

The Elks Government Relations Report

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

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Congress Passes Lobbying And Ethics Reform Bill

After more than a year of debate and negotiations, Congress passed the most significant lobbying and ethics reform bill in a quarter-century. Although flawed, the new law should increase legislative accountability and transparency.

The reform package overwhelmingly passed the House on July 31 by a vote of 411-8 and cleared the Senate two days later by a vote of 83-14. It strengthens existing lobbying laws and requires putting names of earmark sponsors on the Internet. One section deals with the so-called "revolving door" and prevents former Senators from lobbying Congress for two years after leaving office; current rules ban House Members from lobbying for one year. Another section prevents former members who become lobbyists from using Congress's parking and gym privileges. Yet another requires that congressional travel paid for by outside groups be posted on the Web.

One of the most significant measures forces lawmakers to report all lobbyist-bundled contributions that total more than \$15,000 in a six-month period.. The legislation also strips pensions of members of Congress convicted of felonies.

Most reform advocates applauded the bill's passage, but some questioned potential loopholes and enforcement problems. Senator Tom Coburn (R-OK) told *Congressional Quarterly*: "What we have before us today is not a landmark accomplishment, but a landmark betrayal. Instead of draining the swamp, this bill gives the alligators new rights."

Elks to Join Vietnam Vets in Program To Raise Funds for Support of Troops

A new partnership between the Elks and the charitable affiliate of the Vietnam Veterans of America will raise funds to assist soldiers returning from Iraq and Afghanistan, as well as all veterans of the nation's wars.

The affiliate, the Vietnam Veterans Assistance Fund, is renaming its Coin Can Donation Program, "The Michael Manning National Veterans Program," as a tribute to the long-time director of the Elks National Veterans Service Department who died July 22. Mike had worked with the organization in setting up the program, which will feature coin cans in every Elks lodge and in other locations.

Full details will be announced when the national roll-out of the program begins this fall. Money raised in this effort will aid veterans as they deal with health issues, homeless services, and transitioning programs.

Calling Mike "truly a great leader in the veterans' community," John Rowan, national president of the Vietnam Veterans of America, said: "It was with Michael's great enthusiasm for veterans that this program will exist as a partnership between the Elks and the VVA."

Commission Recommends Guide Through Rehab for Wounded Warriors

The Commission on Care for America's Returning Wounded Warriors recommends that a federal "recovery coordinator" be assigned to guide individuals seriously wounded in Iraq and Afghanistan through the rehabilitation process.

The proposals of the commission--headed by former Senator Bob Dole and Donna Shalala, former secretary of health and human services—came in response to reports of patient neglect in outpatient facilities at Walter Reed Army Medical Center. The commission found that the main problem is not a lack of resources, but the complexity of the federal bureaucracies that the injured have to negotiate.

"I haven't heard a single serviceman or woman complain about their treatment in the hospital," said Senator Dole. A major factor is dealing with the complex government rules concerning outpatient care as well as the difficulties faced in transitioning from active duty to receiving care in a Veterans Administration facility.

According to the *Wall Street Journal*, the "Walter Reed problem" concerns 3,100 or so soldiers who have been seriously injured and must confront years of outpatient rehabilitation. Of 28,000 wounded in action, 23,270 were treated and returned to duty within 72 hours.

There have been 2,726 who received traumatic brain injuries, 598 with serious burns, 94 with spinal cord injuries, 48 who were blinded and 644 with amputations. In this group, many have major problems in securing outpatient care.

IRS Says Small Tax-Exempt Groups May Be Required to File Annual Notice

Small tax-exempt organizations that previously were not required to file returns may have to file annual electronic notices with the Internal Revenue Service.

Non-profit groups, with gross receipts of \$25,000 or less, do not have to file Form 990 or Form 990 E-Z, as required for larger tax-exempt groups. But starting next year, these smaller entities must send in a new Form 990-N. Failure to file for three consecutive years will result in loss of tax-exempt status.

The IRS calls the new form an e-Postcard because it is short, easy and electronic. Small organizations must provide a legal name and mailing address and any other names used, along with a Web address if one exists, the name and address of a principal officer and a statement confirming that the organization's annual gross receipts are normally \$25,000 or less

The new filing is required under terms of the Pension Protection Act, enacted by Congress last year.

