



**FORWARD** >>>

**FOR OUR FREEDOM**

**HOW WISCONSIN CAN PROTECT SELF-GOVERNMENT  
AGAINST HYPER-NATIONALIZED MONEY IN POLITICS**

**MARCH 2025**



## Introduction

When out-of-state – and even foreign – money pours into Wisconsin’s elections, who is really governing Wisconsin?

The national trend of a handful of wealthy elites dominating campaign finance throughout the country threatens the very idea of self-government at the state and local levels. The current system of unlimited spending in U.S. elections is warping the original constitutional framework that wisely balanced the self-governing interests of states within a national system — a concept known as federalism. This paper discusses how elections in Wisconsin are becoming hyper-nationalized as out-of-state monied interests increasingly exert their influence. It then presents an achievable solution: an amendment to the U.S. Constitution to restore Wisconsin’s right to self-govern.

## Wisconsinites Should Govern Wisconsin

The United States was designed to be a **republic**. In a republic, ultimate political power is meant to reside with the people, and that power then gets channeled into action through the people’s relationships with their elected representatives. Some have believed that representative self-government could only work for small, tight-knit populations where the link between the people and their elected representatives is less likely to stretch and strain.

But the American Republic has always been different. Even when there were only thirteen colonies and not the fifty states we have today, American territory extended the length of the Atlantic coast and included millions of people. The Framers thus faced a key question: how could the United States continue to grow while still preserving its essential republican character?

They answered that question with a concept we now call federalism. Put simply, federalism is the idea that within a large national union, there should be levels of government (e.g., states and municipalities) that remain closer to the people. The states are not merely subordinate subdivisions of the national union – they are distinct governments with their own powers and authority.

It was important to the Framers that states would serve as a sites of self-government, with spheres of authority separate from the national government:

The powers delegated by the proposed Constitution to the federal government are few and defined. Those which are to remain in the State governments are numerous and indefinite. The former will be exercised principally on external objects, as war, peace, negotiation, and foreign commerce; with which last the

power of taxation will, for the most part, be connected. The power reserved to the several States will extend to all the objects which, in the ordinary course of affairs, concern the lives, liberties, and properties of the people, and the internal order, improvement, and prosperity of the State.<sup>1</sup>

In other words, a primary virtue of federalism was that most of the decisions that affect Americans' daily lives would be made at the state level.

Although the Framers were visionary in their thinking, they could not have anticipated the threat to federalism presented by our modern system of unlimited money in politics. Our current campaign finance system was not created through policy decisions by our elected leaders, with input from the American people. Instead, it has emerged from a series of U.S. Supreme Court decisions over the past 50 years — decisions holding that money is equivalent to speech, and that limiting money in elections violates the Free Speech Clause of the First Amendment.<sup>2</sup>

Under this judge-created doctrine, it is unconstitutional for states like Wisconsin to set limits on money in their own elections.<sup>3</sup> This means that individuals and organizations with access to millions of dollars can exert political influence wherever they choose. When the most powerful force in a state election is a Super PAC funded and run from the other side of the country, then the people of that state are drowned out in their own elections. Instead of focusing on state and local priorities, elections are transformed into pitched battles over a limited range of national issues.

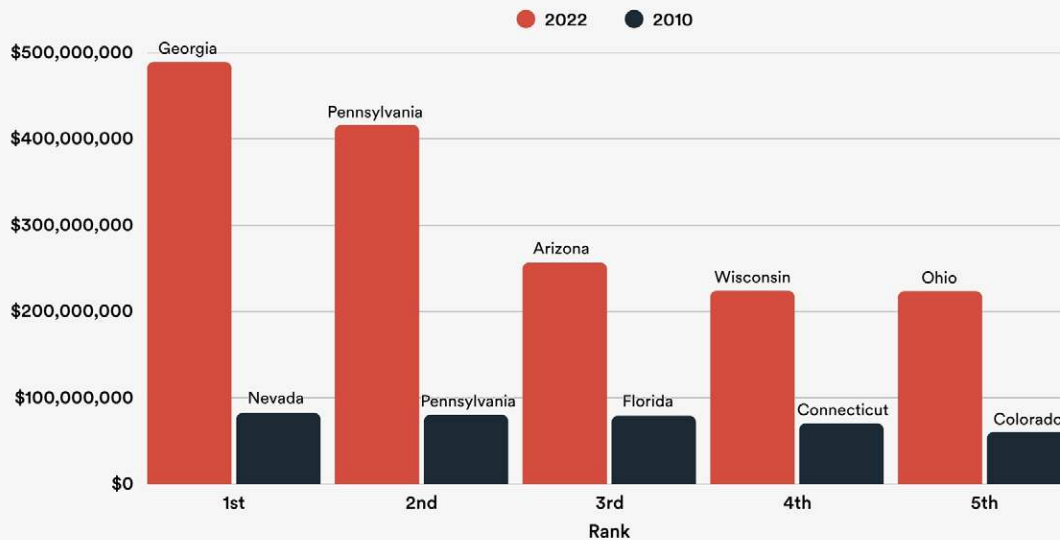
When Wisconsin became the 30th State in 1848, it joined a union under a Constitution infused by the Framers with structural features to preserve its sovereign power as a state, while also ensuring that the national government maintained a connection to Wisconsin constituencies. Today, the Supreme Court's campaign finance doctrine has weakened this delicate balance of federalism by robbing Wisconsin of its right to run its own elections.

