



Legislative Bulletin.....July 8, 2014

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**H. R. 1528 – Veterinary Medicine Mobility Act
(Rep. Schrader, D-OK)**

Order of Business: [H.R. 1528](#) is scheduled to be considered on July 8, 2014, under a motion to suspend the rules and pass the bill, which requires a two-thirds majority for passage.

Summary: This bill amends the Controlled Substances Act to add a clarification for veterinarians who have registered with the Drug Enforcement Administration. A new section allows veterinarians to transport and dispense controlled substances at a site other than their registered place of practice without having to obtain separate registrations for each activity.

Additional Background: The current interpretation of the [Controlled Substances Act](#) by the Drug Enforcement Administration (DEA) questions whether it is legal to allow registrants to transport and distribute controlled substances outside of their registered location. This interpretation uniquely affects veterinarians since their practice often requires them to provide mobile services or house calls. This is particularly common in rural areas where it is not feasible for owners to bring large livestock to a veterinary practice. The DEA has indicated a statutory change would be required to allow veterinarians to provide this type of care.

Read the committee report [here](#).

Committee Action: This bill was introduced by Representative Schrader on April 13, 2013 and referred to the Committee on Energy and Commerce, and the Committee on the Judiciary. On February 27, 2014, the Subcommittee on Health met in [markup](#) and approved H.R. 1528, Veterinary Medicine Mobility Act of 2014 for full Committee consideration, as amended, by a voice vote. On April 3, 2014, the Energy and Commerce Committee met in [markup](#) and approved H.R. 1528, as amended, by unanimous consent.

Outside Groups:

[American Veterinary Medical Association](#)

Administration Position: No Statement of Administration Policy is available at this time.

Cost to Taxpayers: [CBO](#) expects that implementing H.R. 1528 would not change the number of registrations by veterinarians or significantly affect spending by the Department of Justice. Enacting the bill would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: H.R. 1528 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

Does the Bill Contain Any Federal Encroachment into State or Local Authority in Potential Violation of the 10th Amendment?: No.

Does the Bill Delegate Any Legislative Authority to the Executive Branch?: No.

Does the Bill Contain Any Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: In compliance with clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives, the Committee finds that H.R. 1528 contains no earmarks, limited tax benefits, or limited tariff benefits.

Constitutional Authority: According to the sponsor, “This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.” Read the statement [here](#).

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**H. R. 4653 – United States Commission on International Religious Freedom
Reauthorization Act of 2014.
(Rep. Wolf, R-VA)**

Order of Business: The bill is scheduled to be considered on July 8, 2014, under a motion to suspend the rules and pass the bill, which requires a two-thirds majority for passage.

Summary: [H. R. 4653](#) amends the [International Religious Freedom Act of 1998](#) (H. R. 2431) by reauthorizing the U.S. Commission on International Religious Freedom through FY 2019.

Section 2 of the bill removes the authority under which a Commission member may serve after that member's term has expired. The section stipulates that the President and Members of Congress are encouraged to appoint members of the Commission within 90 days of a vacancy on the Commission. Section 3 would require the Secretary of State to receive assistance from the U.S. Commission on International Religious Freedom in implementing training for Foreign Service officers pertaining to the role of religious freedom in U.S. foreign policy. Section 4 encourages the Department of State to allow Commission members and staff with the appropriate clearance to access classified information. Section 6 of the bill revises restriction on the Commission to allow the sponsoring of private parties to provide compensation and benefits to interns, fellows, and volunteers.

Additional Information: The [U.S. Commission on International Religious Freedom](#) was created by Congress after the enactment of the International Religious Freedom Act of 1998. The Commission was established as a bipartisan, independent, federal government entity, which monitors the status of freedom of religion or belief abroad and provides policy recommendations to the President, the Secretary of State, and Congress. Those recommendations are formally presented in its [annual report](#). The Commission's members are appointed by the leadership in both houses and by the President. More information on the U.S. Commission on International Religious Freedom can be found [here](#).

