DEPARTMENT OF THE TREASURY
WASHINGTON, D.C.

OFFICE OF FOREIGN ASSETS CONTROL

Fact Sheet: Provision of Humanitarian Assistance and Trade to Combat COVID-19

Date: April 16, 2020

The United States is committed to ensuring that humanitarian assistance continues to reach at-risk populations through legitimate and transparent channels as countries across the globe fight the Coronavirus Disease 2019 (COVID-19). The sanctions programs administered by the U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) generally allow for legitimate humanitarian-related trade, assistance, or activity under existing laws and regulations. OFAC encourages those interested in providing such assistance during the COVID-19 crisis to avail themselves of longstanding exemptions, exceptions, and authorizations pertaining to humanitarian assistance and trade available in many U.S. sanctions programs. In the event that individuals, governments, or entities face sanctions-related challenges, have questions related to the provision of humanitarian assistance to sanctioned countries, or believe additional authorizations are needed, OFAC stands ready to provide guidance and respond to applications for specific licenses.[1]

This Fact Sheet provides consolidated guidance highlighting the most relevant exemptions, exceptions, and authorizations for humanitarian assistance and trade under the OFAC-administered Iran, Venezuela, North Korea, Syria, Cuba, and Ukraine/Russia-related sanctions programs. The information below is current and operative as of the date of publication of this Fact Sheet, unless or until modified.[2] For additional information, including the latest updates on the programs listed below, or for information on other sanctions programs, please refer to OFAC's website.

Please note that persons interested in exporting Personal Protective Equipment (PPE) from the United States should review all relevant U.S. regulations, guidance, and rules, including the temporary rule issued by the Federal Emergency Management Agency (FEMA) on April 10, 2020, which prohibits the export from the United States of five types of PPE without explicit FEMA approval. The temporary rule is effective from April 7, 2020 to August 10, 2020.

Iran

The Iran sanctions program is focused on denying the Iranian regime the funding it needs to continue its ongoing violent and destabilizing activities around the world. To ensure that

[1] Under certain sanctions programs, separate authorization may be required from other U.S. Government agencies, including the U.S. Department of Commerce's Bureau of Industry and Security (BIS), which maintains similar authorizations intended to support the people of sanctioned countries.
[2] This Fact Sheet is informational, does not have the force of law, and does not supersede the actual legal provisions cited.

humanitarian goods can reach the people of Iran, while maintaining pressure on the Iranian regime, the United States maintains broad exemptions, exceptions, and authorizations that allow for the provision of humanitarian assistance and the commercial sale and export of agricultural commodities, food, medicine, and medical devices, to Iran from the United States or by U.S. persons or U.S.-owned or -controlled foreign entities. For COVID-19 related support, Treasury continues to stress that U.S. and non-U.S. persons may provide such humanitarian goods — including medicine and medical devices — to Iran under existing exemptions, exceptions, and authorizations in U.S. sanctions laws and regulations. For example, most medicine and medical devices, including certain personal protective equipment and other items used for COVID-19-related treatment such as medical gowns, medical eyeshields and goggles, surgical gloves, face shields, certain respirators and masks such as N95, N99, and N100 masks, and certain ventilators, already qualify for export and reexport to Iran under general licenses, without the need for further authorization from OFAC. There are certain limited categories of items that may also be helpful for COVID-19-related assistance (e.g., oxygen generators, full face mask respirators including Powered Air Purifying Respirators, certain diagnostic medical imaging equipment, and certain decontamination equipment), for which OFAC's regulations set forth a specific licensing policy for review of license applications on a case-by-case basis due to concerns about potential end use of these specific items. OFAC is prioritizing and expediting review of these license requests.

Frequently Asked Questions (FAQs): The following OFAC FAQs provide information on the provision of humanitarian assistance to and trade of humanitarian goods with Iran.

