

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S1959–S2051

Measures Introduced: Thirty bills and three resolutions were introduced, as follows: S. 500–529, and S. Res. 69–71. **Pages S2003–04**

Measures Passed:

Congressional Rule Disapproval: By a vote of 52 yeas to 46 nays (Vote No. 19), Senate passed S.J. Res. 4, providing for congressional disapproval of the rule submitted by the Department of Agriculture under chapter 8 of title 5, United States Code, relating to risk zones for introduction of bovine spongiform encephalopathy. **Pages S1961–79**

Commemorating 40th Anniversary of Bloody Sunday: Senate agreed to S. Res. 70, commemorating the 40th anniversary of Bloody Sunday. **Pages S2045, S2050**

Bankruptcy Reform Act: Senate continued consideration of S. 256, a bill to amend title 11 of the United States Code, taking action on the following amendments proposed thereto: **Pages S1979–97**

Adopted:

Specter Amendment No. 48, to increase bankruptcy filing fees to pay for the additional duties of United States trustees and the new bankruptcy judges added by this Act. **Pages S1985, S1994**

Rejected:

By 24 yeas to 74 nays (Vote No. 20), Dayton Amendment No. 31, to limit the amount of interest that can be charged on any extension of credit to 30 percent. **Pages S1979, S1981–82**

By 37 yeas to 61 nays (Vote No. 21), Nelson (FL) Amendment No. 37, to exempt debtors from means testing if their financial problems were caused by identity theft. **Pages S1982–83**

By 40 yeas to 58 nays (Vote No. 22), Durbin Amendment No. 38, to discourage predatory lending practices. **Page S1984**

By 39 yeas to 56 nays (Vote No. 23), Schumer Amendment No. 42, to limit the exemption for asset protection trusts. **Pages S1980–81, S1991–94**

By 40 yeas to 54 nays (Vote No. 24), Rockefeller Amendment No. 24, to amend the wage priority

provision and to amend the payment of insurance benefits to retirees. **Pages S1994–95**

By 40 yeas to 54 nays (Vote No. 25), Durbin Amendment No. 49, to protect employees and retirees from corporate practices that deprive them of their earnings and retirement savings when a business files for bankruptcy. **Pages S1985–91, S1995–96**

Pending:

Leahy Amendment No. 26, to restrict access to certain personal information in bankruptcy documents. **Page S1979**

Feinstein Amendment No. 19, to enhance disclosures under an open end credit plan. **Page S1979**

Kennedy Amendment No. 44, to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage. **Pages S1979–80, S1981**

Dorgan/Durbin Amendment No. 45, to establish a special committee of the Senate to investigate the awarding and carrying out of contracts to conduct activities in Afghanistan and Iraq and to fight the war on terrorism. **Pages S1983–84**

Pryor Amendment No. 40, to amend the Fair Credit Reporting Act to prohibit the use of any information in any consumer report by any credit card issuer that is unrelated to the transactions and experience of the card issuer with the consumer to increase the annual percentage rate applicable to credit extended to the consumer. **Pages S1984–85**

Reid (for Baucus) Amendment No. 50, to amend section 524(g)(1) of title 11, United States Code, to predicate the discharge of debts in bankruptcy by an vermiculite mining company meeting certain criteria on the establishment of a health care trust fund for certain individuals suffering from an asbestos related disease. **Pages S1996–97**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Friday, March 4, 2005; that in addition to Kennedy Amendment No. 44 (listed above), it be in order for Senator Santorum to offer a first degree amendment related to the minimum wage issue; that on Monday, March 7, 2005, there be 3 hours of debate equally divided between Senator Santorum and Senator Kennedy, or their designees; and that at 5:30 p.m., on Monday, March 7, 2005, the Senate

proceed to a vote on Kennedy Amendment No. 44, to be followed by a vote on the amendment offered by Senator Santorum, with no amendments in order to either amendment, and that if either amendment does not receive 60 votes in the affirmative, that the Senate action on the amendment be vitiated and the amendment be immediately withdrawn.

Pages S2050–51

Messages From the House: Page S2002

Measures Referred: Page S2002

Executive Communications: Page S2002

Petitions and Memorials: Pages S2002–03

Additional Cosponsors: Pages S2004–05

Statements on Introduced Bills/Resolutions: Pages S2005–45

Additional Statements: Pages S2001–02

Amendments Submitted: Pages S2046–49

Notices of Hearings/Meetings: Page S2049

Authority for Committees to Meet: Pages S2049–50

Record Votes: Seven record votes were taken today. (Total—25) Pages S1979, S1982–83, S1984, S1994, S1995

Adjournment: Senate convened at 9:30 a.m., and adjourned at 7:15 p.m., until 9:30 a.m., on Friday, March 4, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on pages S2050–51.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: U.S. FOREST SERVICE

Committee on Appropriations: Subcommittee on Interior concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the U.S. Forest Service, after receiving testimony from Mark E. Rey, Under Secretary for Natural Resources and Environment, and Dale N. Bosworth, Forest Service Chief, both of the Department of Agriculture.

