

Monday, November 26, 2018

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S7073–S7101

Measures Introduced: Three bills and three resolutions were introduced, as follows: S. 6, 3656–3657, and S. Res. 704–706. **Page S7088**

Measures Reported:

S. 2166, to maintain annual base funding for the Upper Colorado and San Juan fish recovery programs through fiscal year 2023, to require a report on the implementation of those programs, with an amendment in the nature of a substitute. (S. Rept. No. 115–374)

S. 2870, to authorize the Secretary of the Interior to conduct a special resource study of the site known as “Amache” in the State of Colorado. (S. Rept. No. 115–375)

S. 3245, to require the Secretary of Agriculture to transfer certain National Forest System land in the State of Texas, with an amendment. (S. Rept. No. 115–376)

H.R. 1967, to amend the Reclamation Project Act of 1939 to authorize pumped storage hydro-power development utilizing multiple Bureau of Reclamation reservoirs, with an amendment in the nature of a substitute. (S. Rept. No. 115–377)

H.R. 5979, to establish the Mill Springs Battlefield National Monument in the State of Kentucky as a unit of the National Park System, with an amendment in the nature of a substitute. (S. Rept. No. 115–378)

Report to accompany S. 1934, to prevent catastrophic failure or shutdown of remote diesel power engines due to emission control devices. (S. Rept. No. 115–379)

S. 2397, to direct the Secretary of Homeland Security to establish a data framework to provide access for appropriate personnel to law enforcement and other information of the Department, with an amendment in the nature of a substitute. (S. Rept. No. 115–380)

S. 3137, to provide for reforming agencies of the Federal Government to improve efficiency and effectiveness, with amendments. (S. Rept. No. 115–381)

S. 3208, to provide agencies with discretion in securing information technology and information systems, with an amendment in the nature of a substitute. (S. Rept. No. 115–382)

S. 3251, to require executive agencies to consider rental in any analysis for equipment acquisition. (S. Rept. No. 115–383)

S. 3405, to reauthorize the Chemical Facility Anti-Terrorism Standards Program of the Department of Homeland Security, with an amendment in the nature of a substitute. (S. Rept. No. 115–384)

S. 3437, to establish a Federal rotational cyber workforce program for the Federal cyber workforce, with an amendment in the nature of a substitute. (S. Rept. No. 115–385)

S. 3487, to amend the Presidential Transition Act of 1963 to improve the orderly transfer of the executive power during Presidential transitions, with amendments. (S. Rept. No. 115–386)

H.R. 1132, to amend title 5, United States Code, to provide for a 2-year prohibition on employment in a career civil service position for any former political appointee, with an amendment in the nature of a substitute. (S. Rept. No. 115–387)

S. 3085, to establish a Federal Acquisition Security Council and to provide executive agencies with authorities relating to mitigating supply chain risks in the procurement of information technology, with an amendment in the nature of a substitute.

Pages S7087–88

Measures Passed:

National Native American Heritage Month: Committee on Indian Affairs was discharged from further consideration of S. Res. 702, recognizing National Native American Heritage Month and celebrating the heritages and cultures of Native Americans and the contributions of Native Americans to the United States, and the resolution was then agreed to. **Page S7099**

Congratulating the Boston Red Sox: Committee on Commerce, Science, and Transportation was discharged from further consideration of S. Res. 687, congratulating the Boston Red Sox on winning the 2018 World Series, and the resolution was then agreed to. **Page S7099**

National Adoption Day and National Adoption Month: Senate agreed to S. Res. 704, expressing support for the goals of National Adoption Day and National Adoption Month by promoting national awareness of adoption and the children awaiting families, celebrating children and families involved in adoption, and encouraging the people of the

United States to secure safety, permanency, and well-being for all children. **Pages S7099–S7100**

National Phenylketonuria Awareness Day: Senate agreed to S. Res. 705, designating December 3, 2018, as “National Phenylketonuria Awareness Day”. **Pages S7099–S7100**

Authorizing Legal Representation: Senate agreed to S. Res. 706, to authorize representation by the Senate Legal Counsel in the case of *Jacob R. Kent, et al., v. R.L. Vallee, Inc., et al.* **Pages S7099–S7100**