- FAQs 97, 98, 100, and 101 – Explanation of Licensing Procedures for the Trade Sanctions Reform and Export Enhancement Act of 2000 (TSRA) Program
- FAQs 482, 483, and 484 – General Licenses for the Exportation or Reexportation of Agricultural Commodities, Medicine, and Medical Devices to Iran
- FAQ 549 – Guidance Related to Humanitarian Assistance with Regard to the November 12, 2019 Earthquake in Iran
- FAQ 637 – Guidance Related to Non-U.S. Persons Engaging in Transactions Related to the Provision of Humanitarian and Consumer Goods to Iran
- FAQs 821, 822, and 823 – Guidance Related to Humanitarian-Related Transactions and Activities involving the Central Bank of Iran (CBI) Authorized by General License 8
- FAQs 824 and 825 – Guidance Related to the Swiss Humanitarian Trade Arrangement with Iran
- FAQ 826 – Guidance Related to Additional Options for Exporting Humanitarian Goods to Iran
- FAQ 828 – Guidance Related to Humanitarian Assistance with Regard to the COVID-19 outbreak in Iran

General Licenses (GLs), Specific Licensing, and Exemptions: The following are GLs, specific licensing policies, and exemptions implemented by OFAC related to humanitarian assistance and trade with Iran.

- § 560.210 of the Iranian Transactions and Sanctions Regulations (ITSR) exempts from export sanctions donations of food and medicine to the Iranian people intended to be used to ease human suffering.

- General License E, issued pursuant to the ITSR, authorizes non-governmental organizations (NGOs) to export or reexport services to or related to Iran in support of certain not-for-profit activities designed to directly benefit the Iranian people, including:
    - Humanitarian projects that meet basic human needs;
    - Non-commercial development projects;
    - Environmental and wildlife conversation projects; and
    - Human rights and democracy-building.
    - The transfer of funds by a single NGO may not exceed USD$500,000 over a 12-month period.
- § 560.530 of the ITSR includes GLs authorizing, with certain exceptions and limitations, the exportation or reexportation of certain food, agricultural commodities, medicine, and medical devices to Iran, and the provision of certain related software and services; this section also sets forth a specific licensing policy for exports of such items not authorized by the GLs. § 560.532 of the ITSR authorizes payment and financing terms related to exports and reexports to Iran authorized pursuant to § 560.530, and § 560.533 authorizes the brokering of sales for these types of items.
- § 560.539 of the ITSR authorizes all transactions otherwise prohibited by the ITSR that are for the official business of the United Nations, the World Bank, the International Monetary Fund, the International Atomic Energy Agency, the International Labor Organization, or the World Health Organization by employees, contractors, or grantees thereof.
- General License 8, issued pursuant to the Global Terrorism Sanctions Regulations (GTSR) and the ITSR, authorizes certain humanitarian-related transactions and activities involving the CBI prohibited by the GTSR or by the ITSR as a result of the CBI's designation under Executive Order (E.O.) 13224, as amended by E.O. 13886, that otherwise would have been authorized under the ITSR prior to the CBI's designation. Please note that GL 8 does not authorize humanitarian-related transactions involving Iranian financial institutions designated under E.O. 13224, as amended, other than the CBI.
- §560.545 of the ITSR describes a specific licensing policy to authorize non-governmental organizations and other entities to engage in certain projects or activities in or related to Iran that are designed to directly benefit the Iranian people.
- §560.550 of the ITSR authorizes certain noncommercial, personal remittances to or from Iran that are processed by U.S. depository institutions or U.S. registered brokers or dealers in securities or that are carried to Iran.
- ***Specific Licensing***: For transactions not otherwise exempt from sanctions, authorized by GLs, or covered by a specific licensing policy, OFAC considers license requests on a case-by-case basis and prioritizes applications, compliance questions, and other requests related to humanitarian support for the people of Iran.

Advisories or Other Guidance: The following are advisories or other guidance issued by OFAC related to humanitarian assistance and trade with Iran.

- "Guidance on the Sale of Food, Agricultural Commodities, Medicine, and Medical Devices by Non-U.S. Persons to Iran" (July 2013)
- "Clarifying Guidance on Humanitarian Assistance and Related Exports to the Iranian People" (February 2013)

Additional Items: Below is additional information that could be valuable to those seeking to provide humanitarian assistance or conduct humanitarian trade with Iran.

