ICBV Office Update

February 13, 2018

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**\*\*1** **Calendar of Events**

**March 20-23, 2018**

NAMA One Show in Las Vegas

(Randolph-Sheppard Training on March 20th)

**May 21-22, 2018**

NABM Goes to the Hill in Washington D.C.

NABM Advocacy and Current Issue Training in Washington, D.C.

**July 3-8, 2018**

NFB National Convention

Place: Rosen Shingle in Orlando Florida

Join the largest gathering of the blind next year.

**July 24-25, 2018**

NAMA DC Fly-In

The Fairmont Hotel

2401 M St NW

Washington, DC 20037

For more information visit:

[www.namaflyin.org](http://www.namaflyin.org)

**November 13-16, 2018**

BLAST Conference in San Antonio, Texas

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**\*\*2** From Terry Smith, NFBEI - **Update on Rest Area Commercialization**

Well, it's no longer conjecture. It's official. The Trump Administration released its infrastructure plan today and rest area commercialization is a key part of the plan. Attached you will find the outline of the plan released by the White House today. Page 21 will be of particular interest to the Randolph-Sheppard community. If you are one of the approximately 400 blind vendor at an interstate rest area, your job is very much on the line. If your program relies on commission dollars from third party vending at the rest areas, your funding is at risk. Thesis no longer rhetoric. The threat is very very real. We have been telling you this day was coming and now is the time to act. The only way to stop this is through collective grassroots efforts and it starts with you.

NABM will be releasing a statement on this matter soon. More importantly, we are planning a Fly In on May 22 in Washington, D.C. I can't imagine why every rest area vendor in the country would not make every effort to get to D.C. All 48 states on the Mainland should want to be in D.C. to protect what we have. The NFB and NABM cannot do it alone. We will win or lose because of you. Rest area commercialization will not be the only issue on the agenda. DOD threats will be high profile topics as well.

To register to attend the Fly-In, go to [www.blindmerchants.org](http://www.blindmerchants.org). Complete the registration form and submit. We will make appointments for you with your members of Congress on Tuesday, May 22nd.

The host hotel will be the Marriott Key Bridge Hotel, 1401 Lee Highway, Arlington, Virginia, 22209. You can book your room by going to <http://www.marriott.com/meeting-event-hotels/group-corporate-travel/groupCorp.mi?resLinkData=NABM%20DC%20Fly%20In%20and%20ECM%20Training%5EWASKB%60NAFNAFR%60199.00%60USD%60false%604%605/17/18%605/26/18%604/26/18&app=resvlink&stop_mobi=yes>. You may also call 703-524-6400 and ask for he NABM Fly In rate which is $199.00. We have a block of rooms for the nights of May 20, 21, and 22. If you have trouble getting a room, contact Terry Smith at terrysmith@epbfi.com. If you need to talk with Terry about the Fly In, he can be reached at 865-599-7148 or you can call NABM President Nicky Gacos at 908-464-5359.

See you in D.C. in May.

Terry Smith, Director

NFBEI

**From page 21 of Legislative Outline for Rebuilding Infrastructure in America**

Reconcile the grandfathered restrictions on use of highway toll revenues with current law. Toll facilities that received Federal approval under the Surface Transportation and Uniform Relocation Assistance Act of 1987 (STURRA) may use toll revenues only for the construction, reconstruction, operation, and debt service of the toll facility itself. Current law, however, allows other toll facilities to use toll revenues (in addition to the costs noted above) on other title 23 projects. The tighter restrictions, specific to the STURRA toll facilities, prevent some States from devoting existing toll revenues to other critical highway projects. Adjusting the STURRA “use of revenues” provisions to align with current toll authorities would free these resources and allow other critical highway projects to go forward.

2. Extend Streamlined Passenger Facility Charge Process from Non-hub Airports to Small Hub Airports

Current law (49 U.S.C. 40117) outlines the application process to impose

passenger facility charges (PFCs), as well as the approval process and pilot program for alternative procedures. Small, medium, and large hub airports must provide extensive documentation in PFC applications to demonstrate the eligibility, justification, objective, project costs, significant contribution (large and medium hubs) and other requirements. The streamlined non-hub process requires reduced information, primarily relating to project descriptions and costs.