Vaden Nomination—Agreement: Senate resumed consideration of the nomination of Stephen Alexander Vaden, of Tennessee, to be General Counsel of the Department of Agriculture. **Pages S7073–78**

During consideration of this nomination today, Senate also took the following action:

By 49 yeas to 45 nays (Vote No. 245), Senate agreed to the motion to close further debate on the nomination. **Page S7078**

A unanimous-consent agreement was reached providing that all post-cloture time on the nomination be considered expired at 12:15 p.m., on Tuesday, November 27, 2018. **Page S7100**

A unanimous-consent agreement was reached providing for further consideration of the nomination, post-cloture, at approximately 10 a.m., on Tuesday, November 27, 2018. **Page S7100**

Nominations Received: Senate received the following nominations:

44 Air Force nominations in the rank of general.
1 Army nomination in the rank of general.
1 Marine Corps nomination in the rank of general.
Routine lists in the Air Force, Army, Coast Guard, and Foreign Service. **Pages S7100–01**

Messages from the House: **Pages S7082–83**

Measures Referred: **Page S7083**

Measures Placed on the Calendar: **Pages S7083, S7099**

Executive Communications: **Pages S7083–87**

Additional Cosponsors: **Pages S7088–89**

Statements on Introduced Bills/Resolutions: **Pages S7089–91**

Additional Statements: **Page S7082**

Record Votes: One record vote was taken today. (Total—245) **Page S7078**

Adjournment: Senate convened at 3 p.m. and adjourned at 6:24 p.m., until 10 a.m. on Tuesday, November 27, 2018. (For Senate’s program, see the remarks of the Majority Leader in today’s Record on page S7100.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. The House is scheduled to meet at 12 noon on Tuesday, November 27, 2018.

Committee Meetings

No hearings were held.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D1166)

H.R. 3359, to amend the Homeland Security Act of 2002 to authorize the Cybersecurity and Infrastructure Security Agency of the Department of

Homeland Security. Signed on November 16, 2018. (Public Law 115–278)

H.R. 2615, to authorize the exchange of certain land located in Gulf Islands National Seashore, Jackson County, Mississippi, between the National Park Service and the Veterans of Foreign Wars. Signed on November 20, 2018. (Public Law 115–279)

COMMITTEE MEETINGS FOR TUESDAY, NOVEMBER 27, 2018

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: to hold hearings to examine the findings and recommendations of the Commission on the National Defense Strategy, 9:30 a.m., SD–G50.

Subcommittee on SeaPower, to hold hearings to examine Navy shipbuilding programs, 2:30 p.m., SR–220.

Committee on Commerce, Science, and Transportation: Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security, to hold an oversight hearing to examine the Federal Trade Commission, 2:30 p.m., SR-253.

Committee on Energy and Natural Resources: business meeting to consider the nominations of Rita Baranwal, of Pennsylvania, to be an Assistant Secretary of Energy (Nuclear Energy), Bernard L. McNamee, of Virginia, to be a Member of the Federal Energy Regulatory Commission, and Raymond David Vela, of Texas, to be Director of the National Park Service, Department of the Interior, 10 a.m., SD-366.

Committee on Foreign Relations: Subcommittee on Multilateral International Development, Multilateral Institutions, and International Economic, Energy, and Environmental Policy, to hold hearings to examine multilateral economic institutions and United States foreign policy, 2:30 p.m., SD-419.

Select Committee on Intelligence: to receive a closed briefing on certain intelligence matters, 2:30 p.m., SH-219.

House

No hearings are scheduled.

Joint Meetings

Joint Select Committee on Budget and Appropriations Process Reform: business meeting to continue to markup the Committee's report, recommendations, and legislative language, 2 p.m., 1334, Longworth Building.

CONGRESSIONAL PROGRAM AHEAD

Week of November 27 through November 30,
2018

Senate Chamber

On Tuesday, Senate will continue consideration of the nomination of Stephen Alexander Vaden, of Tennessee, to be General Counsel of the Department of Agriculture, post-cloture, and vote on confirmation of the nomination at 12:15 p.m.