House Passes Bill Protecting Right Of Homeowners to Fly the Flag

The House has passed H.R. 42, a bill guaranteeing the right of homeowners to display the American flag on their residential property. Approved unanimously, the legislation came in response to reports that some homeowner and condominium associations were preventing residents from flying the flag at their homes.

The bill states that associations or residential management companies may not adopt or enforce any policy or enter into agreements that restrict or prevent any resident from displaying the U.S. flag. The bill is now pending in the Senate.

States Assisting Returning Troops In Adjusting to Life Back Home

More and more states are reaching out to returning troops as they return from extended tours in Iraq and Afghanistan and begin adjustment to life at home.

Minnesota's new program, called Beyond The Yellow Ribbon, requires all returning National Guard members to attend regular counseling sessions to address everything from paying bills to reconnecting with family members, with special emphasis on negative behaviors associated with combat stress.

Illinois has announced that it will require returning Guard troops to be screened for traumatic brain injuries, which frequently occur when soldiers are close to heavy explosions such as IED blasts. Such injuries often go undetected and can have mental-health repercussions. The state will also set up a 24-hour hotline for those suffering from post-traumatic stress disorder (PTSD), which can cause nightmares, flashbacks, anger and other symptoms.

Florida, Massachusetts and Wyoming also recently acted to assist returning veterans, particularly those with PTSD and other mental-health conditions.

A Pentagon report found thousands of military personnel—including nearly half of all Army National Guard members who have seen action in Iraq or Afghanistan—have reported psychological problems after their tours of duty.

Pacific Island's Revered Name Will Be Kept on American Maps

The Japanese government has changed the name of a small Pacific island to Iwo To, but to all Americans, the place will always be known as Iwo Jima.

The island was mistakenly misidentified more than 60 years ago when Japanese forces arrived to defend it against American attack. The scene of one of the bloodiest battles in World War II, the island became an emblematic symbol of American valor with the famous flag-raising which is represented by the Marine Corps War Memorial near Arlington National Cemetery. The U.S. Board on Geographic Names will continue to call it Iwo Jima on American maps.

Semper fi!

Higher Taxes Trigger Drop In U.S. Cigarette Smoking

Just as Congress considers a huge federal cigarette tax increase, higher state taxes on smoking are producing sharp declines in tobacco consumption.

USA Today says the degree of decline appears to be tied directly to the size of the tax increase. For example, cigarette sales fell 18 percent in North Carolina after the state tax was raised to 35 cents from 5 cents. In Connecticut, per capita cigarette consumption fell 37 percent after state taxes increased from 50 cents per pack to \$1.51. But in South Carolina, where the tax is just 7 cents a pack, cigarette smoking declined only 5 percent. South Carolina has the lowest cigarette tax in the country.

Shortly before the August recess, the Senate approved a \$35 billion tobacco tax increase to pay for expanded government health care for children. The House has also proposed financing children's health care through higher tobacco taxes and a cut in payments for Medicare Advantage private insurers. President Bush has threatened to veto either version, which he calls a step toward nationalized health care.

Nationwide, the number of cigarettes smoked fell last year to 1,293 per capita from a peak of 2,095 per capita in 1976. The Congressional Budget Office estimates a 10 percent hike in tobacco prices causes smoking to fall 2.5 percent to 5 percent.

U.S. May Require More Details On All Alcoholic Drink Labels

The Treasury Department is considering a new rule that would require new details on all alcoholic drink packaging, including alcohol content and serving size, along with nutritional information such as calories, carbohydrates, fat and protein.

Currently, labels on all liquor and wine with more than 14 percent alcohol must disclose alcohol content, but that information is not required for beer. For a beer to be labeled "light," however, the label must show calories and alcohol content.

The new labels won't be coming anytime soon. Treasury is seeking comments on the proposed rule until October 29 before deciding whether to make the rule final. The rule would become mandatory three years after such a decision.

British Research Says Marijuana Use Raises Potential for Mental Illness

A new report commissioned by the British government found that smoking a single joint of marijuana raises the risk of schizophrenia by more than 40 percent and that taking the drug regularly more than doubles the risk of serious mental illness.

The grim statistics—the latest to link teenage cannabis use with mental illness in later life—come only days after Gordon Brown, the new prime minister, ordered a review of the decision to downgrade marijuana to Class C, the least serious category. According to the *Daily Mail*, the prime minister is said to have a 'personal instinct' that the change should be reversed, with more arrests and stiffer penalties for users.