

# The Elks Government Relations Report

## Items of Interest from the Congress, State Legislatures and the Courts

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### **No Change in War Policy Seen Until After September Assessment**

When will U.S. troops in Iraq be coming home?

Public opposition to the war is growing, but Congress apparently will make no further moves calling for a change in direction until mid-September. That's when Congress gets a multi-level assessment by Gen. David Petraeus, U.S. commanding general in Iraq, and Ryan Crocker, U.S. ambassador to Iraq.

Sen. Mitch McConnell of Kentucky, the Senate Republican leader, says his party is withholding judgment until the two U.S. officials report on Iraqi progress on a range of "benchmarks" designed to prod Prime Minister Nouri al-Maliki into action. Most Democrats appear willing to join the waiting game.

"The Iraqis have to step up, not only on the political side but on the military side, to a greater extent," McConnell said on CBS, adding: "We're not there forever."

In another very public warning to the Iraqi government, Adm. William J. Fallon, head of the U.S. Central Command, bluntly told Maliki that he must make "tangible political progress by next month to counter the growing tide of opposition to the war in Congress." In a highly unusual move for the diplomatic world, the admiral's warning was made on the record in the presence of the U.S. ambassador and a *New York Times* reporter.

The surge in U.S. troops, announced last January, was completed this month, but the violence continues. In an interview, General Petraeus said that the security problem in Iraq will not be resolved by fall, hinting that the military occupation could last another decade.

### **Only Half of Active Duty Troops Have Been Deployed to War Zone**

Some 150,000 active duty soldiers, 85,000 sailors, 90,000 airmen and 65,000 Marines have been deployed more than once to Iraq and Afghanistan. Yet, according to Defense Department figures, almost half of all service members have not been deployed.

There are many reasons, such as the pipeline of last year's crop of 180,000 recruits who are being trained. A tour in other parts of the world, such as Korea, Japan and Germany, can run three years, giving a service member little duty time remaining after basic training, schooling and completing the tour before discharge.

Fifty-three percent of active duty Air Force and 50 percent of the Navy have yet to go to combat. In addition, 45 percent of the Marines and 37 percent of the Army have not deployed.

## **Flag Purchases Are Rebounding, But Old Glory Lapel Pins Are Down**

As the nation celebrated Flag Day this month, sales of flags were up, as people replaced worn flags and bought new ones to show support for the troops.

A spokesman for Annin & Co., one of the nation's largest flag makers, said his company is producing five percent more flags than last year. Patriotism soared and sales hit record levels after the terrorist attacks of Sept. 11, 2001, but the numbers had slumped by 2004. Retailers say sales now appear to be rebounding.

But, says *The Wall Street Journal*, a more personal display of the flag—a pin in the lapel—may be on the wane, at least in presidential politics.

Such fashion accessories became a critical part of politicians' wardrobes after Sept 11. In the last presidential election, President Bush and his opponent, John Kerry, both wore them on the campaign trail. While President Bush is still always seen with a flag in his lapel, only two of the 10 Republicans who are trying to succeed him—Rudy Giuliani and Tommy Thompson—consistently wear one. Among the Democrats, only Joseph Biden wore one in recent televised debates.

Thompson, former secretary of Health and Human Services and a longtime pin wearer, explains his position: "If you are seeking to be president of the national Rotary Club, you should wear the Rotary lapel pin; if you are seeking to be president of the United States, you should wear the lapel pin of the United States."

## **Study Finds Ranks of Uninsured Growing Among Young Veterans**

About 1.8 million veterans under age 65 lack even basic health insurance or access to care at Veterans Affairs hospitals, a new study has found. And the numbers are growing.

Ranks of uninsured veterans have increased by 290,000 since 2000, says Stephanie J. Woolhandler, a professor at Harvard Medical School who reported her findings before the House Veterans Affairs Committee. One in eight non-elderly veterans lacked health coverage in 2004, the most recent year for which data are available, up almost 10 percent over 2000. Veterans over 65 are eligible for Medicare.

The focus of the hearing was whether to open VA hospitals to so-called Priority 8 patients, those with no service-connected disabilities and earnings above 80 percent of the median income where they live. Only half of the 1.8 million uninsured veterans are classified Priority 8, Woolhandler said. The rest may technically be eligible for some VA care but live too far from its facilities for it to be a real option, she said.