Following disposition of the nomination of Stephen Alexander Vaden, Senate will vote on the motion to invoke cloture on the nomination of Karen Dunn Kelley, of Pennsylvania, to be Deputy Secretary of Commerce.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Agriculture, Nutrition, and Forestry: November 28, to hold hearings to examine the nominations of Mindy Brashears, of Texas, to be Under Secretary for Food Safety, Naomi C. Earp, of Maryland, to be an Assistant Secretary, and Scott Hutchins, of Indiana, to be Under Secretary for Research, Education, and Economics,

all of the Department of Agriculture, 9:30 a.m., SR-328A.

Committee on Armed Services: November 27, to hold hearings to examine the findings and recommendations of the Commission on the National Defense Strategy, 9:30 a.m., SD-G50.

November 27, Subcommittee on SeaPower, to hold hearings to examine Navy shipbuilding programs, 2:30 p.m., SR-220.

November 28, Subcommittee on Cybersecurity, to hold closed hearings to examine Cyber Command's relationship with the National Security Agency, 2:30 p.m., SVC-217.

November 29, Full Committee, to hold hearings to examine the nominations of Thomas McCaffery, of California, to be an Assistant Secretary of Defense, and William Bookless, of California, to be Principal Deputy Administrator, National Nuclear Security Administration, Department of Energy, 9:30 a.m., SD-G50.

Committee on Banking, Housing, and Urban Affairs: November 29, to hold hearings to examine combating money laundering and other forms of illicit finance, focusing on regulator and law enforcement perspectives on reform, 10 a.m., SD-538.

Committee on Commerce, Science, and Transportation: November 27, Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security, to hold an oversight hearing to examine the Federal Trade Commission, 2:30 p.m., SR-253.

Committee on Energy and Natural Resources: November 27, business meeting to consider the nominations of Rita Baranwal, of Pennsylvania, to be an Assistant Secretary of Energy (Nuclear Energy), Bernard L. McNamee, of Virginia, to be a Member of the Federal Energy Regulatory Commission, and Raymond David Vela, of Texas, to be Director of the National Park Service, Department of the Interior, 10 a.m., SD-366.

November 29, Subcommittee on Energy, to hold hearings to examine S. 1089, to require the Secretary of Energy to review and update a report on the energy and environmental benefits of the re-refining of used lubricating oil, S. 1713, to require certain financial assistance under the State energy program and the Weatherization Assistance Program to be distributed without undue delay to support State and local high-impact energy efficiency and renewable energy initiatives, S. 1875, to move the United States toward greater energy independence and security, to increase the flexibility, efficiency, and reliability of the electric grid, to increase the competitiveness of the United States economy, to protect consumers, and to improve the energy performance of the Federal Government, S. 2257, to establish the IMPACT for Energy Foundation, S. 2803, to amend the Energy Policy Act of 2005 to improve the conversion, use, and storage of carbon dioxide produced from fossil fuels, S. 2968, to amend the Energy Reorganization Act of 1974 to clarify whistleblower rights and protections, S. 3088, to amend the Energy Policy Act of 2005 to require the Secretary of Energy to establish a program to prepare veterans for careers in the energy industry, including the solar, wind, cybersecurity, and other low-carbon emissions sectors or zero-

emissions sectors of the energy industry, S. 3295, to improve energy performance in Federal buildings, S. 3376, to require the Secretary of Energy to establish an energy storage research program, a demonstration and deployment program, and a technical assistance and grant program, S. 3422, to direct the Secretary of Energy to establish advanced nuclear goals, provide for a versatile, reactor-based fast neutron source, make available high-assay, low-enriched uranium for research, development, and demonstration of advanced nuclear reactor concepts, S. 3495, to provide certainty with respect to the timing of Department of Energy decisions to approve or deny applications to export natural gas, S. 3618 and H.R. 6511, bills to authorize the Secretary of Energy to carry out a program to lease underutilized Strategic Petroleum Reserve facilities, H.R. 6398, to authorize the Department of Energy to conduct collaborative research with the Department of Veterans Affairs in order to improve healthcare services for veterans in the United States, and an original bill entitled, "Enhancing State Energy Security Planning and Emergency Preparedness Act", 10 a.m., SD-366.