- E.O. 13902 – For the purposes of evaluating sanctions pursuant to E.O. 13902, persons in Iran manufacturing medicines, medical devices, or products used for sanitation, hygiene, medical care, medical safety, and manufacturing safety, including soap, hand sanitizer, ventilators, respirators, personal hygiene products, diapers, infant and childcare items, personal protective equipment, and manufacturing safety systems, for use in Iran and not for export from Iran, will not be considered to be operating in the manufacturing sector of the Iranian economy. Note that persons conducting or facilitating transactions for the provision, including any sale, of agricultural commodities, food, medicine, or medical devices to Iran will not be subject to sanctions under E.O. 13902.
- Swiss Humanitarian Trade Arrangement (SHTA) – The SHTA is the first operational channel to be established under this humanitarian framework, in partnership with the Swiss government. Initial pilot transactions were successfully conducted in late January 2020, and the SHTA was formally established on February 27, 2020. Under the SHTA, participating financial institutions commit to conducting enhanced due diligence to ensure that humanitarian goods reach the people of Iran and related financial transactions are not misused by the Iranian regime. See OFAC FAQs 824, 825, and 826 for more information.

Venezuela

The Venezuela sanctions program is designed to limit the illegitimate former Maduro regime's sources of revenue and hold accountable those who stand in the way of restoring democracy in Venezuela, while also ensuring the flow of humanitarian goods and services to the Venezuelan people. U.S. persons are not prohibited from engaging in transactions involving the country or people of Venezuela, provided that the Government of Venezuela, other blocked persons, or proscribed conduct are not involved. To ensure that humanitarian goods can reach the people of Venezuela despite a nexus to the Government of Venezuela, the United States maintains broad exemptions and authorizations that allow for the provision of humanitarian assistance and the commercial sale and export of agricultural commodities, food, medicine, and medical devices, to Venezuela.

Frequently Asked Questions (FAQs): The following OFAC FAQs provide information on the provision of humanitarian assistance to Venezuela.

- FAQ 519 – Guidance related to helping the Venezuelan people.
- FAQ 520 – Guidance related to sending U.S. origin food or medicine to Venezuela.
- FAQ 521 – Guidance related to long-term financing to the Government of Venezuela to help with the export or re-export of food, medicine, medical devices, and related items to Venezuela.
- FAQ 665 – Guidance related to supporting humanitarian efforts following the blocking of the Government of Venezuela.

General Licenses (GLs) and Specific Licensing: The following are GLs issued by OFAC related to humanitarian assistance and trade with Venezuela.

- General License 4C authorizes certain transactions ordinarily incident and necessary to the exportation or reexportation of agricultural commodities, medicine, medical devices, replacement parts and components for medical devices, or software updates for medical devices to Venezuela, or to persons in third countries purchasing specifically for resale to Venezuela. This includes testing kits, respiratory devices, personal protective equipment, and medicine used in the prevention, diagnosis, treatment, and recovery from COVID-19.
- General License 16C authorizes all transactions and activities ordinarily incident and necessary to processing noncommercial, personal remittances involving certain financial institutions, including Banco de Venezuela, S.A. Banco Universal (Banco de Venezuela), Banco Bicentenario del Pueblo, de la Clase Obrera, Mujer y Comunas, Banco Universal C.A. (Banco Bicentario del Pueblo), Banco del Tesoro, C.A. Banco Universal (Banco del Tesoro), and Banco Central de Venezuela (BCV). In addition, remittances with non-blocked Venezuelan financial institutions are not prohibited.
- General License 20B authorizes official activities of certain international organizations such as the United Nations, including its Programmes and Funds, and its Specialized Agencies and Related Organizations, as well as the International Committee of the Red Cross, among others, to engage in transactions involving BCV, or involving other Government of Venezuela persons to the extent the transactions are subject to U.S. jurisdiction.
- General License 26 authorizes the provision and receipt of nonscheduled emergency medical services and the provision of other medical services involving the Government of Venezuela.
- General License 29 authorizes non-governmental organizations to engage in transactions involving the Government of Venezuela in support of humanitarian projects, democracy building, education, non-commercial development projects directly benefiting the Venezuelan people, and environmental protection in Venezuela.
- General License 30 authorizes activities involving the Government of Venezuela that are ordinarily incident and necessary to operations or use of ports and airports in Venezuela.
- General License 33 authorizes, among other activity, all transactions involving the Government of Venezuela necessary to provide air ambulance and related medical services, including medical evacuation from Venezuela, for individuals in Venezuela.
- ***Specific Licensing***: For transactions not otherwise authorized by OFAC general licenses, OFAC considers specific license requests on a case-by-case basis and prioritizes license applications, compliance questions, and other requests related to humanitarian support for the Venezuelan people.