Committee Action: H. R. 4653 was introduced on May 9, 2014 and was referred to the House Foreign Affairs Committee. The bill was marked up on June 26, 2014 and was amended and reported out by Unanimous Consent.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: The Congressional Budget Office (CBO) estimates that implementing the legislation would cost \$15 million over the 2015-2019 period. The CBO estimate for H. R. 4653 can be found [here](#). CBO also estimates that implementing Section 3 of the bill which mandates that Foreign Service officers receive additional training on religious freedom would have minimal costs.

Does the Bill Expand the Size and Scope of the Federal Government?: No

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

Constitutional Authority: Congress has the power to enact this legislation pursuant to the following: The constitutional authority on which this bill rests is Article I, Section 8 of the United States Constitution.

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**H. Res. 588 – Concerning the suspension of exit permit issuance by the Government of the Democratic Republic of Congo for adopted Congolese children seeking to depart the country with their adoptive parents.
(Rep. Peterson, D-MN)**

Order of Business: The bill is scheduled to be considered on July 8, 2014, under a motion to suspend the rules and pass the bill, which requires a two-thirds majority for passage.

Summary: [H. Res. 588](#) expresses concern over the impact on children and families caused by the current suspension of exit permit issuance within the Democratic Republic of Congo. The resolution requests that the Congolese Government:

- Resume the processing adoption cases and issuing exit permits via the Ministry of Gender and Family's Interministerial Adoption Committee,
- Prioritize the processing of adoptions which were initiated before the suspension,
- Expedite the processing of those adoptions which involve medically fragile children.

The resolution also encourages continued dialogue and cooperation between the United States Department of State and the Democratic Republic of the Congo's Ministry of Foreign Affairs to improve the intercountry adoption process and ensure the welfare of all children adopted from the Democratic Republic of Congo.

Additional Information: According to the United Nations Children's Fund (UNICEF), over 4,000,000 orphans are estimated to be living in the Democratic Republic of Congo, a country recovering from half a decade of internal conflict that resulted in the deaths of over 2 million people. According to the resolution, the United States has provided an estimated \$274,000,000 bilateral aid to the Democratic Republic of Congo in fiscal year 2013 and an additional \$165,000,000 in emergency humanitarian assistance in response. On September 27, 2013, the

Congolese Ministry of Interior and Security, General Direction of Migration informed the United States Embassy in Kinshasa that effective September 25, 2013, exit permits to adopted Congolese children seeking to depart the country with their adoptive parents were suspended, thus impacting U.S. families seeking to adopt Congolese children that already finalized paperwork and exit visas.

Committee Action: The resolution was introduced on May 19, 2014 and was referred to the House Committee on Foreign Affairs. On June 26, 2014, the resolution was amended and ordered out of committee by Unanimous Consent.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: No Congressional Budget Office cost estimate is available.

Does the Bill Expand the Size and Scope of the Federal Government?: No

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: House Rules do not require constitutional authority statements for resolutions.

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H. R. 3488 – The Preclearance Authorization Act of 2014. (Rep. Meehan, R-PA)

Order of Business: The bill is scheduled to be considered on July 8, 2014, under a motion to suspend the rules and pass the bill, which requires a two-thirds majority for passage.

Summary: [H. R. 3488](#) authorizes the Secretary of Homeland Security to establish Customs and Border Protection (CBP) preclearance or inspection stations in foreign countries. Section 3 of the bill would authorize the Department of Homeland Security to establish preclearance operations in order to:

- Prevent terrorists, instruments of terrorism, and other security threats from entering the United States,
- Prevent inadmissible persons from entering the United States,

- Ensure merchandise destined for the United States complies with applicable laws, and
- Ensure the prompt processing of persons eligible to travel to the United States.