Committee on Environment and Public Works: November 28, to hold hearings to examine addressing America's surface transportation infrastructure needs, 9:30 a.m., SD-406.

November 29, Full Committee, to hold hearings to examine the nomination of Alexandra Dapolito Dunn, of Virginia, to be Assistant Administrator for Toxic Substances of the Environmental Protection Agency, 10:30 a.m., SD-406.

Committee on Foreign Relations: November 27, Subcommittee on Multilateral International Development, Multilateral Institutions, and International Economic, Energy, and Environmental Policy, to hold hearings to examine multilateral economic institutions and United States foreign policy, 2:30 p.m., SD-419.

November 28, Full Committee, to hold hearings to examine the global fight to end modern slavery, 9:30 a.m., SD-419.

November 28, Full Committee, business meeting to consider S. 3247, to improve programs and activities relating to women's entrepreneurship and economic empowerment that are carried out by the United States Agency for International Development, S. 3654, to amend the United States International Broadcasting Act of 1994, to avoid the duplication of public diplomacy programs and efforts, to improve the research and evaluation of public diplomacy, S. Res. 562, expressing the sense of the Senate that the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) continues to make an invaluable contribution to United States and international security, 50 years after it opened for signature on July 1, 1968, H.R. 1872, to promote access for United States diplomats and other officials, journalists, and other citizens to Tibetan areas of the People's Republic of China, H.R. 4819, to promote inclusive economic growth through conservation and biodiversity programs that facilitate transboundary cooperation, improve natural resource management, and build local capacity to protect and preserve threatened wildlife species in the greater

Okavango River Basin of southern Africa, H.R. 2646, to reauthorize the United States-Jordan Defense Cooperation Act of 2015, H.R. 4989, to require the Department of State to establish a policy regarding the use of location-tracking consumer devices by employees at diplomatic and consular facilities, and the nominations of Michael T. Harvey, of Texas, to be an Assistant Administrator of the United States Agency for International Development, and Donald Armin Blome, of Illinois, to be Ambassador to the Republic of Tunisia, Craig Lewis Cloud, of Florida, to be Ambassador to the Republic of Botswana, Judith Gail Garber, of Virginia, to be Ambassador to the Republic of Cyprus, Jeffrey Ross Gunter, of California, to be Ambassador to the Republic of Iceland, Dennis B. Hankins, of Minnesota, to be Ambassador to the Republic of Mali, Dennis Walter Hearne, of Virginia, to be Ambassador to the Republic of Mozambique, Simon Henshaw, of Massachusetts, to be Ambassador to the Republic of Guinea, Earle D. Litzenger, of California, to be Ambassador to the Republic of Azerbaijan, Eric George Nelson, of Texas, to be Ambassador to Bosnia and Herzegovina, Michael Peter Pelletier, of Maine, to be Ambassador to the Republic of Madagascar, and to serve concurrently and without additional compensation as Ambassador to the Union of the Comoros, John Mark Pommersheim, of Florida, to be Ambassador to the Republic of Tajikistan, Robert K. Scott, of Maryland, to be Ambassador to the Republic of Malawi, Eric Williams Stromayer, of Virginia, to be Ambassador to the Togolese Republic, Lucy Tamlyn, of New York, to be Ambassador to Central African Republic, and routine lists in the Foreign Service, all of the Department of State, 2 p.m., S-116, Capitol.

November 29, Full Committee, business meeting to consider pending calendar business, 10 a.m., SD-419.

Committee on Health, Education, Labor, and Pensions: November 28, to hold hearings to examine reducing health care costs, focusing on improving affordability through innovation, 9:30 a.m., SD-430.

November 29, Full Committee, business meeting to consider S. 2076, to amend the Public Health Service Act to authorize the expansion of activities related to Alzheimer's disease, cognitive decline, and brain health under the Alzheimer's Disease and Healthy Aging Program, H.R. 315, to amend the Public Health Service Act to distribute maternity care health professionals to health professional shortage areas identified as in need of maternity care health services, S. 3482, to amend the Public Health Service Act to reauthorize the Emergency Medical Services for Children program, S. 3530, to reauthorize the Museum and Library Services Act, an original bill entitled, "Traumatic Brain Injury Program Reauthorization Act of 2018", and the nominations of Erhard R. Chorle, of Illinois, to be a Member of the Railroad Retirement Board, Gordon Hartogensis, of Connecticut, to be Director of the Pension Benefit Guaranty Corporation, Robert L. King, of Kentucky, to be Assistant Secretary of Education for Postsecondary Education, and John P. Pallasch, of Kentucky, to be an Assistant Secretary of Labor, 10:30 a.m., SD-430.