## The Big Money Game Goes National

It has become commonplace for there to be massive amounts of campaign spending every single election cycle in the United States. In federal elections, billions of dollars are spent across the nation on campaigns, funded by corporations, unions, and wealthy megadonors whose spending drowns out the voices of ordinary Americans. This problem has worsened over the past several years, turning most elections into a competition of “who can raise the most money?” instead of “who has the best ideas?” To get a sense of the amount of money in federal elections, just compare the amounts spent in the five most expensive U.S. Senate races in 2010,<sup>4</sup> versus the five most expensive races in 2022<sup>5</sup>:

## MOST EXPENSIVE SENATE RACE SPENDING (CANDIDATES AND OUTSIDE GROUPS) 2010 VS 2022

Source: OpenSecrets.org



The total amount of money is shocking in and of itself, but the source of this money is most troubling from the perspective of federalism. As we have documented in previous state reports such as [Under the Avalanche](#) (Maine) and [UnCommonWealth](#) (Pennsylvania), tens of millions of dollars flowed into those states from outside their borders through national Super PACs, often controlled by the leaders of the Democratic and Republican parties and funded by an elite national group of wealthy donors. In addition to the massive amounts of disclosed spending that we know comes from out-of-state donors, both national political parties also use secret “[dark money](#)” vehicles that make it impossible to trace the original sources of their money.

When it comes to the big money game, both major parties in the U.S. are players. The parties undermine representative self-government in favor of pushing agendas that benefit their national mega-donors, regardless of what actually matters to citizens at the local level. This means that political power in the U.S. is increasingly concentrated in the hands of a few:

***“A few places in the United States control congressional elections in the rest of the country. A handful of metropolitan areas now feature the wealthiest Americans who contribute at substantially greater rates and in substantially greater amounts to congressional campaigns.”<sup>6</sup>***

In the past few years, the dynamic of hyper-nationalized campaign money flowing into a state’s electoral system has impacted Wisconsin in elections at the federal, state, and local levels.

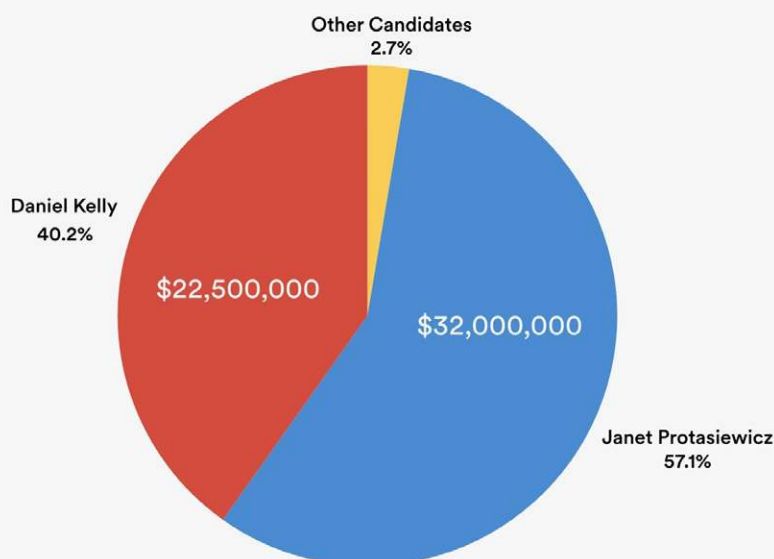
In the 2022 Wisconsin **federal** Senate election, for example, both candidates reported receiving more than two-thirds of their campaign donations from outside the state,<sup>7</sup> and both candidates were themselves outspent by outside spending groups.<sup>8</sup> At the **state level**, Wisconsin saw the most expensive state Supreme Court election in American history in 2023. More than half the spending in that race came from independent spending groups, not the actual candidates' campaigns.<sup>9</sup> Even at the **local level**, school board elections are being flooded with outside money. Instead of community members making personal connections with their neighbors, elections are being decided by who has the strongest connection to state party organizations or national Super PACs, and who can deploy the most money for campaign mailers and paid contact campaigns.