Advisories or Other Guidance: The following are advisories or other guidance issued by OFAC related to humanitarian assistance for Venezuela.

- "Guidance Related to the Provision of Humanitarian Assistance and Support to the Venezuelan People" (August 2019)

Executive Orders (E.O.): The following are E.O.s related to humanitarian assistance for Venezuela.

- E.O. 13884 of August 5, 2019, which blocks the property and interests in property of the Government of Venezuela, includes Section 5, exempts transactions involving the

Government of Venezuela that relate to the provision of articles such as food, clothing, and medicine intended to be used to relieve human suffering.

North Korea

Among other objectives, OFAC's North Korea sanctions are intended to stop the Government of North Korea from further developing its WMD programs by restricting its access to the international financial system and global supply chain. OFAC generally licenses non-governmental organizations (NGO) to provide services related to certain humanitarian activities. Such support may include providing items to the civilians of North Korea, to include but not limited to testing kits, respiratory devices, personal protective equipment, and medicine used in the prevention, diagnosis, treatment, and recovery from COVID-19. OFAC authorizes limited transactions involving the Government of North Korea, including payment of reasonable fees, taxes and import duties, and purchase of permits, licenses, and bills related to public utility consumption. Partnerships, agreements, and most other working relationships between NGOs and the Government of North Korea that are necessary for the NGO to provide services to vulnerable populations located in North Korea are prohibited without a specific license.

General Licenses (GLs) and Specific Licensing: The following are GLs within the North Korea Sanctions Regulations (NKSR) related to humanitarian assistance and trade with North Korea. Separately, the exceptions below are also captured in title LXXI of the National Defense Authorization Act for Fiscal Year 2020, titled the "Otto Warmbier North Korea Sanctions and Enforcement Act of 2019."

- § 510.509 of the NKSR authorizes the provision and receipt of nonscheduled emergency medical services.
- § 510.511 of the NKSR authorizes noncommercial, personal remittances to or from North Korea up to a maximum of $5,000 per year.
- § 510.512 of the NKSR authorizes U.S. NGOs to export or reexport services to North Korea for humanitarian purposes, including:
    - Projects to support basic human needs in North Korea, including the distribution of food, medicine, and clothing intended to be used to relieve human suffering; the provision of shelter; the provision of clean water, sanitation, and hygiene assistance; and the provision of health-related services;
    - Activities to support non-commercial development projects to directly benefit the North Korean people, including preventing infectious diseases.
- § 510.514 of the NKSR authorizes official activities of the United Nations and its Specialized Agencies, Programmes, Funds, and Related Organizations by employees, contractors, or grantees.
- Additionally, there are no exemptions for persons designated pursuant to E.O. 13382, which includes, but is not limited to, North Korea's Foreign Trade Bank.
- ***Specific Licensing***: For transactions not otherwise authorized by OFAC general licenses, OFAC considers specific license requests on a case-by-case basis and prioritizes license applications, compliance questions, and other requests related to humanitarian support for the North Korean people.

Syria

OFAC's Syria sanctions are designed to deter Bashar al-Assad, his cronies, foreign enablers, and the Government of Syria from accessing the international financial system and global supply chain. In addition, there are many illicit actors that operate in Syria, such as those related to Specially Designated Global Terrorists, Iran, or Russia, which may trigger additional sanctions prohibitions. OFAC remains committed to ensuring that these sanctions do not limit the ability of civilians located in Syria to receive humanitarian support from the international community. Such support may include providing items to the civilians of Syria, to include testing kits, respiratory devices, personal protective equipment, and medicine used in the prevention, diagnosis, treatment, and recovery from COVID-19. The United States government aims to work closely with the international organizations and humanitarian assistance community to address any obstacles.

General Licenses (GLs) and Specific Licensing: The following are GLs within the Syrian Sanctions Regulations (SySR) issued by OFAC related to humanitarian assistance and trade with Syria. Similarly, the exemptions below are also captured in title LXXI of the National Defense Authorization Act for Fiscal Year 2020, titled the "Caesar Syria Civilian Protection Act of 2019," which codifies the GL in § 542.516 of the SySR (discussed below) that authorizes certain services in support of non-governmental organizations (NGO), and includes a humanitarian waiver.