Section 4 of the legislation requires the Secretary of Homeland Security to notify Congress 180 days before entering into an agreement with a foreign government to establish a preclearance operation. The Secretary would be required to submit:

- A copy of the proposed agreement specifying date, location, and funding sources,
- An impact assessment on legitimate trade and travel,
- A homeland security threat assessment at the proposed preclearance location,
- An impact assessment for Customs and Border Protection staffing at domestic ports of entry,
- Information on potential economic, competitive, and job impacts on United States air carriers associated with establishing preclearance operations,
- Information on the anticipated homeland security benefits, in addition to potential security vulnerabilities and mitigation plans,
- Customs and Border Protection's staffing model for preclearance operations, including anticipated costs for the next five fiscal years,
- A copy of the agreement, and other factors the Secretary determines to be necessary for Congress to assess the appropriateness of commencing the preclearance facility.

The section would also require the Secretary of Homeland Security to report to Congress 90 days before entering into an agreement with a foreign government to establish a preclearance operation and certify: (1) that at least one United States passenger carrier operates at that location, (2) that foreign government screening procedures meet or exceed United States screening requirements, (3) that the Secretary of Homeland Security has considered alternative options to preclearance operations, (4) that new airport preclearance operations will not increase customs processing times at United States airports, and (5) that CBP consulted interested parties and stakeholders before entering into an agreement.

Section 5 mandates that the aviation security screening standards at a preclearance location be comparable to that required by the Transportation Security Administration (TSA), and requires rescreening of passengers and property by the TSA in the United States if the aviation security screening standards at a preclearance location are not maintained to TSA standards.

Additional Information: The House report accompanying H. R. 3488 can be found [here](#). According to the House Committee on Homeland Security, several preclearance stations have already been established in locations such as Canada, Ireland and the Caribbean, which serve to

ease travel congestion and provide a significant homeland security benefit. However, the House Committee on Homeland Security expressed concerns at the failure of the Secretary of Homeland Security to notify Congress about negotiations with the United Arab Emirates to establish preclearance operations at Abu Dhabi International Airport which prompted the Committee to include several reporting requirements and certifications in the legislation.

Committee Action: The legislation was introduced on November 14, 2013 and was referred to the House Committee on Homeland Security and the House Ways and Means Committee. The bill was then reported and amended by the House Committee on Homeland Security on June 3, 2014.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: The Congressional Budget Office (CBO) estimates that implementing the bill would not significantly affect Customs and Border Protection (CBP) agency spending given that the CBP anticipates opening new preclearance stations over the next several years and can do so under current law. CBO also expects that implementing the bill's requirements related to aviation security would not significantly affect federal costs. Enacting the legislation would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. The CBO estimate can be found [here](#).

Does the Bill Expand the Size and Scope of the Federal Government?: No

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

Constitutional Authority: Congress has the power to enact this legislation pursuant to the following: Article I, section 8, clause 1; and Article I, section 8, clause 18 of the Constitution of the United States

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**H. R. 4007 – The Chemical Facility Anti-Terrorism Standards Program
Authorization and Accountability Act of 2014.
(Rep. Meehan, R-PA)**

Order of Business: The bill is scheduled to be considered on July 8, 2014, under a motion to suspend the rules and pass the bill, which requires a two-thirds majority for passage.

Summary: [H. R. 4007](#) would reestablish the [Chemical Facility Anti-Terrorism Standards](#) (CFATS) program for three years by allowing the Department of Homeland Security to regulate and oversee security procedures and requirements at certain chemical facilities in the United States. Section 2 of the legislation mandates that the Secretary of Homeland Security establish risk-based performance standards to protect covered chemical facilities from acts of terrorism and would require covered facilities to submit to the Department of Homeland Security vulnerability assessments, and assist in developing and implementing site security plans. These plans would include a layered security approach to address the security vulnerability assessment and risk-based performance standards for the facility. Once submitted, the Secretary of Homeland Security would then evaluate and approve the plan. Section 2 also provides that civil penalties may be assessed against a person who fails to comply with this Act.

The bill would also mandate that the Department of Homeland Security publish on the Internet website of the Department and in other materials made available to the public the whistleblower protections that an individual providing such information would have.