## The 2023 Wisconsin Supreme Court Election

In 2023, Wisconsin saw the most expensive State Supreme Court election in American history.<sup>10</sup> The outcome of the race between liberal Janet Protasiewicz and conservative Dan Kelly was widely framed as a decision about ideological control of the court's approach to abortion. This dynamic emerged after the Supreme Court overturned *Roe v. Wade*, returning questions of abortion policy back to the states.<sup>11</sup> Wisconsin was subjected to more than **\$56 million** in total campaign and ad spending during the race,<sup>12</sup> smashing the previous record<sup>13</sup> for the most expensive State Supreme Court race (\$15 million in Illinois in 2006), and nearly doubling the \$22 million Pennsylvania Supreme Court race in 2023 that would have otherwise set the record.<sup>14</sup> For comparison, more was spent on Wisconsin's Supreme Court race in 2023 than was spent on any single U.S. House race in 2022.<sup>15</sup>

### WI SUPREME COURT SPENDING TOTALS: CANDIDATES AND SUPPORTING COMMITTEES

Source: Wispolitics.com





Less than half of the \$56 million was spent by the candidates' political committees (you can think of this as "candidate money"). The majority — about \$29 million — was spent by 60 groups attempting to influence the outcome of the race (these are known as "outside groups"). This was more than five times than the amount of outside spending in the previous Wisconsin Supreme Court election in 2020.<sup>16</sup>

**Just three outside groups dominated the election, spending more than \$5 million each:<sup>17</sup>**

- A Better Wisconsin Together spent \$6.3 million backing Protasiewicz
- Wisconsin Manufacturers & Commerce spent \$5.6 million backing Kelly
- Fair Courts America spent \$5.54 million backing Kelly.

Notably, we do not know how much was actually spent to influence the State Supreme Court election because Wisconsin does not currently require disclosure of spending on so-called "issue ads" — ads that do not explicitly advocate for or against a candidate.<sup>18</sup> Additionally, committees placing issue ads are permitted to coordinate their efforts directly with campaigns in Wisconsin. As a result, outside groups in Wisconsin are allowed to spend unlimited amounts of unreported money on issue ads to advance a campaign strategy that they can directly coordinate with a candidate.<sup>19</sup> It is not hard to see how a candidate could benefit from millions of dollars in advertisements promoting their favorite issue, even if the ads do not technically mention their name.

It is easier to trace how much money was given directly to the candidates' campaigns. Protasiewicz and Kelly benefited heavily from wealthy donors giving the legal maximum amount to their campaign, much of it from outside Wisconsin. According to documents filed shortly before the election, the Protasiewicz campaign received the maximum donation of \$20,000 from 41 individuals — a total of \$820,000. Kelly received 21 donations of the same size.<sup>20</sup>

Many notable maximum donors to the Protasiewicz campaign came from outside of Wisconsin. This includes Hollywood director Steven Spielberg and his wife; Oklahoma energy heirs Lynn Schusterman and Stacy Schusterman, who gave \$1 million to the Wisconsin Democratic party on top of their maxed-out donations directly to the Protasiewicz campaign; and at least 6 individuals connected to the Wall Street firm Jane Street.<sup>21</sup>

The Protasiewicz campaign also received more than \$8.8 million from the state Democratic Party, in the form of both direct donations and in-kind contributions.<sup>22</sup> Almost one-third of the money raised by the Wisconsin Democratic Party from February 7th to March 20th, 2023, came from just two individuals: George Soros, the billionaire Democratic megadonor, and J.B. Pritzker, the billionaire governor of Illinois.<sup>23</sup>

Kelly also had an important out-of-state donor from the Uihlein family. The family gained

prominence and wealth in the late 1800s, when four Uihlein brothers gained control of the Milwaukee Schlitz brewing company. Chicago residents Richard and Elizabeth Uihlein, owners of the Uline shipping company and conservative mega donors – giving \$230 million over the past decade to support conservative candidates nationwide – funded PACs supporting Kelly. They each maxed out their personal donations to Kelly’s campaign, for a total of \$40,000 dollars.<sup>24</sup> Additionally, Richard Uihlein gave \$4 million to his Fair Courts America PAC, which spent over \$5.5 million supporting Kelly.<sup>25</sup>

Another side of the family, Lynde Uihlein (Richard’s Milwaukee-based cousin and another Schlitz beer heir) spent hundreds of thousands of dollars backing Protasiewicz. In addition to making a personal contribution of \$20,000 to the liberal judge’s campaign, she also gave \$250,000 to the A Better Wisconsin Together PAC, the largest PAC supporting Protasiewicz, and \$400,000 to the Wisconsin Democratic Party.<sup>26</sup>

What did all this money buy? In its seminal decision that equated money with free speech, the Supreme Court assumed that more money would improve campaigns by enhancing “the number of issues discussed, the depth of their exploration, and the size of the audience reached.”<sup>27</sup> Well, in the Wisconsin Supreme Court race, more money just produced more nastiness.