Committee on Homeland Security and Governmental Affairs: November 28, business meeting to consider the nominations of Ronald D. Vitiello, of Illinois, to be an Assistant Secretary of Homeland Security, Richard S. Tischner, of Virginia, to be Director of the Court Services and Offender Supervision Agency for the District of Columbia, and Dennis Dean Kirk, of Virginia, to be Chairman, and Julia Akins Clark, of Maryland, and Andrew F. Manuz, both to be a Member, all of the Merit Systems Protection Board, 10 a.m., SD-342.

Committee on Indian Affairs: November 28, business meeting to consider S. 2788, to repeal the Act entitled “An Act to confer jurisdiction on the State of North Dakota over offenses committed by or against Indians on the Devils Lake Indian Reservation”, S. Res. 444, recognizing the heritage, culture, and contributions of American Indian, Alaska Native, and Native Hawaiian women in the United States, S. Res. 596, recognizing the 29th anniversary of the Tribal Canoe Journey of the Tribal Nations of the Pacific Northwest and congratulating the Puyallup Tribe of Indians for hosting the 2018 Power Paddle to Puyallup, H.R. 2606, to amend the Act of August 4, 1947 (commonly known as the Stigler Act), with respect to restrictions applicable to Indians of the Five Civilized Tribes of Oklahoma, and H.R. 4032, to confirm undocumented Federal rights-of-way or easements on the Gila River Indian Reservation, clarify the northern boundary of the Gila River Indian Community’s Reservation, to take certain land located in Maricopa County and Pinal County, Arizona, into trust for the benefit of the Gila River Indian Community, 2:30 p.m., SD-628.

Committee on the Judiciary: November 28, to hold hearings to examine the nominations of Brian C. Buescher, to be United States District Judge for the District of Nebraska, Clifton L. Corker, to be United States District Judge for the Eastern District of Tennessee, M. Miller Baker, of Virginia, and Timothy M. Reif, of the District of Columbia, both to be a Judge of the United States Court of International Trade, and Donald W. Washington, of Texas, to be Director of the United States Marshals Service, Department of Justice, 10 a.m., SD-226.

November 29, Full Committee, business meeting to consider S. 2432, to amend the charter of the Future Farmers of America, H.R. 4100, to amend title 36, United States Code, to revise the Federal charter for the Foundation of the Federal Bar Association, S. 3339, to amend title 28, United States Code, to permit other courts to transfer certain cases to United States Tax Court, S. 2293, to amend section 214(c)(8) of the Immigration and Nationality Act to modify the data reporting requirements relating to nonimmigrant employees, H.R. 3996, to amend title 28, United States Code, to permit other courts to transfer certain cases to United States Tax Court, and the nominations of Bridget S. Bade, of Arizona, to be United States Circuit Judge for the Ninth Circuit, Eric D. Miller, of Washington, to be United States Circuit Judge for the Ninth Circuit, Eric E. Murphy, of Ohio, to be United States Circuit Judge for the Sixth Circuit, Chad A. Readler, of Ohio, to be United States Circuit Judge for the Sixth Circuit, Allison Jones Rushing, of North Carolina, to be United States Circuit