H. R. 4007 would also require the Secretary of Homeland Security to consult with the heads of other Federal agencies, states and political subdivisions, and relevant business associations to identify all chemical facilities of interest. The bill would also mandate a report from the Government Accountability Office semiannually to Congress containing an assessment from the Comptroller General on the implementation of the Act.

Additional Information: The House report (H. Rept. 113-491) accompanying the legislation can be found [here](#). A list of types of facilities covered under the program can be found [here](#).

Committee Action: The bill was introduced on February 6, 2014 and was referred to the House Committee on Homeland Security and the House Committee on Energy and Commerce. The bill was reported out and amended by the House Committee on Homeland Security on June 23, 2014.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: H. R. 4007 would authorize appropriations of around \$87 million annually for the Chemical Facility Anti-Terrorism Standards (CFATS) program over the 2015-2017 period. That program received \$81 million in 2014. Based on the proposed authorization level for the 2015-2017 period and adjusting for inflation, the Congressional Budget Office (CBO) estimates that the continued implementation of CFATS would require appropriations of \$90 million in 2018 and \$93 million in 2019. Assuming appropriation of the authorized and estimated amounts, CBO estimates that implementing H.R. 4007 would cost \$427 million over the 2015-2019 period. Enacting H. R. 4007 could result in the collection of additional civil penalties, which are recorded as revenues and deposited in the Treasury; therefore, pay-as-you-go procedures apply. However, the Congressional Budget Office estimates that such collections would be insignificant. Enacting the bill would not affect direct spending. The CBO estimate can be found [here](#).

Does the Bill Expand the Size and Scope of the Federal Government?: No

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: H.R. 4007 would extend intergovernmental and private-sector mandates, as defined in the Unfunded Mandates Reform Act (UMRA), on owners and operators of public and private facilities where certain chemicals are present. Current law requires owners and operators to assess the vulnerability of their facilities to a terrorist incident and to prepare and implement facility security plans. This bill would make permanent the authority for the Department of Homeland Security to regulate those facilities by establishing minimum standards to protect facilities from acts of terrorism and other security risks. Because public and private entities already meet the requirements of similar regulations, CBO estimates that the aggregate additional costs to comply with the mandates would be small and would fall below the annual thresholds established in UMRA for intergovernmental and private-sector mandates.

Constitutional Authority: Congress has the power to enact this legislation pursuant to the following: Article I, section 8, clause 1; and Article I, section 8, clause 18 of the Constitution of the United States

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H. R. 4263 –The Social Media Working Group Act of 2014. (Rep. Brooks, R-IN)

Order of Business: The bill is scheduled to be considered on July 8, 2014, under a motion to suspend the rules and pass the bill, which requires a two-thirds majority for passage.

Summary: [H. R. 4263](#) authorizes the Department of Homeland Security to establish a social media working group in order to provide guidance and best practices to the emergency preparedness and response community on the use of social media technologies before, during, and after a terrorist attack or other emergency. The Under Secretary of Homeland Security for Science and Technology would Chair the working group while a representative from a State or local government entity would serve as co-chair of the group. The working group would be exempt from the [Federal Advisory Committee Act](#) and would be authorized to hold virtual meetings to fulfill the requirement to meet twice a year.

The legislation would also mandate that the working group submit to Congress not later than March 30th of each year, a report that focuses on the best practices and lessons learned on the use of social media during recent response efforts, and that provides recommendations on how to improve information sharing and the use of social media by the Department of Homeland Security. The report would include a review of current and emerging social media technologies being used to support emergency preparedness.

Additional Information: The report (H. Rept. 113-480) accompanying H. R. 4263 can be found [here](#). A September 2013 Department of Homeland Security Inspector General report on the Department's use of social media can be found [here](#).