Ads placed by outside groups and the campaigns themselves dragged the election down into the mud, with vicious attacks ads being slung back and forth. For example, Women Speak Out PAC, which spent over \$2.22 million backing Kelly,<sup>28</sup> ran several TV ads, [one of which](#) claimed that “Protasiewicz and her bloodthirsty comrades don’t care about Wisconsin’s values. They care about making money, killing babies.” On the other side, the Protasiewicz campaign itself ran [one ad](#) that called Dan Kelly “extremely corrupt.” Both ads, and many others, presented their intended target in the stereotypical “attack ad” style of grainy footage and dramatic voice-overs, intended to stoke fear. In the end, an election for a seat on a court with exclusive jurisdiction in Wisconsin was funded by individuals and organizations from outside that jurisdiction, raising the question: whose interests will the Wisconsin Supreme Court serve?

## The 2022 U.S. Senate Election

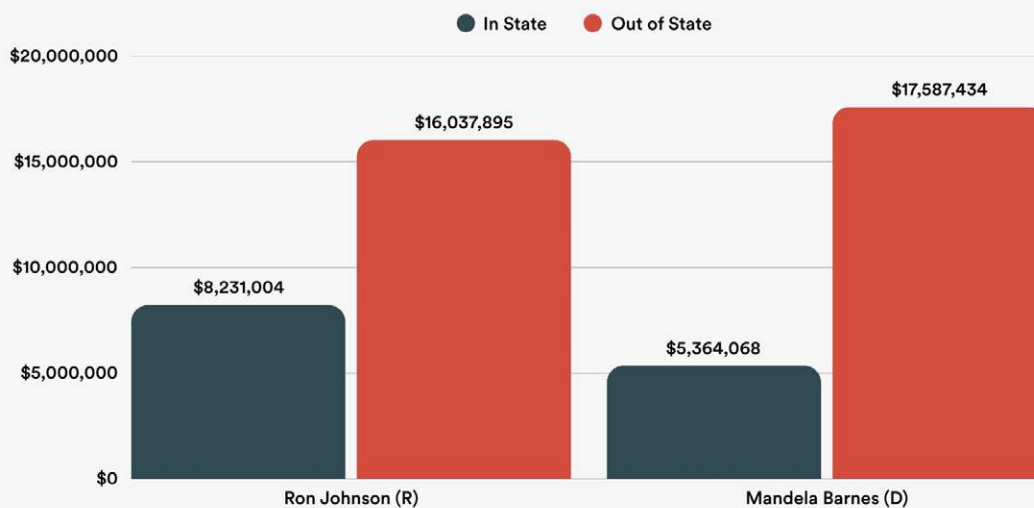
The 2022 Wisconsin U.S. Senate election was the 4th most expensive Senate race of 2022. In total, almost \$225 million was spent on the race. Two-thirds of that money was spent not by the candidate’s campaigns, but by outside spending groups able to deploy tens of millions of dollars to push their own agenda and attempt to influence Wisconsin voters: \$78 million to benefit the incumbent Ron Johnson, and \$50 million to benefit his challenger Mandela Barnes.<sup>29</sup> Many of these outside groups are national Super PACs with connections to Democratic and Republican leadership that raise and spend hundreds of millions of dollars every year on elections nationwide. Others are vehicles for a small number of wealthy donors to spend as much money

as they want to advance their agendas. In total, there was over \$128 million in spending by such outside groups in Wisconsin's US Senate election in 2022.