Nearly 8 million veterans were enrolled in the VA health system last year. Extending eligibility would add to VA's caseload and costs (estimates range from \$366 million to \$3.3 billion annually). Some veterans' groups are concerned that it would make it harder for veterans with service-related health problems to get timely care.

## **IRS Asks Tax-Exempt Groups For Comments on New Form 990**

The Internal Revenue Service has released for public comment a redesigned Form 990, the document that must be filed each year by public charities and other tax-exempt organizations. The IRS anticipates using the form for the 2008 tax year (returns filed in 2009).

The agency says the redesign is based on three guiding principles: enhancing transparency, promoting tax compliance, and minimizing the burden on the filing organization.

The IRS says it wants a realistic picture of each nonprofit organization and its operations so that it can use the form as the basis for comparing the organization to similar groups and assess the risk of noncompliance. In addition, the IRS says the form asks questions in a manner that makes it relatively easy to respond, with no additional recordkeeping or information-gathering burdens needed to substantiate the report.

## **States Move To Ban Smoking In Vehicles with Children Inside**

As the case against secondhand smoke builds, new moves are afoot to ban smoking in vehicles where children are present.

Arkansas pioneered the policy in April 2006 when a bill was introduced to shield children who were strapped in car seats from secondhand smoke. The measure passed overwhelmingly in less than two days. Louisiana enacted a similar law in August. The city of Bangor, Maine, went even further by banning smoking in vehicles carrying anyone under 18.

In the last six months, at least 14 legislatures have introduced bills to ban smoking in vehicles. Bills pending in Montana, Arizona and California are the most restrictive, applying to smoking in vehicles carrying children up to 17 years old. In other states, bans would apply only if children were in car seats.

Smokers and privacy-rights activists call such legislation an invasion of personal property. A spokesman for an advocacy group called The Smokers' Club said there are "more carcinogens in a burnt steak than in secondhand smoke," adding that "secondhand smoke has never hurt anyone."

But U.S. Surgeon General Richard Carmona says there is no safe level of secondhand smoke, and Harvard University researchers found that secondhand smoke in vehicles is hazardous to children even with the window slightly rolled down.

## **Fraternal Groups Win Exemption From New Hampshire Smoking Ban**

Gov. John Lynch signed a law banning smoking in New Hampshire bars and restaurants. “The science is clear,” the governor said, “secondhand smoke poses a dangerous health risk, and that is why this new law is so important.”

Social, fraternal, and religious organizations are exempt from the ban. Smoking is permitted at an organization’s public events, such as bingo nights, only if smoking areas can be segregated effectively. New Hampshire already bans smoking in schools, hospitals, grocery stores, elevators and buses. Smoking is also prohibited in public buildings, offices and workplaces except in designated segregated areas.

## **Connecticut Governor Vetoes Medical Marijuana Measure**

Connecticut Gov. M. Jodi Rell vetoed a bill that would have legalized the use of marijuana for certain medical conditions.

Calling the veto one of her most difficult decisions as governor, Mrs. Rell, a breast cancer survivor, said: “I completely sympathize with the well-intentioned goal of alleviating pain and suffering, but legal alternatives are available.”

The law would have allowed residents 18 or older suffering from multiple sclerosis, cancer, AIDS and other diseases to grow marijuana in their homes with a doctor’s recommendations and a state permit.

“I am troubled by the fact, in essence, this bill forces law abiding citizens to seek out drug dealers to make their marijuana purchases,” Rell said, noting her personal concerns that such a law would send the wrong messages to Connecticut’s youth.

## **Job Approval Rating for Congress Hits New Low in Latest Gallup Poll**

Public ratings for Congress are down again this month, with surveys showing its job approval rating at 24 percent, the lowest level since Democrats took control of both houses in January.

Congressional job approval ratings are typically not positive, but ratings this low are uncommon. Congress has been rated this negatively only a few times in the four decades that the Gallup organization has measured this item—in 1979, during the energy crisis, at several points during the “term limits era” of 1990 to 1994, and last year.

Gallup says it’s likely that displeasure with Congress is part of a general frustration with conditions in the United States that is also evident in record low presidential ratings for George W. Bush and the economy. Overall, 74 percent of Americans say they are dissatisfied with the way things are going in the country.