Committee Action: The bill was introduced on March 14, 2014 and was referred to the House Committee on Homeland Security. On June 19, 2014, the bill was amended and reported out.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: Based on the cost of similar activities carried out under [the Department of Homeland Security Acquisition and Accountability Efficiency Act](#) and the [Critical Infrastructure Research and Development Advancement Act of 2013](#), the Congressional Budget Office (CBO) estimates that the new Department of Homeland Security responsibilities and the annual report required by H. R. 4263 would cost a total of less than \$500,000 annually, assuming the availability of appropriated funds. Enacting the legislation would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. The CBO estimate can be found [here](#).

Does the Bill Expand the Size and Scope of the Federal Government?: No

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: H.R. 4263 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

Constitutional Authority: Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States

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H. R. 4812 – The Honor Flight Act (Rep. Richmond, D-LA)

Order of Business: The bill is scheduled to be considered on July 8, 2014, under a motion to suspend the rules and pass the bill, which requires a two-thirds majority for passage.

Summary: [H. R. 4812](#) amends [title 49, United States Code](#), by requiring the Administrator of the Transportation Security Administration to establish in collaboration with the [Honor Flight Network](#) and other such organizations, a process for providing expedited and dignified passenger

screening services for veterans traveling on an Honor Flight Network private charter, or any other not-for-profit organization that honors veterans, to visit war memorials built and dedicated to honor the service of veterans.

Additional Information: The Honor Flight Network is a not-for-profit organization dedicated to transporting United States military veterans to visit the memorials of their respective wars in Washington D.C. According to the organization, Honor Flight transported more than 98,500 veterans to Washington, D.C. by the end of 2012. More information on the Honor Flight Network can be found [here](#).

Committee Action: The bill was introduced on June 9, 2014 and was referred to the House Committee on Homeland Security. On July 3, 2014, the bill was reported out.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: The Congressional Budget Office (CBO) estimates that any increased costs to the Transportation Security Administration under H. R. 4812 would be negligible, particularly because of the relatively small number of veterans who would qualify for expedited screening under the bill. Any such spending would be subject to the availability of appropriated funds. H. R. 4812 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. The CBO estimate can be found [here](#).

Does the Bill Expand the Size and Scope of the Federal Government?: No

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: H.R. 4812 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

Constitutional Authority: The constitutional authority statement is unavailable.

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**H. R. 4289 – The Department of Homeland Security Interoperable
Communications Act.
(Rep. Payne, D-NJ)**

Order of Business: The bill is scheduled to be considered on July 8, 2014, under a motion to suspend the rules and pass the bill, which requires a two-thirds majority for passage.

Summary: [H. R. 4289](#) would require that the Under Secretary of Homeland Security for Management to develop policies and directives to achieve and maintain interoperable communications among the components of the Department of Homeland Security. Section 3 of the bill would require the Department to submit to Congress within 120 days of the enactment of the legislation, a strategy for achieving and maintaining interoperable communications that would include:

- Information on efforts and activities, including current and planned policies and directives, and training to achieve and maintain interoperable communications among the components of the Department;
- An assessment on the adequacy of mechanisms available to the Under Secretary for Management to enforce the directives;
- The total amount of funding expended by the Department since November 1, 2012, and projected future expenditures, to achieve interoperable communications; and
- Dates upon which Department-wide interoperability is projected to be achieved.

Section 4 would mandate that the Department submit to Congress within 220 days of the enactment of the bill and biannually thereafter, a report on the implementation of these efforts.

Additional Information: The House report (H. Rept. 113-484) accompanying H. R. 4289 can be found [here](#). The House Committee on Homeland Security held a [hearing](#) on June 18, 2014 on the critical role of first responders, which discussed issues pertaining to this legislation.

Committee Action: The bill was introduced on March 24, 2014 and was referred to the House Committee on Homeland Security. On June 19, 2014, the bill was reported out.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: The Congressional Budget Office (CBO) estimates that implementing the bill would not significantly affect spending by the Department of Homeland Security in any year. Enacting the legislation would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. The CBO estimate can be found [here](#).

Does the Bill Expand the Size and Scope of the Federal Government?: No

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: H. R. 4289 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

Constitutional Authority: Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 3 of the Constitution; the Congress shall have Power . . .

to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

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