DEFENSE AUTHORIZATION REQUEST

Committee on Armed Services: Committee continued hearings to examine the proposed Defense Authorization Request for fiscal year 2006 and the Future Years Defense Program, after receiving testimony from General James L. Jones, Jr., USMC, Commander, U.S. European Command and Supreme Allied Commander, Europe; General John P. Abizaid, USA, Commander, U.S. Central Command; and General Bryan D. Brown, USA, Commander, U.S. Special Operations Command.

COMMITTEE ORGANIZATION

Committee on the Budget: On January 31, 2005, Committee adopted its rules of procedure for the 109th Congress.

DEPARTMENT OF ENERGY BUDGET

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2006 for the Department of Energy, after receiving testimony from Samuel W. Bodman, Secretary of Energy.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported an original bill, entitled Foreign Relations Authorization Act, fiscal years 2006 and 2007, to authorize appropriations for the Department of State and international broadcasting activities for fiscal years 2006 and 2007, for foreign assistance programs for fiscal years 2006 and 2007.

DRUG SAFETY

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine the Food and Drug Administration's process of ensuring drug safety, after receiving testimony from Janet Woodcock, Acting Deputy Commissioner for Operations, Food and Drug Administration, Department of Health and Human Services; Cecil B. Wilson, American Medical Association, Winter Park, Florida; Keith L. Carson, The Williamsburg BioProcessing Foundation, Virginia Beach, Virginia; Raymond L. Woosley, University of Arizona Critical Path Institute, Tucson; and Bruce M. Psaty, University of Washington Cardiovascular Health Research Unit, Seattle.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Terrence W. Boyle, of North Carolina, to be United States Circuit Judge for the Fourth Circuit, James C. Dever III, to be United States District Judge for the Eastern District of North Carolina, and Robert J. Conrad, Jr., to be United States District Judge for the Western District of North Carolina, who were introduced by Senators Dole and Burr, after each nominee testified and answered questions in their own behalf.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

MEDICARE MODERNIZATION ACT

Special Committee on Aging: Committee concluded a hearing to examine implementation of the Medicare Modernization Act regarding delivering prescription drugs to low-income beneficiaries eligible for both Medicare and Medicaid, dual eligibles, after receiv-

ing testimony from Mark B. McClellan, Administrator, Centers for Medicare and Medicaid Services, Department of Health and Human Services; Tina Kitchin, Oregon Department of Human Services, Salem; Carl Clark, Mental Health Center of Denver, Denver, Colorado; and Wendy Gerlach, Roeschen's Omnicare Pharmacy, Milwaukee, Wisconsin.

House of Representatives

Chamber Action

Measures Introduced: 66 public bills, H.R. 1068–1133; and 8 resolutions, H. Con. Res. 82–86, and H. Res. 135–137, were introduced.

Pages H980–84

Additional Cosponsors:

Pages H984–85

Reports Filed: No reports were filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative LaTourette to act as Speaker Pro Tempore for today.

Page H945

Continuity in Representation Act of 2005: The House passed H.R. 841, to require States to hold special elections to fill vacancies in the House of Representatives not later than 45 days after the vacancy is announced by the Speaker of the House of Representatives in extraordinary circumstances, by voice vote. The voice vote was later vacated and the measure was passed by a recorded vote of 329 ayes to 68 noes, Roll No. 52.

Pages H948–70

Rejected the Conyers motion to recommit the bill to the Committee on House Administration with instructions to report the bill back to the House forthwith with an amendment, by a recorded vote of 196 ayes to 223 noes, Roll No. 51.

Pages H967–69

The amendment in the nature of a substitute recommended by the Committee on House Administration, now printed in the bill, was considered as an original bill for the purpose of amendment.

Page H959

Agreed To:

Manager's amendment that increases the time frame for expedited special elections to 49 days.

Pages H970–71

Rejected:

Millender-McDonald amendment (made in order under H. Res. 125 and in lieu of amendment no. 1 printed in H. Rept. 109–10) providing that expedited special elections shall take place not later than 60 days after the Speaker of the House announces

that such vacancies exist (by a recorded vote of 192 ayes to 229 noes, Roll No. 49); and

Pages H961–64, H965–66

Jackson-Lee amendment (no. 2 printed in H. Rept. 109–10) that affects the time in which a person may file a lawsuit arising out of the Speaker's announcement of vacancies in excess of 100 (by a recorded vote of 183 ayes to 239 noes, Roll No. 50).