Judge for the Fourth Circuit, Paul B. Matey, of New Jersey, to be United States Circuit Judge for the Third Circuit, Rossie David Alston, Jr., to be United States District Judge for the Eastern District of Virginia, Thomas P. Barber, to be United States District Judge for the Middle District of Florida, Pamela A. Barker, to be United States District Judge for the Northern District of Ohio, Wendy Williams Berger, to be United States District Judge for the Middle District of Florida, Karin J. Immergut, to be United States District Judge for the District of Oregon, Corey Landon Maze, to be United States District Judge for the Northern District of Alabama, Sarah Daggett Morrison, to be United States District Judge for the Southern District of Ohio, Rodney Smith, to be United States District Judge for the Southern District of Florida, T. Kent Wetherell II, to be United States District Judge for the Northern District of Florida, Jean-Paul Boulee, to be United States District Judge for the Northern District of Georgia, James David Cain, Jr., to be United States District Judge for the Western District of Louisiana, Damon Ray Leichty, to be United States District Judge for the Northern District of Indiana, John M. O’Connor, to be United States District Judge for the Northern, Eastern and Western Districts of Oklahoma, J. Nicholas Ranjan, to be United States District Judge for the Western District of Pennsylvania, John Milton Younge, to be United States District Judge for the Eastern District of Pennsylvania, Richard A. Hertling, of Maryland, to be a Judge of the United States Court of Federal Claims, William H. Pryor, Jr., of Alabama, to be Chair of the United States Sentencing Commission, and Robert S. Brewer, Jr., to be United States Attorney for the Southern District of California, and Nicholas A. Trutanich, of Nevada, to be United States Attorney for the District of Nevada, both of the Department of Justice, 10 a.m., SD-226.

Committee on Rules and Administration: November 28, to hold hearings to examine the nominations of Donald L. Palmer, of Florida, and Benjamin Hovland, of Maryland, both to be a Member of the Election Assistance Commission, 2:30 p.m., SR-301.

Select Committee on Intelligence: November 27, to receive a closed briefing on certain intelligence matters, 2:30 p.m., SH-219.

November 29, Full Committee, to receive a closed briefing on certain intelligence matters, 2 p.m., SH-219.

Special Committee on Aging: November 28, to hold hearings to examine strengthening state efforts to overhaul the guardianship process and protect older Americans, 2:30 p.m., SD-562.

House Committees

Committee on Financial Services, November 28, Subcommittee on Monetary Policy and Trade, hearing entitled “Evaluating the Effectiveness of the International Financial Institutions”, 9:15 a.m., 2128 Rayburn.

Committee on Foreign Affairs, November 29, Subcommittee on the Middle East and North Africa, hearing entitled “U.S. Policy Toward Syria (Part II)”, 2 p.m., 2172 Rayburn.

Committee on Oversight and Government Reform, November 28, Full Committee, hearing entitled “BOP Management of its Female Inmate Population, and Other Challenges”, 1 p.m., 2154 Rayburn.

November 29, Full Committee, hearing entitled, “Evaluating Federal Disaster Response and Recovery Efforts”, 10 a.m., 2154 Rayburn.

Committee on Transportation and Infrastructure, November 29, Subcommittee on Coast Guard and Maritime Transportation, hearing entitled “Review of Recent GAO Reports on Icebreaker Acquisition and the Need for a National Maritime Strategy”, 10 a.m., 2253 Rayburn.

Committee on Veterans’ Affairs, November 29, Subcommittee on Disability Assistance and Memorial Affairs, hearing entitled “VA’s Development and Implementation of Policy Initiatives”, 10:30 a.m., 334 Cannon.

Joint Meetings

Joint Select Committee on Budget and Appropriations Process Reform: November 27, business meeting to continue to markup the Committee’s report, recommendations, and legislative language, 2 p.m., 1334, Longworth Building.

Commission on Security and Cooperation in Europe: November 29, to receive a briefing on how to defeat computational propaganda, 10:30 a.m., SD-562.

Next Meeting of the SENATE

10 a.m., Tuesday, November 27

Next Meeting of the HOUSE OF REPRESENTATIVES

12 noon, Tuesday, November 27

Senate Chamber

Program for Tuesday: Senate will continue consideration of the nomination of Stephen Alexander Vaden, of Tennessee, to be General Counsel of the Department of Agriculture, post-cloture, and vote on confirmation of the nomination at 12:15 p.m.

Following disposition of the nomination of Stephen Alexander Vaden, Senate will vote on the motion to invoke cloture on the nomination of Karen Dunn Kelley, of Pennsylvania, to be Deputy Secretary of Commerce.

House Chamber

Program for Tuesday: The House will meet at 12 noon.



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