Current law creates an unreasonable burden on small hub airports filing PFC applications.

Extending the streamlined PFC process to small hub airports would allow these airports to more readily fund needed development as well as reduce delays and unnecessary requirements in the PFC process.

3. Provide States Flexibility to Commercialize Interstate Rest Areas

Federal law prohibits most commercial activity within the Interstate right-of way, including at Interstate rest areas.

This limits infrastructure investment opportunities and the ability to generate revenues to operate and maintain Interstates.

Amending the law (23 U.S.C. 111) to provide States flexibility to commercialize Interstate rest areas, and requiring the revenues to be reinvested in the corridor in which they are generated, would support new infrastructure investment. States would not be permitted to charge fees for essential services such as water or access to restrooms.

4. Provide New Flexibility for Transportation Projects with De Minimis Federal Share

Under current law, even when a State or private sector entity provides the

majority of the funding for a project, it still must seek review and approval

under the laws of any Federal agency with jurisdiction.

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**\*\*3** From Terry Smith **NFB/NFBEI Annual Report 2017**

**A MESSAGE FROM THE PRESIDENT By Nicky Gacos**

As the President of the National Association of Blind Merchants, a division of the National Federation of the Blind, I am so proud of what we were able to accomplish in 2017. Our organization remains committed to doing our part to protect and enhance entrepreneurial opportunities for the Blind in this country. That commitment is driven by a fundamental belief in the abilities of the Blind and the knowledge that blindness is not what stands between us and our dreams.

Six years ago, we created the National Federation of the Blind Entrepreneurs Initiative (NFBEI). It is not a stand-alone entity. It is part of NABM and is simply the name we gave to this unique initiative. As such, it is impossible to do an annual report for the NFBEI and separate its accomplishments from those of NABM. We are one and the same. Our goal when we created this initiative was to make a difference in what it means to be a blind entrepreneur in this country. That has and always will be the goal of NABM. The only difference is we now have a name for the initiative that helps us achieve that goal.

As NABM President, I am extremely proud of the successes we have achieved over the past 6 years and I am especially proud of all that we did in 2017. This annual report is a testament to that success. As we reflect on the past year, we owe a debt of gratitude to National Federation of the Blind President Mark Riccobono and our entire NFB family. Just like the NFBEI and NABM are one and the same so are the NFB and NABM. We could not do what we do without the support of President Riccobono and our National Office.

I also want to thank those of you who help us fund this special initiative. A total of 37 state licensing agencies paid an annual subscription fee to take advantage of the training and technical assistance services we offer through the NFBEI. Those subscription fees allow us to provide the type of services to the states they want and need. We also want to thank those who contribute to our cause on an annual basis. Those funds are used to help us offset the costs of much of our advocacy efforts in D.C. such as our annual fly-in. Without your financial support, we wouldn’t be able to do much of what we do – at least not on the level we are able to do so now.

I invite you to read through this annual report and take it all in. I am confident that you will be impressed. Take note of what we accomplished in 2017 and where we are going in 2018. We can take pride in what we have achieved but we must look to the challenges of the New Year. 2018 will offer many opportunities for us to protect and enhance the Randolph-Sheppard Program. However, it will also offer an opportunity to focus on the future and on businesses other than those typically associated with blind vendors.

As we hit the ground running in 2018, I encourage you to get involved. Check out the Dates to Remember and attend as many of those events as you can. Everyone can’t attend everything and we understand that but these are all important events for the future of our program.

In closing, let me say we look forward to an even bigger 2018. I want to extend a personal invitation to anyone reading this to attend our 2018 BLAST Conference which will be held November 13-16 at the Hyatt Regency Hill Country in San Antonio, Texas. I can’t promise we will top last year’s Music City BLAST but we are going to try. You will soon be able to start registering at www.blindmerchants.org.

Read the full report here: <https://blindmerchants.org/a-message-from-our-president/>

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**\*\*4** Shared by Denise Avant, President NFBI

Hello all, I have received the below e-mail from Dylan Hedtler-Gaudette

of our governmental affairs division. Please read and act now!!! Thank you.

