

What You Need To Know When You Get Retirement Or Survivors Benefits



Contacting Social Security

Visit our website

Our website, *www.socialsecurity.gov*, is a valuable resource for information about all of Social Security's programs. At our website, you also can:

- Apply for certain kinds of benefits;
- Find the address of your local Social Security office;
- Change your address;
- Apply for a password so you can check your benefits or change your direct deposit;
- Request a replacement Medicare card;
- Ask for a letter to confirm your benefit amount; and
- Find copies of our publications.

Call our toll-free number

In addition to using our website, you can call us toll-free at **1-800-772-1213**. We can answer specific questions from 7 a.m. to 7 p.m., Monday through Friday. We can provide information by automated phone service 24 hours a day. (You can use our automated response system to tell us a new address or request a replacement Medicare card.) If you are deaf or hard of hearing, you may call our TTY number, **1-800-325-0778**.

We treat all calls confidentially. We also want to make sure you receive accurate and courteous service. That is why we have a second Social Security representative monitor some telephone calls.

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Introduction

This booklet explains some of your rights and responsibilities when you receive retirement or survivors benefits.

We suggest you take time now to read this booklet and then put it in a safe place so you can refer to it in the future.

If you also get Supplemental Security Income (SSI) payments, ask for *What You Need To Know When You Get Supplemental Security Income* (SSI) (Publication No. 05-11011).

About your benefits

When and how your benefits are paid

Social Security benefits are paid each month in the month following the month for which they are due; for example, you would receive your July benefit in August. Generally, the day of the month you receive your benefit payment depends on the birth date of the person on whose earnings record you receive benefits. For example, if you get benefits as a retired worker, your benefit will be determined by your birth date. If you receive benefits based on your spouse's work, your benefit payment date will be determined by your spouse's birth date.

Date of birth	Benefits paid each month on
1st - 10th	Second Wednesday
11th - 20th	Third Wednesday
21st - 31st	Fourth Wednesday

If you receive both Social Security and SSI benefits, your Social Security payment will arrive on the third of the month and your SSI payment will arrive on the first of the month.

Direct deposit

If you did not sign up for direct deposit when you applied for benefits, we strongly urge you to do it now.

Direct deposit is a simple, safe and secure way to receive your benefits. Contact your bank to help you sign up. Or you can sign up for direct deposit by contacting us.

If you do not have an account, you may want to consider an Electronic Transfer Account. This low-cost federally insured account lets you enjoy the safety, security and convenience of automatic payments. You can contact us or visit the website at **www.eta-find.gov** to get information about this program, or to find a bank, savings and loan or credit union near you offering this account.

If you get your checks by mail

To be safe, you should cash or deposit your check soon after you receive it. You should not sign your check until you are at the place where you will cash it. If you sign the check ahead of time and lose it, the person who finds it could cash it.

A government check must be cashed within 12 months after the date of the check or it will be void. After a year, if you are still entitled to the payment, we will replace the voided check.

If your check is late or missing

If your check is not delivered on its due date, wait three workdays before reporting the missing check to us. The most common reason checks are late is because a change of address was not reported. If your check is ever lost or stolen, contact us immediately. Your check can be replaced, but it takes time.

Returning benefits not due

If you receive a check that you know is not due you, take it to any Social Security office or return it to the U.S. Treasury Department at the address on the check envelope. You should write VOID on the front of the check and enclose a note telling why you are sending the check back. If you knowingly accept payments that are not due you, you may face criminal charges.

Paying taxes on your benefits

About one-third of all people receiving Social Security benefits have to pay taxes on their benefits. You will have to pay taxes on your benefits if you file a federal tax return as an "individual," and your total income is more than \$25,000. If you file a joint return, you will have to pay taxes if you and your spouse have a total income that is more than \$32,000. If you are married and file a separate return, you probably will pay taxes on your benefits.

To have federal taxes withheld, you can get a Form W-4V from the Internal Revenue Service by calling the toll-free telephone number, **1-800-829-3676**, or by visiting our website. After completing and signing the form, return it to your local Social Security office by mail or in person.

For more information, call the Internal Revenue Service's toll-free number, **1-800-829-3676**, to ask for Publication 554, *Older Americans' Tax Guide*, and Publication 915, *Social Security and Equivalent Railroad Retirement Benefits*.

