBP and DIC payments are paid for different reasons. SBP is purchased by the retiree and is intended to provide a portion of retired pay to the survivor. DIC is a special indemnity compensation paid to the survivor when a member’s service causes his or her premature death. In such cases, the VA indemnity compensation should be added to the SBP in which the retiree paid for, not substituted for it. It should be noted as a matter of equity that surviving spouses of federal civilian retirees who are disabled veterans and die of military-service-connected causes can receive DIC without losing any of their federal civilian SBP benefits. Further, FRA believes Congress should reduce the age for paid-up SBP to age 67 for those who joined the military at age 17, 18 or 19. Congress should also authorize SBP annuities to be placed into a Special Needs Trust for permanently disabled survivors who otherwise lose eligibility for state programs because of means testing.

**Conclusion**

FRA is grateful for the opportunity to provide these recommendations to this distinguished Subcommittee.

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John Davis joined the FRA team as Director, Legislative Programs in February 2006. In addition to his FRA duties, Davis was elected (November 7, 2013) Co-Chairman of the Military Coalition (TMC) and co-chairs the TMC Retired Affairs Policy Committee.

John worked for almost 13 years with the National Federation of Independent Business (NFIB), including 9 years as Director of the Illinois chapter, and 3 ½ years in the federal lobbying office in Washington DC. John has lobbied on a variety of issues including healthcare, tort reform, education, insurance, taxation, and labor law.

In 2005 John received a Masters of Public Policy (MPP) degree from Regent University, Alexandria VA. John has a Bachelor of Science degree from Illinois State University in Political Science and History. John served in the United States Marine Corps Reserve, where he was assigned to an artillery unit (155 self-propelled howitzers) and as a Second Lieutenant in the Illinois Army National Guard in the 1980s. John was elected and re-elected President of FRA Branch 181 in Arlington, Va. John successfully completed the Marine Corps Marathon in 1997. He is a proud father of two children: Anne age 33 and Michael age 30 who deployed to Iraq and later Afghanistan with his Marine Corps Reserve unit from Quantico Va. (4th LAR) in 2007 and 2009 respectively.