Spending by the candidates' own campaigns made up only a third of that total spending: the winner, Ron Johnson spent almost \$36 million, and Mandela Barnes spent over \$41 million.<sup>30</sup> Both candidates reported receiving the majority of their campaign donations from outside the state: Johnson reported receiving 66% of his itemized contributions from outside Wisconsin, and Barnes reported receiving over 76% of his.<sup>31</sup>

## IN STATE VS OUT OF STATE ITEMIZED CONTRIBUTIONS

Source: OpenSecrets.org



## The Wisconsin Truth PAC of Houston, Texas

The outside group that spent the most money in the race was the misleadingly named “Wisconsin Truth PAC,” which is registered not in Wisconsin, but Houston, Texas. The PAC spent more than \$28 million on the WI Senate race. Most of this money — \$20 million — went towards attack ads against Mandela Barnes. The PAC was a vehicle for just a few mega donors to exercise their wealth. For example, the Uihleins gave a significant amount of money to the PAC, with Elizabeth Uihlein giving \$3.2 million and Richard Uihlein giving another half a million dollars.<sup>32</sup>

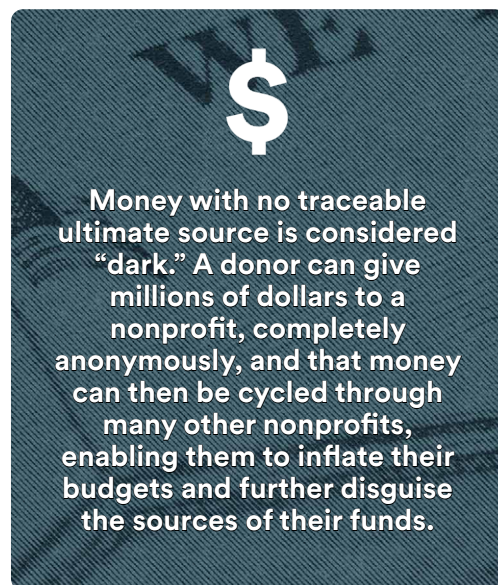
## National PACs

Two major national PACs were also involved in the 2022 Wisconsin Senate race: the



conservative Senate Leadership Fund (“SLF”) and the liberal Senate Majority PAC (“SMP”). SLF spent \$26 million and the SMP spent \$24.5 million.<sup>33</sup> For both groups, that sum was just a fraction of their nationwide budgets. The SLF spent over \$290 million in senate races nationwide 2022,<sup>34</sup> while the SMP spent over \$327 million.<sup>35</sup> Both groups have ties to federal Congressional leadership of the two major parties. The Senate Leadership Fund was established in 2015 by allies of Mitch McConnell,<sup>36</sup> and the Senate Majority PAC is chaired by J.B. Poersch, a “confidant” of Chuck Schumer.<sup>37</sup>

In the 2022 election cycle, both the SLF and SMP continued to benefit heavily from what is known as “dark money.” “Dark money” generally refers to money that comes from groups that aren’t required to disclose their funders. For example, a politically active nonprofit organization, like a 501(c)(4) “social welfare organization,” is not required to disclose its donors, despite the fact that it engages in election-influencing spending. Money with no traceable ultimate source is considered “dark.” A donor can give millions of dollars to a nonprofit, completely anonymously, and that money can then be cycled through many other nonprofits, enabling them to inflate their budgets and further disguise the sources of their funds.<sup>38</sup>



## WHAT ARE SUPER PACS?

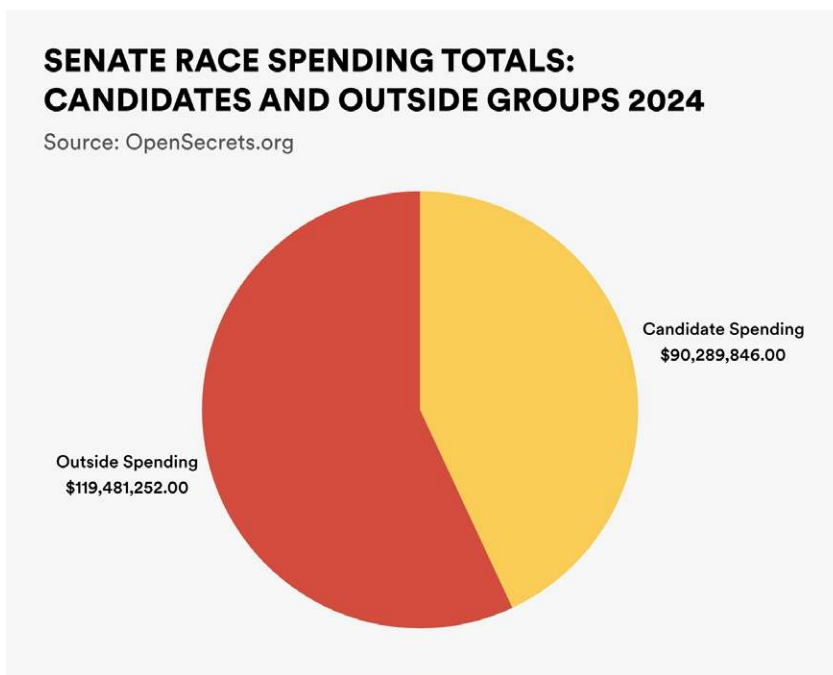
Super PACs (Political Action Committees) are a type of political organization that grew out of several Supreme Court decisions that eliminated longstanding state and federal anti-corruption rules about how much people and organizations could donate or spend to influence election outcomes. Super PACs have no limit on the size of donations they receive, how much money they can raise, or how much they can spend in support of a candidate. Although Super PACs are technically prohibited from coordinating directly with campaigns, they are often staffed by high-level party operatives with deep connections to candidates and elected officials, and campaigns can publicly make available materials and messaging they want allied Super PACs to use.<sup>66</sup>