Services we offer

Free Social Security services

Some businesses advertise that they can provide name changes or Social Security cards for a fee. These services are provided free by Social Security, so do not pay for something that is free. Call us or visit our website first. Social Security is the best place to get information about Social Security.

Information updates

Every so often, we will send you important information about your Social Security benefits, such as:

• Cost-of-living adjustments

Each January, your benefits will increase automatically if the cost of living has increased. If you receive your benefits by direct deposit, we will notify you of your new amount in advance. If you receive your benefits by check, we will include a notice explaining the cost-of-living adjustment with your check.

• Annual earnings limit

If you are younger than full retirement age, there is a limit to how much you can earn and still receive all your Social Security benefits. This amount increases each year. We will notify you of the new amount in advance. For more information, including the year 2008 limits, see page 15.

How we will contact you

We generally mail you a letter or notice when we want to contact you, but sometimes a Social Security representative may come to your home. Our representative will show you identification before talking about your benefits. If you ever doubt someone who says he or she is from Social Security, call the Social Security office to ask if someone was sent to see you. And remember, Social Security employees will never ask you for money to have something done.

What you need to report to us

Your responsibilities

It is important to let us know as soon as possible whenever one of the changes listed on pages 8-14 occurs.

NOTE: Failure to report a change may result in an overpayment. If you are overpaid, we will recover any payments not due you. Also, if you fail to report changes in a timely way or you intentionally make a false statement, your benefits may be stopped. For the first violation, your benefits will stop for six months; for the second violation, 12 months; and for the third, 24 months.

You can call, write or visit us to make a report. Have your claim number handy. If you receive benefits based on your work, your claim number is the same as your Social Security number. If you receive benefits on someone else's work record, your claim number will be shown on any letter we send you about your benefits.

Information you give to another government agency may be provided to Social Security by the other agency, but you also must report the change to us.

If your estimated earnings change

If you are working, we usually ask you to estimate your earnings for the year. If later you realize your earnings will be higher or lower than you estimated, let us know as soon as possible so we can adjust your benefits. See "Working and getting Social Security at the same time" on page 15 for help in making accurate estimates.

If you move

When you plan to move, tell us your new address and phone number as soon as you know them. Even if you receive your benefits by direct deposit, Social Security must have your correct address so we can send letters and other important information to you. Your benefits will be stopped if we are unable to contact you. You can change your address at our website, www.socialsecurity.gov/onlineservices. Or you can call 1-800-772-1213 and use our automated system.

If any family members who are getting benefits are moving with you, please tell us their names. Be sure you also file a change of address with your post office.

If you change direct deposit accounts

If you change financial institutions or open a new account, you can change your direct deposit online if you have a personal identification number and a password. Or, we can change your direct deposit information over the telephone after we verify your identity. Have your new and old bank account numbers handy when you call us. They will be printed on your personal checks or account statements. It takes about 30-60 days to change this information. Do not close your old account until after you make sure your Social Security benefits are being deposited into the new account.

If a person is not able to manage funds

Sometimes a person is unable to manage his or her own money. If this happens, someone should let us know. We can arrange to send benefits to a relative or other person who agrees to use the money for the well-being of the person getting benefits. We call this person a "representative payee." For more information, ask for *A Guide For Representative Payees* (Publication No. 05-10076).

NOTE: People who have "power of attorney" for someone do not automatically qualify to be a representative payee.

If you get a pension from non-covered work

If you start receiving a pension from a job for which you did not pay Social Security taxes—for example, from the federal Civil Service Retirement System or some state or local pension systems—your Social Security benefits may need to be recalculated, and they may be reduced. Also, tell us if the amount of your pension changes.

If you get married or divorced

If you get married or divorced, your Social Security benefits may be affected, depending on the kind of benefits you receive.

If your benefits are stopped because of marriage or remarriage, they may be started again if the marriage ends.

The chart below includes examples.

If you get:	Then:
Your own retirement benefits	Your benefits will continue.
Spouse's benefits	Your benefits will continue if you get divorced and you are age 62 or older unless you were married less than 10 years.
Widow's or widower's benefits	Your benefits will continue if you remarry when you are age 60 or older.
Any other kind of benefits	Generally, your benefits will stop when you get married. Your benefits may be started again if the marriage ends.

