

# The Elks Government Relations Report

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

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### **Added Support for Families Needed As War in Iraq Enters Fifth Year**

The war in Iraq has now lasted longer than World War II. More than 3,200 Americans have died; 25,000 have been wounded. According to the Congressional Budget Office, the Pentagon is spending about \$200 million a day on the conflict. Repeated tours in the combat zone are putting added pressure on the families at home.

March 19 marked the fourth anniversary of the invasion of Iraq, a war criticized for faulty intelligence, mismanagement and lack of planning. Critics point to the failure to find weapons of mass destruction and inability to foresee the sectarian violence that has ensued. Reports of the lack of body armor and equipment shortages have fueled opposition to the war. The nation is clearly divided on how to end the conflict, a fact reflected in this month's narrow congressional votes—218-212 in the House and 50-48 in the Senate—on setting a timetable to get out.

Care for the wounded is the best in history, and a far greater percentage of U.S. troops are surviving their battlefield injuries than in any previous war. The 14 percent mortality rate for U.S. troops in Iraq and Afghanistan is far lower than the 30 percent seen in World War II and the 24 percent of wounded who died in the Vietnam War.

But this month's press reports of administrative failures, shoddy facilities and inadequate outpatient care at Walter Reed and other military hospitals have outraged Elks, veterans' groups and the public. Various commissions have been appointed to evaluate the problem and to cut the red tape that has ensnared the disabled as they transition from the military to care in Veterans Affairs medical facilities.

The system has become overly bureaucratic and often stymies the best efforts to give wounded soldiers the care they need, said Pete Geren, acting secretary of the Army. "A soldier who fights the battle should not have to come home and fight the battle of bureaucracy," he said.

The grim statistics provide an added incentive for lodges to step up their support for families of reservists and National Guard personnel who have been called to active duty. Troops in the regular Army and other services know that their families have neighbors on post who provide empathy and support, medical care, counseling and easy access to such facilities at the post exchange and the commissary, support system structures not available to most reserve families.

New veterans and their families also need volunteer support. Many soldiers and Marines have received brain injuries from roadside bombs and suffer from post-traumatic stress, a new phenomenon not seen to such an extent in past wars.

Among resources available for lodges is the American Legion's Heroes to Hometown program, which identifies returning service members who need direct assistance in navigating the VA health care system and other day-to-day needs in transitioning to life back home.

## **Bills Seek to Extend Benefits Of IRA Charitable Rollover**

A provision of the tax code, set to expire at the end of the year, lets older taxpayers make donations from their individual retirement account directly to charitable organizations without paying taxes on the withdrawal. Bills introduced in the House and Senate would enhance this provision and make it permanent.

The existing IRA rollover, though limited, has already become a bonanza for some charities. During the first four months the provision was in effect, Americans donated more than \$50 million to nonprofits directly from IRA distributions.

Current law requires taxpayers to withdraw money from their IRAs when they reach the age of 70 ½. The withdrawals are included in the taxpayers' adjusted gross income, and taxpayers pay taxes on them. But, with the charitable rollover, donations can be made directly to a public charity without counting the distributions as part of their AGI and, consequently, without paying taxes on them.

Pending bills (H.R. 1419 and S. 819) would remove the current \$100,000 annual limit on donations, make all charities eligible to receive gifts and provide IRA owners with a planned giving option starting at age 59 ½.

## **Roll Call in House Could Get Confusing**

Delivering the mail or calling the roll can be challenging in the U.S. House of Representatives. One would think the place is full of relatives.

There are the Sanchez sisters, Linda and Loretta, both from California, and Lincoln and Mario Diaz-Balart, brothers from Florida. Mark Udall of Colorado and Tom Udall of New Mexico are cousins. And there are similar surnames—Frank and Franks, Price and Pryce, Boyd and Boyda—plus pairs of Bradys, Browns, Halls, McCarthys, Moores, Morans, Ryans, Thompsons and Youngs.

There are eight House Members named Davis—Artur of Alabama, Danny of Illinois, David of Tennessee, Geoff of Kentucky, Jo Ann of Virginia, Lincoln of Tennessee, Susan of California and Thomas of Virginia. Five answer to Miller—Brad of North Carolina, Candice of Michigan, Gary and George of California and Jeff of Florida. There are four Smiths—Adam of Washington, Adrian of Nebraska, Christopher of New Jersey and Lamar of Texas—and four Johnsons—Eddie Bernice and Sam Houston of Texas, Hank of Georgia and Timothy of Illinois.