Greetings fellow Federationists:

Many of you were already aware that **H.R. 620, the "ADA Education and Reform Act of 2017," was moving toward a vote** in the House of Representatives this week. We have recently learned that vote is scheduled to take place this Thursday morning, February 15.

In light of these developments, the National Federation of the Blind is

mobilizing to reiterate our strong opposition to this bill leading up to the

vote on Thursday. We are encouraging all of our members to call, email, and contact their representatives via social media over the next two days. A

high volume of contact from us will be especially critical on Wednesday,

February 14th, the day before the vote. The more that members of Congress hear from us on that day, the harder it will be for them to forget our opposition as they cast their votes the next day.

Contact information, including office phone numbers, email addresses, and

social media handles can be found on the website of each member of Congress.

You can also call the Capitol Hill Switchboard at (202) 224-3121 to be

connected directly to the Washington, DC office of your member of Congress.

These next two days are critical for us if we hope to stop the momentum of

this bill. We laid the foundation of this work at our Washington Seminar and

this next phase represents the crucial follow-up effort that may very well

help stop this bill and make sure that civil rights for the blind are not

set back by thirty years.

The important thing is that we, the National Federation of the Blind, make

our voices heard loudly and often over the next two days.

Please see below for a sample email that can be used when emailing your

members of Congress. Remember, these messages do not need to be long or detailed. In fact, short and to the point is often the best way to go.

Dear Representative [Last Name]:

My name is [blank] and I live in [city], [state]. I am writing to you today

to urge you to vote no on H.R. 620, the "ADA Education and Reform Act of

2017." This bill will diminish the rights of blind people by eroding the

foundation of the Americans with Disabilities Act.

Sincerely,

[Your name]

[Street address]

[Phone number]

For any calls you make to your representative's office, a similar script can

be used.

Once again, thank you for all that you do to advance the legislative

priorities of the blind.

Best,

Dylan Hedtler-Gaudette

Government Affairs Specialist

200 East Wells Street, Baltimore, MD 21230

(410) 659-9314, extension 2210 | [DHedtler-Gaudette@nfb.org](mailto:DHedtler-Gaudette@nfb.org)

**More information on HR620 from Chuck Young**

Washington Post

Opinion Section

October 17, 2017

Congress wants to make Americans with disabilities second-class citizens again

By Tammy Duckworth October 17, 2017 (Tammy Duckworth, a Democrat, represents Illinois in the U.S. Senate)

On May 28, 1988, Lisa Carl went to her local movie theater, something millions of Americans can do with ease and comfort. Yet when Lisa tried to go into the theater, the manager refused her ticket, denying her entry because Lisa had cerebral palsy and used a wheelchair. When an advocate called the theater owner about the incident, the manager coldly stated, “I don’t want her in here, and I don’t have to let her in.”

Lisa later testified before Congress, “I was not crying on the outside, but I was crying on the inside. I just wanted to watch the movie like everyone else.” While the cruelty is heartbreaking, the true outrage was that in 1988, the law actually sided with the theater owner, who was free to legally discriminate against Lisa and deny her access to a public theater because she was born with a disability.

Fortunately, millions of Americans with disabilities and their families refused to accept this discrimination. They shared their stories and pushed and prodded a bipartisan coalition of legislators to end decades of legally sanctioned discrimination through passage of the landmark Americans with Disabilities Act (ADA) of 1990.

At the signing ceremony, President George H.W. Bush noted that before the ADA, “tragically, for too many Americans, the blessings of liberty have been limited or even denied. The Civil Rights Act of ’64 took a bold step towards righting that wrong. But the stark fact remained that people with disabilities were still victims of segregation and discrimination, and this was intolerable.” Bush declared, “Let the shameful wall of exclusion finally come tumbling down.”

Decades later, the forces of discrimination are working hard to rebuild that wall. Led by the hospitality and retail industries, special interests want to shift the burden of ADA compliance away from business owners and onto individuals with disabilities. They’re backing a bill that has already passed the House Judiciary Committee, the so-called ADA Education and Reform Act, which would reward businesses that fail to comply with the law. The bill would allow businesses to wait until they are notified of their failure to meet legal obligations before they even have to start removing barriers that prevent Americans with disabilities from leading independent lives.