Pages H964–65, H966–67

The Baird motion that the Committee rise and strike the enacting clause was withdrawn.

Page H967

Agreed to amend the title so as to read: to require States to hold special elections to fill vacancies in the House of Representatives not later than 49 days after the vacancy is announced by the Speaker of the House of Representatives in extraordinary circumstances.

Pages H970–71

H. Res. 125, the rule providing for consideration of the bill was agreed to by a voice vote.

Page H970

Agreed by voice vote to the Cole amendment to the rule that provides for the consideration of a manager's amendment and an amendment in lieu of the amendment numbered 1, printed in H. Rept. 109–10.

Page H953

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at noon on Monday, March 7, and further that when it adjourn on that day, it adjourn to meet at 12:30 p.m. on Tuesday, March 8 for Morning Hour debate.

Page H972

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, March 9.

Page H972

Committee Appointment: The Chair announced the Speaker's appointment of the following Members of the House to the Joint Economic Committee, in addition to Representative Saxton, appointed January 20, 2005: Representatives Ryan (WI), English (PA), Paul, Brady, McCotter, Maloney, Hinchey, Loretta Sanchez (CA), and Cummings.

Page H972

House of Representatives Page Board—Appointment: The Chair announced the Speaker's appointment of the following Members of the House to the House of Representatives Page Board: Representatives Shimkus and Capito. **Pages H977–78**

Quorum Calls—Votes: Four recorded votes developed during the proceedings of today and appear on pages H965–66, H966–67, H969, H970. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 3:45 p.m.

Committee Meetings

CFTC REAUTHORIZATION

Committee on Agriculture: Subcommittee on General Farm Commodities and Risk Management held a hearing on the Reauthorization of the Commodity Futures Trading Commission. Testimony was heard from Sharon Brown-Hruska, Acting Chairman, CFTC.

Hearings continue March 9.

AGRICULTURE, RURAL DEVELOPMENT, FDA AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on Under Secretary for Farm and Foreign Agricultural Services. Testimony was heard from following officials of the USDA: J. B. Penn, Under Secretary, Farm and Foreign Agricultural Services; James R. Little, Administrator, Farm Service Agency; A. Ellen Terpstra, Administrator, Foreign Agricultural Service; Ross J. Davidson, Jr., Administrator, Risk Management Agency; and Dennis Kaplan, Budget Office.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS

Committee on Appropriations: Subcommittee on the Department of Homeland Security held a hearing on the Transportation Security Administration. Testimony was heard from David Stone, Assistant Secretary of Homeland Security for the Transportation Security Administration.

LABOR, HHS, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on the Department of Labor, Health and Human Services, Education, and Related Agencies held a hearing on Secretary of Health and Human Services. Testimony was heard from Michael O. Leavitt, Secretary of Health and Human Services.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Energy and Water Development, and Related Agencies held a hearing on U.S. Army Corps of Engineers. Testimony was heard from the following officials of the U.S. Army Corps of Engineers: John P. Woodley, Jr., Principal Deputy Secretary, (Civil Works); and LTG Carl Strock, USA, Chief of Engineers.

The Subcommittee also held a hearing on the Bureau of Reclamation. Testimony was heard from the following officials of the Department of the Interior: Gale A. Norton, Secretary; and John W. Keys, III, Commissioner, Bureau of Reclamation.

INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies held an oversight hearing on U.S. Geological Survey/Hazards: tsunamis, landslides, earthquakes. Testimony was heard from Charles G. Groat, Director, U.S. Geological Survey, Department of the Interior.

The Subcommittee also held a hearing on the Forest Service. Testimony was heard from Dale Bosworth, Chief, Forest Service, USDA.

MILITARY QUALITY OF LIFE, AND VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Military Quality of Life, and Veterans Affairs, and Related Agencies held a hearing on Army Budget. Testimony was heard from the following officials of the Department of the Army: GEN Peter T. Schoomaker, Chief of Staff; and Geoffrey Prosch, Acting Secretary, Installations and Environment.

The Subcommittee also held a hearing on Cental Command. Testimony was heard from GEN John P. Abizaid, USA, Commander, U.S. Central Command, Department of the Army.