Super PACs are the means by which ultra-wealthy donors have been able to deploy staggering amounts of money to influence elections across the nation. In the 2022 election cycle Super PACs raised over \$2.7 billion nationally.<sup>67</sup> SuperPACs are funded almost entirely by big donors: In 2022, 93.07% of Super PACs funding came from the top 1% of donors to those committees.<sup>68</sup>

These groups can then spend millions of dollars on campaign ads and other political services. Not only is the source of the money difficult to determine, it is also hard to track how dark money is spent. Though dark money groups are technically supposed to report their spending to the IRS, they often use vague descriptors like “media services” when itemizing expenditures, making it nearly impossible to tell what was actually purchased. Loopholes in FEC rules mean that such groups don’t have to file their spending with the FEC as long as they place ads 60 days before an election (30 days for a primary) and don’t explicitly advocate voting for or against a candidate.<sup>39</sup>

Each of the Democrat and Republican Senate PACs has a major dark money nonprofit that funnels tens of millions of dollars in untraceable donations to them every election cycle. The conservative Senate Leadership Fund received \$74,975,000 from its dark money supplier, One Nation, in 2021-2022,<sup>40</sup> and the progressive Senate Majority PAC received almost \$73.3 million from the dark money nonprofit Majority Forward in the same time period.<sup>41</sup>

## 2024 Senate Election



In 2024, the Senate election in Wisconsin was the 6th-most expensive Congressional race in the country, with more than \$209 million in spending between outside spending groups and the candidates themselves. The outside spending, by organizations such as Super PACs that can raise and spend unlimited amounts of money, made up the majority of that total, at over \$119 million spent.<sup>42</sup>

In terms of candidate spending, incumbent Democratic Tammy Baldwin,

who won the election, outspent her opponent, Republican Eric Hovde, by nearly two-to-one. Baldwin raised over \$58 million, while Hovde raised over \$31 million.<sup>43</sup> Both candidates reported receiving a significant amount of contributions from outside the state. Of their itemized contributions (those above \$200, for which the donor’s location must be recorded and reported), Baldwin reported receiving 64.8% of those funds from donors outside Wisconsin.

Hovde reported 67.5% of his itemized funds coming from outside the state.<sup>44</sup>

Outside spending was approximately even between Democrat and Republican-aligned groups, with each side spending approximately \$60 million. In both cases, each party's allied groups focused on attack ads and negativity, each spending about \$50 million opposing the other party's candidate rather than presenting a positive case for their own.<sup>45</sup>

The largest Democrat-aligned spending group was WinSenate PAC, which spent over \$32 million on the race.<sup>46</sup> The PAC was entirely funded by the Senate Majority PAC (SMP)<sup>47</sup>, the primary super PAC supporting Democratic Senate candidates. In the 2024 election cycle, SMP raised more than \$389 million nationally, including almost \$80 million from the dark money group Majority Forward,<sup>48</sup> a major Democratic fundraising nonprofit.

The largest Republican-aligned spending group was the Senate Leadership Fund (SLF), a super PAC that supports Republican candidates for Senate. The group spent more than \$22 million in Wisconsin,<sup>49</sup> though it raised over \$298 million nationwide in the 2024 cycle. One major donor to SLF was One Nation, another dark money fundraiser that gave more than \$63 million.<sup>50</sup>

## Local-Level Election Spending

High levels of campaign spending are not limited to state and federal races (where, sadly, they've come to be expected). The problem of money in our elections has even reached the local level, turning elections like school board races into partisan slugfests that see thousands of dollars in spending dropped in from national groups that have no personal stakes in the community or the issues that matter to its citizens.