If you change your name

If you change your name—by marriage, divorce or court order—you need to tell us right away. If you do not give us this information, your benefits will be issued under your old name and, if you have direct deposit, payments may not reach your account. If you receive checks, you may not be able to cash them if your identification is different than the name on your check.

If you get benefits because you are caring for a child

If you receive benefits because you are caring for a child who is younger than age 16 or disabled, you should notify us right away if the child is no longer in your care or changes address. Give us the name and address of the person with whom the child is living.

A temporary separation may not affect your benefits if you continue to exercise parental control over the child, but your benefits will stop if you no longer have responsibility for the child. If the child returns to your care, we can start sending benefits to you again.

Your benefits will end when the youngest unmarried child in your care reaches age 16 unless the child is disabled. Your child's benefits can continue as explained on pages 19-21.

If someone adopts a child who is receiving benefits

When a child who is receiving benefits is adopted, let us know the child's new name, the date of the adoption decree, and the adopting parent's name and address. The adoption will not cause benefits to end.

If you become a parent after you begin to receive benefits

If you become the parent of a child (including an adopted child) after you begin receiving benefits, let us know so we can decide whether the child is eligible for benefits.

If you have an outstanding warrant for your arrest

You must tell us if you have an outstanding arrest warrant for:

- A crime that is a felony under the laws of the state in which you live; or
- A crime punishable by death or imprisonment for more than one year in states that do not classify crimes as felonies.

You cannot receive Social Security benefits for any months in which there is an outstanding arrest warrant for a crime that is a felony (or a crime that is punishable by death or imprisonment for more than one year).

If you are convicted of a criminal offense

If you get Social Security benefits and are convicted of a crime, Social Security should be notified immediately. Benefits generally are not paid for the months a person is confined, but any family members who are eligible may continue to receive benefits.

If you have committed a crime and are confined to an institution

Benefits usually are not paid to persons who commit a crime and are confined to an institution by court order and at public expense. This applies if the person has been found:

- Not guilty by reason of insanity or similar factors (such as mental disease, mental defect or mental incompetence); or
- Incompetent to stand trial.

If you violate a condition of parole or probation

You must tell us if you are violating a condition of your probation or parole imposed under federal or state law. You cannot receive Social Security benefits for any month in which you violate a condition of your probation or parole.

If you leave the United States

If you are a U.S. citizen, you can travel to or live in most foreign countries without affecting your Social Security benefits. There are, however, a few countries where we cannot send Social Security payments. These countries are Cambodia, Cuba, North Korea, Vietnam and areas that were in the former Soviet Union (other than Armenia, Estonia, Latvia, Lithuania and Russia). However, exceptions can be made for certain eligible beneficiaries in countries other than Cuba and North Korea. For more information about these exceptions, please contact your local Social Security office.

Let us know if you plan to go outside the United States for a trip that lasts 30 days or more. Tell us the name of the country or countries you plan to visit and the date you expect to leave the United States. We will send you special reporting instructions and tell you how to arrange for your benefits while you are away. Be sure to notify us when you return to the United States.

If you are not a U.S. citizen and you return to live in the United States, you must provide evidence of your noncitizen status in order to continue receiving benefits. If you work outside the United States, different rules apply in determining whether you can get your benefits.

For more information, ask for *Your Payments While You Are Outside The United States* (Publication No. 05-10137).

If your citizen status changes

If you are not a citizen, let us know if you become a U.S. citizen or your noncitizen status changes. If your immigration status expires, you must give us new evidence that shows you continue to be in the United States lawfully.

If a beneficiary dies

Let us know if a person receiving Social Security benefits dies. Benefits are not payable for the month of death. That means if the person died any time in July, for example, the check received in August (which is payment for July) must be returned. If direct deposit is used, also notify the financial institution of the death as soon as possible so it can return any payments received after death.

Family members may be eligible for Social Security survivors benefits when a person getting benefits dies.

If you are receiving Social Security and Railroad Retirement benefits

If you are receiving both Social Security and Railroad Retirement benefits based on your spouse's work and your spouse dies, you must tell us immediately. You will no longer be eligible to receive both benefits. You will be notified which survivor benefit you will receive.