- § 542.510 of the SySR authorizes certain exports or reexports to Syria of items licensed or otherwise authorized by the Department of Commerce (Commerce) and certain related services. This GL also authorizes certain services that are ordinarily incident to the exportation or reexportation of items to Syria and certain other services to install, repair, or replace such items, provided the export of such items is licensed or otherwise authorized by Commerce. Additionally, export of U.S. origin food and most medicines to Syria is not prohibited and does not require a Commerce or OFAC license (*see* Syria FAQ 229).
- § 542.512 of the SySR generally authorizes, subject to certain limitations, non-commercial personal remittances to or from Syria. OFAC also authorizes U.S. depository institutions, including banks and U.S.-registered money transmitters, to process noncommercial, personal remittances to or from Syria, or for or on behalf of an individual ordinarily resident in Syria, provided the funds transfer is not by, to, or through the Government of Syria or any person designated or otherwise blocked by OFAC.
- § 542.513 of the SySR authorizes activities of certain international organizations. Subject to certain narrow limitations, the GL authorizes transactions and activities that are for the conduct of the official business of the United Nations, including its specialized agencies, programmes, funds, and related organizations by employees, contractors, or grantees of those organizations.
- § 542.516 of the SySR authorizes, subject to certain limitations, NGOs to provide certain services in support of, and certain U.S. financial institutions to process transfers of funds in support of, the following not-for-profit activities in Syria:
    - Humanitarian projects that meet basic human needs;
    - Democracy-building;

    - Projects supporting education;
    - Non-commercial development projects directly benefitting the Syrian people; and
    - Activities to support the preservation and protection of cultural heritage sites.
- § 542.525 of the SySR authorizes the exportation, reexportation, sale, or supply, directly or indirectly, from the United States or by a U.S. person, wherever located, to Syria, including the Government of Syria, of services that are ordinarily incident to the exportation or reexportation to Syria, including to the Government of Syria, of non-U.S.-origin food, medicine, and medical devices that would be designated as EAR99 under the Export Administration Regulations (EAR) if it were subject to the EAR.
- § 542.531 of the SySR authorizes the provision on nonscheduled emergency medical services.
- ***Specific Licensing**:* For transactions not otherwise authorized by OFAC general licenses, OFAC considers specific license requests on a case-by-case basis and prioritizes license applications, compliance questions, and other requests related to humanitarian support for the Syrian people.

Cuba

The Cuba embargo targets Cuba's Communist regime, which has for decades oppressed the Cuban people and failed to meet their most basic needs. Though the Cuba embargo remains in place, and most transactions between the United States, or persons subject to U.S. jurisdiction, and Cuba continue to be prohibited, OFAC maintains several general license authorizations designed to allow for humanitarian relief and assistance to the Cuban people.

General Licenses (GLs) and Specific Licensing: The following GLs are related to humanitarian travel, trade, and assistance with Cuba pursuant to the Cuban Assets Control Regulations (CACR).

- § 515.533 of the CACR authorizes all transactions ordinarily incident to the export from the United States, or the reexport from a third country, to Cuba of items licensed or otherwise authorized by the Department of Commerce's (Commerce) subject to certain conditions. Please see the Commerce website for additional information related to medicines, medical devices, and agricultural commodities.
    - Persons providing carrier services for authorized travelers going from the United States to Cuba may transport cargo and baggage accompanying an authorized traveler provided that the export of the cargo and baggage is authorized by Commerce, and other cargo or unaccompanied baggage whose export to Cuba is authorized by Commerce. (For more information please see Frequently Asked Question (FAQ) 730)
- § 515.570 of the CACR authorizes a number of categories of remittances from persons subject to U.S. jurisdiction to persons in Cuba, including family remittances as well as remittances to certain individuals and independent non-governmental organizations (NGO) in Cuba. (For more information, please see FAQ 732)
- § 515.572(a) of the CACR authorizes persons subject to U.S. jurisdiction to provide carrier services by vessel or aircraft to, from, or within Cuba, in connection with authorized travel, without the need for a specific license from OFAC. However, while no additional license is required from OFAC, the export or reexport of certain vessels or

aircraft providing carrier services under § 515.572(a)(2) requires separate authorization from Commerce. (For more information, please see FAQ 723)