In 2023, the 1776 Project PAC, a group funded by Restoration PAC (which is a national group funded by Richard Uihlein), endorsed a slate of candidates for school board races across Wisconsin. The PAC sent out mailers and text messages supporting the candidates, often without the candidates' knowledge. Several candidates publicly stated that they had no connection to the PAC or its mailers, with one candidate condemning them, noting that the issues highlighted were not the issues that mattered to their district.<sup>51</sup> It is unclear how much was spent on these mailers. No reports from the PAC are available through the WI Ethics Commission campaign finance portal concerning expenditures on the mailers. In a report filed in March 2023 with the Wisconsin Ethics Commission, the 1776 Project PAC reported over \$10,000 in spending on text message campaigns supporting their endorsed candidates, but makes no mention of the mailers.<sup>52</sup> In 2024, the group endorsed 24 candidates across the state, and the group's founder claims that it spent over \$60,000 backing them.<sup>53</sup> Campaign finance reports filed with the WI Ethics Commission show over \$58,000 in independent expenditures by the PAC, on mailers and text messaging supporting their endorsed candidates.<sup>54</sup>

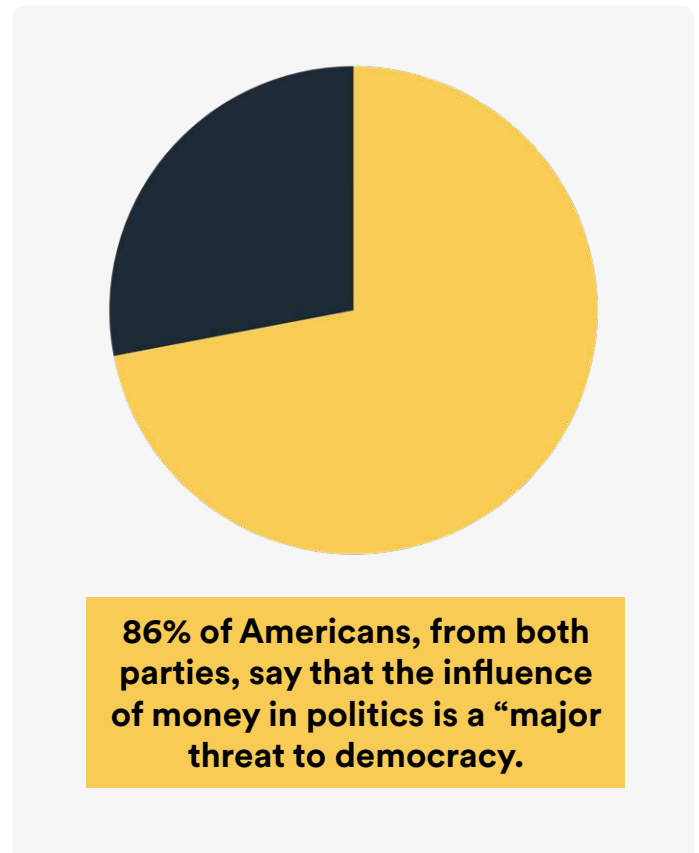
State parties have also become heavily involved in local school board races. The Wisconsin Republican party created the WisRed PAC to endorse and support school board races across the state.<sup>55</sup> In 2022, it spent more than \$70,000,<sup>56</sup> and in 2023 it reported spending more than \$45,000.<sup>57</sup> In response to this spending, in 2024 the Wisconsin Democratic Party massively ramped up its spending on school board races. In the April 2024 election, the state Democratic party spent more than \$230,000 backing candidates for school boards across the state, through in-kind contributions such as sending mailers supporting the candidates.<sup>58</sup>

The proliferation of spending directed by state parties and national PACs may erode the independence and ability of communities to decide their own representatives at the municipal level. In the past, school board elections have traditionally been local affairs, with candidates making personal connections with the members of their community and addressing the issues that matter most to them. Now, candidates are finding that a personal, nonpartisan approach is untenable in the face of hundreds of thousands of dollars coming in from outside their community. In Waukesha, one candidate who had tried to keep school board elections nonpartisan felt forced to accept in-kind support from the Democratic Party, for fear of being left behind candidates who could afford to send out mailers and other advertisements.<sup>59</sup>

## Moving Forward With a Constitutional Solution

The onslaught of out-of-state and out-of-district money threatens self-government in Wisconsin. It is a threat felt across the nation. Eighty-six percent (86%) of Americans, from both parties, say that the influence of money in politics is a “major threat to democracy.”<sup>60</sup> Reforms are needed, but our lawmakers’ hands are tied by a Supreme Court that has taken over campaign finance regulation and created an election system that permits unlimited spending from unlimited and undisclosed sources. Under the guise of protecting the freedom of speech, the Court has given wealthy donors and corporations outsized influence in our elections.