Working and getting Social Security at the same time

How earnings affect your benefits

You can continue to work and still get Social Security retirement benefits. Your earnings in (and after) the month you reach your full retirement age will not affect your Social Security benefits. However, your benefits will be reduced if your earnings exceed certain limits for the months before you reach your full retirement age. (The full retirement age is 66 for people born in 1943-1954 and will gradually increase to 67 for people born in 1960 or later.)

- If you are younger than full retirement age, \$1 in benefits will be deducted for each \$2 in earnings you have above the annual limit (\$13,560 in 2008).
- In the year you reach your full retirement age, your benefits will be reduced \$1 for every \$3 you earn over a different limit (\$36,120 in 2008) until the month you reach full retirement age. Then you get your full Social Security benefit payments, no matter how much you earn.

If you are younger than full retirement age and some of your benefits are withheld because your earnings are more than \$13,560, there is some good news. When you reach full retirement age, your benefits will be increased to take into account those months in which you received no benefit or reduced benefits.

Also, any wages you earn after signing up for Social Security may increase your overall average earnings, and your benefit probably will increase.

For more information, ask for *How Work Affects Your Benefits* (Publication No. 05-10069).

A special monthly rule

Sometimes people who retire in mid-year already have earned more than the yearly earnings limit. That is why there is a special monthly rule that applies to earnings for one year, usually the first year of retirement. Under this rule, you can get full Social Security benefits for any whole month you earn under a certain limit, regardless of your yearly earnings.

In 2008, a person younger than full retirement age (age 66 for people born in 1943-1954) is considered retired if monthly earnings are \$1,130 or less. For example, John Smith retires at age 62 on August 30, 2008. He will make \$45,000 through August. He takes a part-time job beginning in September, earning \$500 per month. Although his earnings for the year substantially exceed the 2008 limit (\$13,560), he will receive a Social Security payment for September through December. This is because his earnings in those months are less than \$1,130, the special "first year of retirement" monthly limit for people younger than full retirement age. If Mr. Smith earns more than \$1,130 in any of those months (September through December), he will not receive a benefit for that month.

Beginning in 2009, only the yearly limits will apply to him because he will be beyond his first year of retirement and have already used the special monthly rule during that year.

If you are self-employed, the monthly limit is based on whether you perform substantial services in your business. In general, if you work more than 45 hours a month in self-employment, you will not be able to get benefits for that month.

For detailed information about whether your work is substantial, ask for *When You Retire From Your Own Business: What You Need To Know* (Publication No. 05-10038).

If you worked for wages

Wages count toward the earnings limit when they are earned, not when they are paid. If you have income that you earned in one year, but the payment was deferred to a following year, these earnings will not be counted for the year you receive them. Some examples of deferred income include accumulated sick or vacation pay, bonuses, stock options and other deferred compensation. If you are paid wages in one year for work you did in previous years, you should contact us.

We have arrangements with the Internal Revenue Service to have employers report some types of deferred compensation directly on the Form W-2. These amounts are shown in a box labeled, "Nonqualified Plan." We will subtract the amount shown in the box from your total earnings to determine which earnings we count for that year.

If you are self-employed

If you are self-employed, income counts when you receive it—not when you earn it—except if it is paid in a year after you become entitled to Social Security and was earned before you became entitled to Social Security. For example, if you started getting Social Security in June 2007 and you receive some money in February 2008 for work you did before June 2007, it will not count against your 2008 earnings limit. However, if the money you receive in February 2008 was for work you did after June 2007, it will count against your 2008 earnings limit.

Reporting your earnings

Because your earnings may affect your Social Security benefits, we need to know how much you earn during the year. Usually, we get that information from:

• The earnings your employer reports on your W-2; and

- Your self-employment earnings reported on your income tax return.
 - You need to report your earnings to us after the end of the year only if:
 - —You are eligible for the special monthly rule (see page 16) and you earned less than the monthly limit (if so, let us know so we can pay you benefits for that month);
 - —Some or all of the earnings shown on your W-2 were not earned in the year reported;
 - —Your wages were over the limit and you also had a net loss in self-employment;
 - —Your W-2 shows employer-reported wages that you will include on a self-employment tax return (ministers, for example);
 - —You filed a self-employment tax return, but you did not perform any services in your business or you file your tax return on a fiscal year basis;
 - —You are a farmer and you get federal agricultural program payments or you have income from carryover crops; or
 - —We withheld some benefits, but you had no earnings for the year or your earnings were less than you told us.