CARE OF INJURED AND WOUNDED SERVICE MEMBERS

Committee on Armed Services: Subcommittee on Military Personnel held a hearing on the Care of Injured and Wounded Service Members. Testimony was heard from the following officials of the Department of Defense: LTG F. L. Hagenbeck, USA, Deputy Chief of Staff, Personnel, G-1 and MG Joseph Webb, USA, Deputy Surgeon General, both with the Department of the Army; VADM Gerald Hoewing, USN, Chief of Naval Personnel; VADM, Donald C. Arthur, USN, Surgeon General and LTG H.P. Osman, USMC, Deputy Commandant, Manpower and Reserve Affairs, all with the Department of the Navy; LTG Roger A. Brady, USAF, Deputy Chief of

Staff, Personnel and LTG George P. Taylor, Jr., USAF, Surgeon General, both with the Department of the Air Force; CWO Four James Stephen Keeton, Arkansas National Guard; Hospital Corpsman 2nd Class Anthony Cuomo, U.S. Naval Reserve, Naval Mobilization Processing Site, Naval Station San Diego; SrA Anthony A. Pizzifred, USAF, 343 TRS/DOO, Lackland Air Force Base, San Antonio, Texas; and Sgt E5 Christopher Chandler, 1st LAR Battalion/1st Marine Division, USAF, Camp Pendleton, California.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST FISCAL YEAR 2006

Committee on Armed Services: Subcommittee on Readiness held a hearing on the Fiscal Year 2006 National Defense Authorization budget request on the Adequacy of the Budget to Meet Readiness Needs. Testimony was heard from the following officials of the Department of Defense: GEN Richard A. Cody, USA, Vice Chief of Staff, Department of the Army; ADM. John B. Nathman, USN, Vice Chief of Naval Operations and GEN William L. Nyland, USMC, Assistant Commandant, U.S. Marine Corps, both with the Department of the Navy; and GEN T. Michael Moseley, USAF, Vice Chief of Staff, Department of the Air Force.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST FISCAL YEAR 2006

Committee on Armed Services: Subcommittee on Tactical and Land Forces held a hearing on the Fiscal Year 2006 National Defense Authorization budget request on the Department of Navy and Department of the Air Force Aviation Acquisition Programs. Testimony was heard from the following officials of the GAO: Mike Sullivan, Director, Acquisition and Sourcing Management—(Joint Strike Fighter) and Allen Li, Director, Acquisition and Sourcing Management—(F/A-22); and the following officials of the Department of Defense: VADM Stanley Szemborski, USN, Deputy Director, Program Analysis and Evaluation, Office of the Secretary; John J. Young, Jr., Assistant Secretary of the Navy (Research, Development and Acquisition); VADM Joseph A. Sestak, USN, Deputy Chief of Naval Operations, Warfare Requirements and Programs (N7); LTG John D. W. Corley, USAF, Principal Deputy, Office of the Assistant Secretary of the Air Force (Acquisition); LTG Ronald E. Keys, USAF, Deputy Chief of Staff, Air and Space Operations; and BG Martin Post, USMC, Assistant Deputy Commandant, Aviation.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST FISCAL YEAR 2006

Committee on Armed Services: Subcommittee on Terrorism, Unconventional Threats and Capabilities held a hearing on the Fiscal Year 2006 National Defense Authorization budget request on Tactical C-4 Systems: Why Does the DOD Have So Many Different Systems Performing the Same Functionality? Testimony was heard from the following officials of the Department of Defense: Linton Wells II, Acting Assistant Secretary, Networks and Information Integration; VADM R. F. Willard, USN, Director, Force Structure, Resources, and Assessment (DJ-8), Joint Staff; LTG Robert Shea, USMC, Director, Command, Control, Communications and Computer Systems (DJ-6), Joint Staff; and LTG Robert Wagner, USA, Deputy Commander, U.S. Joint Forces Command.

MEMBERS' DAY

Committee on the Budget: Held a hearing on Members' Day. Testimony was heard from Representatives Petri, Berkeley, LoBiondo, Cannon, Flake, Gibbons, Simmons, Bordallo, Shaw, Evans, Waters, Miller (NC), Hayes, Shays, Neugebauer, Bishop (NY), Watson, Holt, Lee, Capito, Otter, Porter, Bishop (UT), Michaud, Herseth, Linda T. Sánchez (CA), McMorris and Wilson (NM).

U.S. BOXING COMMISSION ACT

Committee on Energy and Commerce: Subcommittee on Commerce, Trade, and Consumer Protection held a hearing on the United States Boxing Commission Act. Testimony was heard from Ron Scott Stevens, Chairman, New York State Athletic Commission; and public witnesses.