When the Supreme Court gets things this wrong, the solution to course-correct is a constitutional amendment, one that would explicitly affirm the ability of Americans and our representatives to regulate spending in our elections. Without a constitutional amendment, states and Congress are not free to choose whether and how to regulate

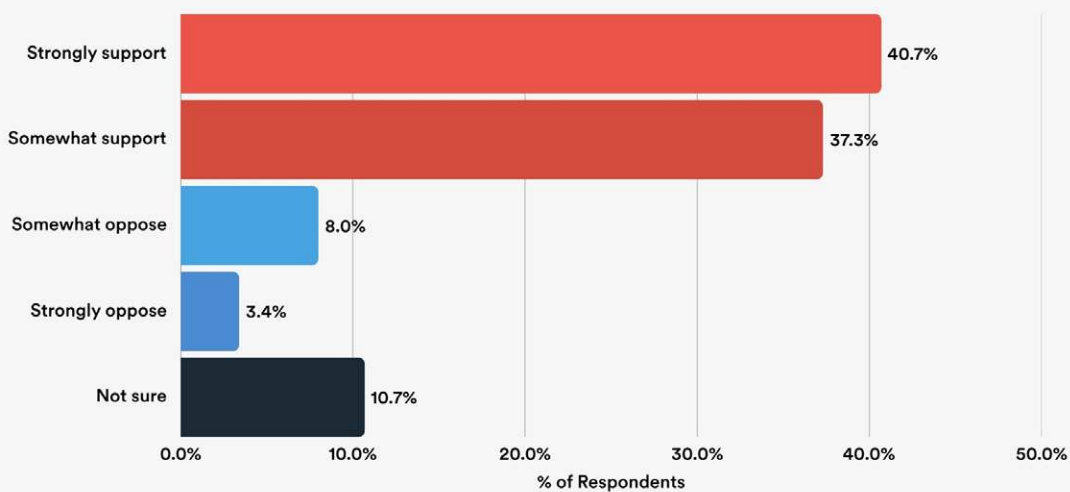


money in elections and campaigns.

At first blush, a constitutional amendment may sound out of reach. In truth, however, the U.S. Constitution *is* amendable, and a modern-day amendment is getting more likely every day. Americans across the political spectrum are very concerned about the role dark money plays in our elections, and they are coming to support the amendment.<sup>61</sup> A Pew Research survey found that 77% of Americans believe there ought to be limits on the amount of money individuals and organizations can spend on elections.<sup>62</sup> And another Pew survey found that 72% of Americans say “the role of money in politics” is a very big problem in the country today, the highest share of any issue.<sup>63</sup> Polling by Citizen Data also found that 78% of Wisconsinites — including supermajorities of both parties and independents — would support a constitutional amendment that would allow Congress and the states to reasonably regulate and limit money in our campaigns and elections.<sup>64</sup>

## CITIZEN DATA 2023 WISCONSIN POLL

A proposed constitutional solution amendment would allow Congress and the states to reasonably regulate and limit money in our campaigns and elections. Would you support or oppose this amendment?



A future where America’s elections reflect the will of the people is possible, because the power in our system of self-government still ultimately rests with citizens. The Constitution enshrines our power to amend it — and this power is an essential tool that allows Americans to counterbalance the Supreme Court and correct misguided interpretations of the law. Although passing and ratifying a constitutional amendment is difficult, it is crucial during times of deep challenge, when our republic and our right to self-governance are being drowned in a flood of campaign cash.

Over the years, various versions of such an amendment have been proposed, but the most practical and clear proposal is the [For Our Freedom Amendment](#). This amendment would explicitly empower states and Congress to decide whether and how to enact campaign finance regulations and regulate artificial entities. But, importantly, ***it doesn't dictate to the states or Congress what those regulations should be***. By taking this approach — empowering but not dictating — the amendment would give policymakers the discretion to choose how best to address the influence of Super PACs, shell corporations, dark money groups, and even foreign-influenced actors.<sup>65</sup>

American Promise and citizen-led campaigns across the nation are leading the charge for the For Our Freedom Amendment to address money corruption in politics. To learn how you can contribute to this effort, visit our website at [americanpromise.net](http://americanpromise.net) and add your voice by signing the [Citizen Pledge](#) to stand up for genuine self-government.



## FOR OUR FREEDOM AMENDMENT

### Text of the Amendment

Section 1. We the People have compelling sovereign interests in the freedom of speech, representative self-government, federalism, the integrity of the electoral process, and the political equality of natural persons.

Section 2. Nothing in this Constitution shall be construed to forbid Congress or the States, within their respective jurisdictions, from reasonably regulating and limiting contributions and spending in campaigns, elections, or ballot measures.

Section 3. Congress and the States shall have the power to implement and enforce this article by appropriate legislation and may distinguish between natural persons and artificial entities, including by prohibiting artificial entities from raising and spending money in campaigns, elections, or ballot measures.



## Endnotes

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