This offensive legislation would segregate the disability community, making it the only protected class under civil rights law that must rely on “education” — rather than strong enforcement — to guarantee access to public spaces. As the Consortium for Citizens with Disabilities Rights Task Force and other civil rights organizations wrote in opposing this bill, “We know of no other law that outlaws discrimination but permits entities to discriminate with impunity until victims experience that discrimination and educate the entities perpetrating it about their obligations not to discriminate.”

For decades, from enactment of the Civil Rights Act of 1964 through passage of the ADA, Congress has worked to enshrine the principle in law that no American should be denied access to a public space because of who they are, be it their race, nationality, religion, gender or disability. The ADA Education and Reform Act betrays this bipartisan legacy.

Businesses have had 27 years to comply with the ADA public-access protections. Yet rather than investing time and energy to achieve this goal, they are waging a propaganda campaign to convince Congress that their own lack of accessibility isn’t the problem — so-called drive-by lawsuits are. Notably, supporters of the ADA Education and Reform Act often do not dispute that they are violating the law. Rather, they simply resent being sued for what they believe are “minor” ADA infractions.

Ever since I lost my legs when an RPG tore through the cockpit of the Black Hawk helicopter I was flying over Iraq, getting around has been difficult. I can’t always enter restaurants or other public spaces. I have to spend a lot of time planning how to get from one place to the next.

An incline that is a few degrees too steep or an entrance that is a few inches off the ground can determine whether I am able to access an area without assistance. Being unable to independently enter a movie theater, store, hotel or restaurant is not only humiliating, it limits the freedom to pursue certain jobs, to access necessary services and to enjoy basic conveniences that most Americans don’t think twice about.

I understand that not everyone thinks about these things because, for most of my adult life, I didn’t either. But the truth is that everyone, whether they realize it or not, is just one bad day away from needing accessible options to help them get around their community.

While I understand people might not think of some ADA violations as significant at first glance, I can assure you they are more significant for those of us with disabilities than you know.

If Congress passed this misguided legislation, it would send a disgraceful message to Americans with disabilities that their civil rights are not worthy of strong enforcement. It is not too late to defeat this dangerous legislation and keep every American living with a disability from becoming a second-class citizen.

Source: <https://www.washingtonpost.com/opinions/congress-is-on-the-offensive-against-americans-with-disabilities/2017/10/17/f508069c-b359-11e7-9e58-e6288544af98_story.html?utm_term=.51503efa7ae4> (long URL and may appear on more than one line in this message. Copy and paste the entire URL into your browser)

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**\*\*5** Shared by Terry Smith - **Tyndall Arbitration Decision**

Exciting news about vending on military bases. NABM and the NFBEI have made creating traditional vending opportunities available to blind entrepreneurs on military bases. The Florida SLA was the fist to step up to the plate and they hit a home run. See the decision attached that clearly states that the Randolph-Shepaprd priority applies to military bases and that the military has an obligation to establish vending facilities to be operated by the Blind on the bases. The decision further states that the military exchange is not exempt from income sharing unless the vending machines re actually located within the sales outlet. This is very exciting news. We strongly encourage every state with a military base to follow Florida's lead and go after these opportunities.

Congratulations to Brent McNeal who represented the SLA in these proceedings and to Susan Gashel who was the SLA;s representative on the Panel. They did a terrific job. NABM offered expert testimony on behalf of the SLA's position. I'm sure Brent would be happy to discuss this case in detail with your attorneys if they want to pursue similar litigation.

Thanks!

Terry Smith

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**\*\*6** **IAMC Legislative Report** on the 100th General Assembly 2018 Spring Session February 9, 2018 Prepared by BP Consultants

For IAMC

The attached Legislative Report includes legislation from the 2018 Spring Session of the 100th General Assembly. This report has been prepared by BP Consultants on behalf of IAMC.

We have included bills that we believe may be of interest to your organization. Please review this report carefully to see if we have included all areas of interest. If we have included legislation that is not relevant or legislation that you do not wish to track, please let me know and they will be removed.

The House and Senate were in session this week and return February 13th. Please note that next Friday, February 16th is the last date to introduce substantive bills in the House and Senate. Governor Rauner’s Budget Address is scheduled for Wednesday, February 14th.