If we have to adjust the amount of your benefits, based on your report, we will tell you. It is important for you to review the information. About mid-year, we may send you a letter asking you to estimate your current and next year's earnings. Your estimates will help us avoid paying you too much or too little in benefits.

NOTE: If you also are receiving Supplemental Security Income (SSI) payments in addition to your Social Security benefits, you must report all of your earnings to Social Security.

Your earnings estimate and your benefits

We adjusted your benefits this year based on the earnings you told us you expected to receive this year.

If other family members get benefits based on your work, your earnings may affect the total family benefits. But, if you get benefits as a family member, your earnings affect only your benefits.

Revising your estimate

When you work, you should save your pay stubs. At any time during the year, if you see that your earnings will be different from what you estimated, you should call us to revise the estimate. This will help us keep the amount of your Social Security benefits correct.

Other important information

Retirement benefits for widows or widowers

You can switch to retirement benefits based on your own work if they are higher than those you receive as a result of your deceased spouse's work. These benefits may be higher as early as age 62 or possibly as late as age 70. The rules are complex and vary depending on your situation. If you have not talked with a Social Security representative about retirement benefits (or your circumstances have changed), contact your local Social Security office to discuss the options available to you.

Benefits for children

If a child is getting benefits based on your work, there are important things you should know about his or her benefits:

• When a child reaches age 18

- —A child's benefits stop with the month before the child reaches age 18, unless the child is either disabled or is a full-time elementary or secondary school student.
- —About five months before the child's 18th birthday, the person receiving the child's benefits will get a form explaining how benefits can continue.
- —A child whose benefits stopped at age 18 can have them started again if he or she becomes disabled before reaching age 22 or becomes a full-time elementary or secondary school student before reaching age 19.

• If a child is disabled

—A child can continue to receive benefits after age 18 if he or she has a disability. The child also may qualify for SSI disability payments. Call us for more information.

• If a child age 18 is a student

- —A child can receive benefits until age 19 if he or she continues to be a full-time elementary or secondary school student. When your child's 19th birthday occurs during a school term, benefits can be continued until completion of the term, or for two months following the 19th birthday, whichever comes first.
- —Social Security should be notified immediately if the student drops out of school, changes from full-time to part-time attendance, is expelled or suspended, or changes schools. We also should be told if the student is paid by his or her employer for attending school.
- —We send each student a form at the start and end of the school year. It is important that the form is filled out and returned to us. Benefits could be stopped if we do not receive the form.

- —A student can keep receiving benefits during a vacation period of four months or less if he or she plans to go back to school full time at the end of the vacation.
- —A student who stops attending school generally can receive benefits again if he or she returns to school full time before age 19. The student needs to contact us to reapply for benefits.
- How divorce affects a stepchild's benefits
 - —If a stepchild is receiving benefits based on your work and you and the child's parent divorce, the stepchild's benefit will end the month after the divorce becomes final. You must tell us as soon as the divorce becomes final.

Can you get SSI?

If you have limited income and resources, SSI may be able to help. SSI is a federal program that we manage. It is financed from general revenues, not from Social Security taxes.

SSI pays monthly checks to people who are age 65 or older, or who are blind or disabled. If you get SSI, you may get other benefits, too, such as Medicaid, food stamps and other social services.

We do not count some income and some resources when we decide whether you are eligible for SSI. Your house and your car, for example, usually are not counted as resources. Call us for more information or to apply for SSI.

A message about food stamps

You can get a food stamp application and information at any Social Security office. Or call our toll-free number. Ask for Food Stamps And Other Nutrition Programs (Publication No. 05-10100) or Food Stamp Facts (Publication No. 05-10101).

If you disagree with a decision we make

If you have any questions about your payment amount or about information we send you, contact us.

If you disagree with a decision we make, you have the right to ask that it be reconsidered. Your request must be in writing and filed with any Social Security office within 60 days of the date you receive the letter you are questioning.

If you still are not satisfied, there are further steps you can take. Ask for *Your Right To Question The Decision Made On Your Claim* (Publication No. 05-10058).

Your right to be represented

You have the right to be represented by an attorney or other qualified person of your choice in any business with us. This does not mean you have to have an attorney or other representative, but we will be glad to work with one if you wish.