MAKING NETWORK WORK

Committee on Government Reform: Held a hearing entitled "Making Network Work: Countdown to the RFP for the Federal Government's Telecommunications Program." Testimony was heard from Stephen A. Perry, Administrator, GSA; Linda Koontz, Director, Information Management Issues, GAO; and public witnesses.

RESOLUTION—CUBA HUMAN RIGHTS CRACKDOWN; YEAR TWO OF CASTRO'S BRUTAL CRACKDOWN ON DISSIDENTS

Committee on International Relations: Subcommittee on Africa, Global Human Rights and International Operations and the Subcommittee on Western Hemisphere approved for full Committee action a resolution expressing the sense of Congress regarding the two-year anniversary of the human rights crackdown in Cuba.

The Subcommittees also held a joint hearing on Year Two of Castro's Brutal Crackdown on Dissidents. Testimony was heard from Roger Noriega, Assistant Secretary, Bureau of Western Hemisphere Affairs, Department of State; and public witnesses.

RESOLUTION CONCERNING TERRORIST ORGANIZATION; ALGERIA TERRORISM

Committee on International Affairs: Subcommittee on International Terrorism and Nonproliferation approved for full Committee action H. Res. 101, Urging the European Union to add Hezbollah to the European Union's wide-ranging list of terrorist organizations.

The Subcommittee also held a hearing on Algeria's Struggle Against Terrorism. Testimony was heard from Lorne W. Cramer, former Assistant Secretary, Democracy, Human Rights and Labor, Department of State; and public witnesses.

CHILD INTERSTATE ABORTION NOTIFICATION ACT

Committee on the Judiciary: Subcommittee on the Constitution held a hearing on H.R. 748, Child Interstate Abortion Notification Act. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property approved for full Committee action the following measures: S. 167, Family Entertainment and Copyright Act of 2005; H.R. 683, amended, Trademark Dilution Revision Act of 2005; H.R. 1037, To make technical corrections to title 17, United States Code; H.R. 1036, To amend title 17, United States Code, to make technical corrections relating to copyright royalty judges; H.R. 1038, Multidistrict Litigation Restoration Act of 2005; and H. Con. Res. 53, Expressing the sense of the Congress regarding the issuance of the 500,000th design patent by the United States Patent and Trademark Office.

OVERSIGHT—IMMIGRATION ENFORCEMENT

Committee on the Judiciary: Subcommittee on Immigration, Border Security, and Claims held an oversight hearing entitled "The Immigration Enforcement Resources Authorized in the Intelligence Reform and Terrorism Act of 2004." Testimony was heard from Representative Ortiz; and public witnesses.

OVERSIGHT—BUDGET REQUESTS

Committee on Resources: Subcommittee on Water and Power held an oversight hearing entitled "President's Fiscal Year 2006 Budget Request for the Bureau of Reclamation and the Water Division of the U.S. Geological Survey." Testimony was heard from the following officials of the Department of the Interior: John W. Keys, III, Commissioner, Bureau of Reclamation; and Robert Hirsch, Associate Director, Water, U.S. Geological Survey.

METHAMPHETAMINE REMEDIATION RESEARCH ACT

Committee on Science: Held a hearing on H.R. 798, Methamphetamine Remediation Research Act of 2005. Testimony was heard from Scott Burns, Deputy Director, State and Local Affairs, Office of National Drug Control Policy; and public witnesses.

COAST GUARD/MARITIME BUDGET

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation held a hearing on the Fiscal Year 2006 Budget for Coast Guard and Maritime Transportation Programs, and H.R. 889, Coast Guard and Maritime Transportation Act of 2005. Testimony was heard from the following officials of the U.S. Coast Guard, Department of Homeland Security: ADM Thomas H. Collins, Commandant; and Master Chief Petty Officer Franklin A. Welch; Steven R. Blust, Chairman, Federal Maritime Commission; and F. Joseph Moravec, Commissioner, Public Building Service, GSA.

HIGHWAY-RELATED TAXES AND TRUST FUNDS AMENDMENTS

Committee on Ways and Means: Ordered reported, as amended, H.R. 996, To amend the Internal Revenue Code of 1986 to provide for the extension of highway-related taxes and trust funds.

COMMITTEE MEETINGS FOR FRIDAY, MARCH 4, 2005

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No committee meetings are scheduled.

Next Meeting of the SENATE

9:30 a.m., Friday, March 4

Next Meeting of the HOUSE OF REPRESENTATIVES

12 noon, Monday, March 7

Senate Chamber

Program for Friday: Senate will continue consideration of S. 256, Bankruptcy Reform Act.

House Chamber

Program for Monday: The House will meet in pro forma session at 12 noon.

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