The House includes three Bishops—Rob of Utah, Sanford of Georgia and Timothy of New York; three Murphys—Christopher of Connecticut, and Patrick and Tim of Pennsylvania; three Lewises—Jerry of California, John of Georgia and Ron of Kentucky, and three Wilsons—Charles of Ohio, Heather of New Mexico and Joe of South Carolina. There are also three Members named Rogers—Harold of Kentucky, plus Mike from Alabama and Mike from Michigan.

## **Restaurant Smoking Ban Passes Both Maryland Houses**

The Maryland Legislature overwhelmingly passed bills that ban smoking in bars and restaurants throughout the state. The Senate version includes an exemption for private, nonprofit clubs and fraternal groups, a provision lobbied successfully by the Elks. Bar and restaurant owners kept the provision out of the House bill, saying such an exemption would give nonprofits an unfair advantage.

Both versions include provisions to allow counties to implement stricter bans than the state imposes, and both bills allow businesses to seek hardship exemptions.

The Governor says he will sign whatever bill emerges.

## **New Gulf Coast Lodges Emerging After Hurricanes**

Elks in Ocean Springs, Miss., have a green light to build a new lodge slightly south of their old location. The county board of supervisors unanimously overturned a planning commission ruling denying them an exemption to build in a residential zone.

After Hurricane Katrina leveled their building, the Ocean Springs Elks purchased three additional lots in the area, bringing their holdings to nine contiguous lots including the lot where the original lodge stood. Costs would have been greater if they had been forced to build some 20 feet about ground on their original footprint. In the new location, with a five-foot elevation, they are building a new 10,000 square-foot lodge, at a lower cost and three times the size of their original plan.

Three other lodges on the Mississippi Gulf Coast also felt the brunt of Katrina. Elks in Pascagoula and Biloxi were able to restore their heavily damaged buildings. Gulfport Elks, whose lodge was totally destroyed by the storm surge, purchased a new building about two miles inland and have put their beachfront property up for sale.

Meanwhile, Elks Lodge 497 in Pensacola Beach, Fla., this month dedicated a new building, which is being called “the most hurricane-proof on the beach.” The new lodge is adjacent to the site of the original building, which was destroyed by Hurricane Ivan in September 2004. The new facility stands 18 feet above sea level and is made of preformed concrete to withstand Category 5 winds.

## **Bill Calls for Dignity For Wounded Warriors**

A bill introduced by Sen. Barack Obama (D-IL) calls for dignity for wounded warriors, setting out minimum living standards for patient housing, including on site crisis counselors and emergency medical technicians.

Thirty senators have signed onto S.713, which also calls for streamlining the physical disability and evaluation system and Federal job protection for spouses or parents who leave their jobs to help wounded service members recover.

## **Dealers Using Candy-Flavored Meth As New Way To Target Youth Market**

Reports of candy-flavored methamphetamine are emerging around the nation, stirring concern among police and abuse prevention experts that drug dealers are finding new ways to market the drug to young people.

Drug traffickers are trying to lure in new customers, no matter what their age, by making the meth seem less dangerous. The flavored crystals are available in California, Nevada, Washington, Idaho, Texas, New Mexico, Missouri and Minnesota, according to intelligence gathered by Drug Enforcement Administration agents from informants, users, local police and drug counselors.

The number of people 12 and older who used methamphetamine for the first time in the previous year decreased from 318,000 people in 2004 to 192,000 people in 2005, according the National Survey on Drug Use and Health by the Substance Abuse and Mental Health Services Administration.

As methamphetamine's popularity has waned, drug dealers are creating new ways to market it. Among the new flavors are chocolate, strawberry, cola and other sodas. "Strawberry Quick," a red methamphetamine marketed as a powdered form of an energy drink, is popular among new users who snort it because the flavoring can cut down on the taste. Teenagers who have been taught that meth is bad may see this flavored version as less harmful.

## **Prizes Await Innovative Programs To Improve Life for Military Families**

Is the "Army of Hope" active in your community? Has your lodge come up with unique ideas for helping military families?

If so, you might be eligible for a big prize and national recognition by the Department of Defense, the media and many non-governmental organizations.

Newman's Own Award, sponsored by Newman's Own products, Fisher House Foundation and Military Times Media Group, is offering \$75,000 in grants to volunteer organizations for developing the most innovative programs to improve the quality of life and support of military families.

The submission judged to be the most outstanding will receive a \$15,000 grant, and the remaining \$60,000 will be apportioned to other competing organizations. Applications must be postmarked by May 19, 2007. For more information, send an e-mail to [info@fisherhouse.org](mailto:info@fisherhouse.org) or call (800) 294.8560.