For more information about choosing a representative, ask for *Your Right To Representation* (Publication No. 05-10075).

Protection of your personal information

You should keep your Social Security card in a safe place with your other important papers. Do not carry it with you unless you need to show it to an employer or service provider.

Social Security keeps personal and confidential information—names, Social Security numbers, earnings records, ages and beneficiary addresses—for millions of people. Generally, we will discuss your information only with you. When you call or visit us, we will ask you several questions to help us verify your identity.

If you want someone else to help with your Social Security business, we need your permission to discuss your information with that person.

We urge you to be careful with your Social Security number and to protect its confidentiality whenever possible.

We are committed to protecting the privacy of your records. When we are required by law to give information to other government agencies that administer health or welfare programs, such as Medicaid and food stamps, those agencies are not allowed to share that information with anyone else.

A word about Medicare

Medicare is a health insurance plan for people who are age 65 or older. People who are disabled, or have permanent kidney failure or have amyotrophic lateral sclerosis (Lou Gehrig's disease) can get Medicare at any age.

Medicare has four parts

- Hospital insurance (Part A) helps pay for inpatient hospital care and certain follow-up services.
- Medical insurance (Part B) helps pay for doctors' services, outpatient hospital care and other medical services.
- Medicare Advantage plans (Part C) are available in many areas. People with Medicare Parts A and B can choose to receive all of their health care services through a provider organization under Part C.
- Prescription drug coverage (Part D) helps pay for medications doctors prescribe for medical treatment.

Who is eligible for hospital insurance (Part A)?

Most people get hospital insurance when they turn 65. You qualify for it automatically if you are eligible for Social Security or Railroad Retirement benefits. Or you may qualify based on a spouse's (including divorced spouse's) work. Others qualify because they are government employees not covered by Social Security who paid the Medicare tax.

If you get Social Security disability benefits for 24 months, you will qualify for hospital insurance.

If you get disability benefits because you have amyotrophic lateral sclerosis (Lou Gehrig's disease), you do not have to wait 24 months to qualify.

Also, people who have permanent kidney failure that requires maintenance dialysis or a kidney replacement qualify for hospital insurance if they have worked long enough or if they are the spouse or child of a person who has worked long enough.

Who can get medical insurance (Part B)?

Almost anyone who is eligible for hospital insurance can sign up for medical insurance. Part B is an optional program. It is not free. In 2008, the standard monthly premium is \$96.40. Some people with higher incomes will pay higher premiums.

Who can get Medicare Advantage plans (Part C)?

Anyone who has Medicare hospital insurance (Part A) and medical insurance (Part B) can join a Medicare Advantage plan. Medicare Advantage plans include:

- Medicare managed care plans;
- Medicare preferred provider organization (PPO) plans;
- Medicare private fee-for-service plans; and
- Medicare specialty plans.

You might have to pay a monthly premium because of the extra benefits the Medicare Advantage plan offers.

Who can get Medicare prescription drug coverage (Part D)?

Anyone who has Medicare hospital insurance (Part A) or medical insurance (Part B) or a Medicare Advantage plan (Part C) is eligible for prescription drug coverage (Part D). Prescription insurance is optional, and you pay an additional monthly premium for the coverage.

For more information, ask for *Medicare* (Publication No. 05-10043).

Help with Medicare expenses for people with low income

If you have a low income and few resources, your state may pay your Medicare premiums and, in some cases, other "out-of-pocket" medical expenses, such as deductibles and coinsurance.

Only your state can decide whether you qualify for help under this program. If you think you qualify, contact your state or local medical assistance (Medicaid) agency, social services or welfare office. You can get more information about this program from the publication, *If you need help paying Medicare costs, there are programs that can help you save money* (Publication CMS-10126). To get a copy, call the Medicare toll-free number, **1-800-MEDICARE** (**1-800-633-4227**). If you are deaf or hard of hearing, you may call TTY **1-877-486-2048**.

"Extra help" with Medicare prescription costs

If you have limited income and resources, you may qualify for extra help to pay for your prescription drugs under Medicare Part D. Social Security's role is to help you understand how you may qualify and to process your application for extra help. To see if you qualify or to apply, call Social Security's toll-free number or visit our website.

www.socialsecurity.gov





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