In a briefing on the state’s finances before the Senate Appropriations Committees, Governor Rauner’s new budget chief said the income tax hike enacted over the governor’s veto is bringing in more money than expected but the books are still awash in red ink. Hans Zigmund said the lawmakers’ FY18 budget plan was nearly $1.7 billion out of balance, but that number has been whittled down to $600 million through a combination of spending cuts, borrowing about $85 million from specialized accounts and more revenue coming in than expected. Then he detailed looming problems, including the state’s roughly $8.3 billion pile of unpaid bills. Of that, $1.1 billion is tied to what Zigmund called “unappropriated liabilities,” or money the administration spent without permission from lawmakers as it sought to keep the prison system and Medicaid program afloat during the impasse. Zigmund said Rauner would propose a way to address the combined $9 billion shortfall next week. The budget director didn’t provide details Wednesday, saying he didn’t want to get ahead of the governor. Rauner has said he wants to roll back at least portions of the tax hike, as well as cut spending.

Budget director Hans Zigmund also said that the legislature needs to approve a supplemental spending bill to ensure the Department of Corrections can get through the rest of the fiscal year. He said they are seeking a $1.1 billion supplemental appropriations bill to cover “unappropriated liabilities” from the previous fiscal year. The state did not have a budget in place for FY17 but kept spending money through a variety of court orders, consent decrees and continuing appropriations. About 85% of the new supplemental spending request is for expenses at Corrections and Medicaid.

In a report released today, the Civic Federation’s Institute for Illinois’ Fiscal Sustainability proposes a comprehensive five-year plan to stabilize the State’s finances. The Federation’s proposal would eliminate the State’s operating deficit in FY2019 and clear the multi-billion-dollar backlog of bills by FY2023, allowing the State to begin building a rainy day fund to protect against future financial shocks. The full report can be accessed at: [https://civicfed.org/sites/def ault/files/fy2019reportroadmap \_0.pdf](https://civicfed.org/sites/def%20ault/files/fy2019reportroadmap%20_0.pdf) . The Federation recommends:

1. Restricting net agency spending growth to 2.1% annually through at least FY2023;
2. Reducing late bill interest penalty payments to a market-based rate;
3. Eliminating the State of Illinois exclusion for all federally taxable retirement income;
4. Extending the State sales tax to 14 additional services taxed by Wisconsin;
5. Working toward a rainy day fund equal to 10% of General Funds revenues;
6. Placing a constitutional amendment on the ballot to clarify the pension protection clause;
7. In the absence of benefit reform, requiring annual supplemental pension payments;
8. Merging the Chicago Teachers’ Pension Fund with the Teachers’ Retirement System;
9. Creating a bipartisan commission to rationalize the State’s higher education system and consolidating the governance of State universities;
10. Initiating a new capital plan with a comprehensive analysis and prioritization of the State’s infrastructure needs, funded by an increase in the motor fuel tax; and
11. Consolidating and streamlining government units in Illinois

Legislation is starting to move through the General Assembly. On Tuesday, bills to increase the legal smoking age in Illinois from 18 to 21 years old passed out of committee. HB 4297 (Representative Lilly) is now on Second Reading in the House and SB 2332 (Senator Morrison) is on Second Reading in the Senate. Another measure would amend the medical marijuana program to allow those prescribed opioids to apply for medical marijuana instead. The amendment to SB 336 (Senator Harmon) was recommended to be adopted by the Senate Executive Committee and the bill is on Third Reading in the Senate.

A joint House and Senate committee hearing was held to investigate the Legionnaire’s disease outbreak at the state-run Quincy Veterans’ Home in 2015 that led to the death of 13 residents. Officials from the American Federation of State, County and Municipal Employees, which represents workers at the facility, said communication between state agencies and employees was poor at best. “In all three cases, our union found out about the outbreak of Legionnaires’ disease at Quincy Veterans’ Home through media reports,” said Anne Irving, the union’s public policy director. “Moreover, in 2015, despite the obvious impact the disease was having on employees, our union had to seek information from the (Centers for Disease Control) and the Adams County Health Department because both (the state departments of Public Health and Veterans’ Affairs) were largely unresponsive.” Representative Welch and Senator Hastings blasted Department of Public Health Director Nirav Shah over his department’s refusal to release emails elated to the outbreak. Shaw said the request, made by Senator Tom Cullerton, was “too broad and burdensome,” citing Freedom of Information Act guidelines, but he would be happy to release them after discussing how to narrow the request.