- § 515.574 of the CACR authorizes, subject to conditions, travel-related transactions and other transactions that are intended to provide support for the Cuban people, which include activities of recognized human rights organizations; independent organizations designed to promote a rapid, peaceful transition to democracy; and individuals and NGOs that promote independent activity intended to strengthen civil society in Cuba. (For more information, please see FAQ 707)
- § 515.575 of the CACR authorizes, subject to conditions, transactions, including travel-related transactions, that are related to humanitarian projects in or related to Cuba. These authorized humanitarian projects are: medical and health-related projects; construction projects intended to benefit legitimately independent civil society groups; disaster preparedness, relief, and response; historical preservation; environmental projects; projects involving formal or non-formal educational training, within Cuba or off-island, on various topics. (For more information, please see FAQ 708)
- § 515.591 of the CACR authorizes persons subject to U.S. jurisdiction to provide Cuba or Cuban nationals (including the Cuban government and state-owned entities) with services related to developing, repairing, maintaining, and enhancing Cuban infrastructure that directly benefit the Cuban people, consistent with the export or reexport licensing policy of Commerce. "Infrastructure" in this case means systems and assets used to provide the Cuban people with goods and services produced by the public transportation, water management, waste management, non-nuclear electricity generation, and electricity distribution sectors, as well as hospitals, public housing, and primary and secondary schools. (For more information, please see FAQ 801)
- ***Specific Licensing**:* For transactions not otherwise authorized by OFAC general licenses, OFAC considers specific license requests on a case-by-case basis and prioritizes license applications, compliance questions, and other requests related to humanitarian support for the Cuban people.

Ukraine/Russia-Related

Russia is engaged in a broad range of malign activities globally, including interference in elections, ongoing aggression towards Ukraine, providing support to the Bashar al-Assad regime in Syria and the Maduro regime in Venezuela, engaging in malicious cyber activity, committing human rights abuses, and assisting North Korea in evading United Nations and U.S. sanctions. The Ukraine/Russia-related sanctions program is a key tool in the U.S. government's effort to disrupt and deter Russia's malign activities on these various fronts, and to impose long-term costs on the Russian government for these activities. U.S. persons are not prohibited from engaging in transactions involving the country or people of Russia, provided that the transactions do not involve the Crimea region of Ukraine, blocked persons, or proscribed conduct. While the Crimea region of Ukraine is comprehensively blocked pursuant to Executive Order (E.O.) 13685, OFAC maintains several general license authorizations designed to provide humanitarian relief and assistance to the Ukrainian people.

General Licenses (GLs) and Specific Licensing: The following are GLs issued by OFAC related to humanitarian assistance and trade with the Crimea region of Ukraine.

- General License 4, issued pursuant to E.O. 13685, authorizes the exportation or reexportation from the U.S., or by a U.S. person, wherever located, of certain agricultural commodities, medicine, and medical supplies to the Crimea region of Ukraine, or to persons in third countries purchasing specifically for resale to the Crimea region of Ukraine, with certain exceptions as further described in General License 4.
- General License 6, issued pursuant to E.O. 13685, authorizes U.S. persons to transfer funds to or from the Crimea region of Ukraine or for or on behalf of an individual ordinarily resident in the Crimea region of Ukraine in cases in which the transfer involves a noncommercial, personal remittance, provided the transfer is not by, to, or through a person whose property and interests in property are blocked pursuant to E.O.s 13660, 13661, 13662, or 13685.
- ***Specific Licensing**:* For transactions not otherwise authorized by OFAC general licenses, OFAC considers specific license requests on a case-by-case basis and prioritizes license applications, compliance questions, and other requests related to humanitarian support for the Ukrainian people.

Other Cross-Programmatic Guidance

- "OFAC Licensing Process" – Provides guidance on the OFAC licensing process.
- "Guidance Related to the Provision of Humanitarian Assistance by Not-For-Profit Non-Governmental Organizations" – Clarifies the reach of economic sanctions for the non-governmental organizations involved in the provision of humanitarian assistance. (October 2014)

If you have additional questions regarding the scope of any sanctions programs' requirements, or the applicability or scope of any humanitarian-related authorizations, please contact OFAC's Sanction Compliance and Evaluation Division at (800) 540-6322 or (202) 622-2490, or by email at OFAC_Feedback@treasury.gov.

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