Upcoming Important Dates and Deadlines:

February 13, 2018 – Next House and Senate Session Date

February 14, 2018 – Governor Rauner’s Budget Address

February 16, 2018 – Deadline to Introduce Substantive House and Senate Bills

April 13, 2018 – Deadline to Report Substantive House Bills from House Committees and Substantive Senate Bills from Senate Committees

April 27, 2018 – Third Reading Deadline for House Bills in the House and Senate Bills in the Senate

May 11, 2018 – Deadline to Report Substantive House Bills from Senate Committees

May 18, 2018 – Deadline to Report Substantive Senate Bills from House Committees

May 25, 2018 – Third Reading Deadline for Senate Bills in the House and House Bills in the Senate

May 31, 2018 – Scheduled Adjournment

Thank you,

Desi Harris

and

Scott Goodwin, President

IAMC

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**\*\*7** Shared by Denise Avant – **helpful contact information**

The House will be in their districts the week of President’s day (Feb. 19th). This is an excellent opportunity for our members to meet with their representatives in the district. We are targeting the following republican offices in Illinois. We strongly encourage our advocates to ask the following members to co-sponsor ATAA!

<https://www.govtrack.us/congress/members/peter\_roskam/412202> Peter Roskam12th District

<https://www.govtrack.us/congress/members/mike\_bost/412629> Mike Bost

<https://www.govtrack.us/congress/members/rodney\_davis/412536> Rodney Davis

<https://www.govtrack.us/congress/members/randy\_hultgren/412422> Randy Hultgren

<https://www.govtrack.us/congress/members/john\_shimkus/400373> John Shimkus

<https://www.govtrack.us/congress/members/adam\_kinzinger/412421> Adam Kinzinger

<https://www.govtrack.us/congress/members/darin\_lahood/412674> Darin LaHood

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**\*\*8** Shared by David Myer

The National Federation of the Blind of Illinois Presents **Zanies Night Out**

You can help blind children and adults and have fun at the same time. Join us on March 15 at Zanies Comedy Club, 1548 N. Wells in Chicago.

Cost: $20 plus 2 food/beverage item minimum (must be age 21 or older).

Pay: Any Chicago Chapter member or mail a check payable to “NFBI” and sent to 6919 W. Berwyn Ave. Chicago, IL 60656.

Tickets: Pick them up at the “will call” window at Zanies on the day of the show.

Reservations: Will be made by NFB.

Time: Show is at 8:00 but doors open at 7:00 p.m.

Due date: No refunds will be made after March 10 and all payments must be received by March 10.

Questions: Please reach out to: Steve at (773) 848-5307 or steve.hastalis@gmail.com.

Thank you for helping blind people live the lives we want.

For more information about the National Federation of the Blind visit: [www.nfb.org](http://www.nfb.org).

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**\*\*9** Shared by Donnie Anderson, Chairman ICBV

**They can’t see, but blind hockey players can pass, shoot and score**

The skate-safe rubber-matted hallway at Kettler Capitals Iceplex in Arlington fills quickly on a Sunday morning in January. People hurry in carrying hockey sticks; bulging bags of gear line the walls. At first glance, it looks like any other weekend at an ice rink. But there are harnessed guide dogs calmly navigating through the crowd, some skaters are wearing sunglasses or making their way with white canes, and people are including their names in greetings: “Hi, it’s Matt.” “Hi, it’s Karen.” They’re all here to try, or help others try, a sport new to the Washington region, and to the country: blind hockey.

See video, and read full story here: <https://www.washingtonpost.com/lifestyle/magazine/devil-may-care-were-going-to-go-play-the-fellowship-and-thrill-of-blind-hockey/2018/02/05/578a7d48-fcb3-11e7-a46b-a3614530bd87_story.html?utm_term=.f5c1d15a0f0d>

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