



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Standing Committee on Canadian Heritage

CHPC



NUMBER 068



1st SESSION



41st PARLIAMENT

EVIDENCE

Monday, June 10, 2013



Chair

The Honourable Rob Moore

Standing Committee on Canadian Heritage

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•(1550)

[English]

The Chair (Hon. Rob Moore (Fundy Royal, CPC)): Welcome, everybody, to the Standing Committee on Canadian Heritage.

Pursuant to the order of reference of Wednesday, May 29, 2013, on Bill C-49, an act to amend the Museums Act in order to establish the Canadian Museum of History and to make consequential amendments to other acts, we are now doing the clause-by-clause of Bill C-49.

We have with us two individuals from the Department of Canadian Heritage. From the heritage group, we have with us Cynthia White-Thornley, executive director, and Judith Marsh, senior policy analyst. They are here for our questions, if we have any, but they won't be making a presentation. They're here only if they're needed for some clarification.

As you all know, when we go through clause-by-clause, we usually skip the first clause, which is the short title, and we move that to the end.

In front of you, you should have Bill C-49, as well as a package of amendments. Does everybody have the package of amendments?

An hon. member: Yes.

The Chair: I'm going to very briefly go over two amendments. As you know, we passed a motion inviting members who do not have a party represented at committee to put forward some amendments. Ms. May and Mr. Plamondon are here on behalf of their respective parties, which have put forward some amendments.

As for the way this is going to work, those amendments, pursuant to the motion we passed, are deemed to have been moved, so no one has to move the amendment. I am going to allow that Ms. May or Mr. Plamondon can speak for a minute to their amendment, and then we will deal with the amendments they have put forward. But I'm going to be pretty strict to the one-minute mark, because we do have a busy agenda today.

So I'm going to go directly—

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Chair, if I may have the floor for a moment...?

The Chair: Sorry, Ms. May, maybe real quickly. Do you have a question?

Ms. Elizabeth May: I just want to put on the record that while I appreciate your invitation, it wasn't my idea. I've been kept to a strict one minute. I'm not allowed to ask questions of the witnesses and I'm

not allowed to defend my own amendment. It's an inadequate procedure. I just want it on the record.

The Chair: Okay. I won't take that out of your minute for your amendment either, so now you have that plus a minute.

(On clause 2)

The Chair: We're going to go directly to clause 2. There is a Liberal amendment. On amendment Liberal-1, suffice it to say that if this amendment passes, a number of amendments will, by consequence, be dropped. Also, if it is defeated, a number of amendments will drop because there are several amendments that are identical or nearly identical to Liberal-1.

On amendment Liberal-1, Mr. Simms.

•(1555)

Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.): Yes, I agree. I think this is going to be lumped in with a lot of these, as you can see, with the vast majority of them. It came from witness testimony from the former president—I think that was his title—Mr. Rabinovitch. Basically, it says that it should be called the "Canadian Museum of History and Civilization", as opposed to just the "Canadian Museum of History".

Now, in going through this, as we've pointed out, a lot of amendments have to be made just by this title change alone, so I'm assuming—it's been a while since we've done this here in the heritage committee—that you're going to lump this in with others and that a lot of these amendments will be taken care of in one vote.

The Chair: I'm sorry, Mr. Simms. If amendment Liberal-1 is defeated, that means the following amendments will be defeated: NDP-1, BQ-2, Liberal-2, NDP-2, Liberal-3, Liberal-4, NDP-3, BQ-5, Liberal-6, NDP-6, BQ-7, Liberal-7.... There's a bunch of them, because they all deal with the name change, so if this is defeated, all those dealing with the name change will also be defeated.

Mr. Scott Simms: Okay.

The Chair: So is there any discussion on amendment Liberal-1, Mr. Simms?

Mr. Scott Simms: Well, I think all I can say is this. The fact is that Mr. Rabinovitch brought compelling evidence that the Museum of Civilization does carry with it a great reputation, one that is far-reaching around the globe. It's a tremendous title, "Museum of Civilization", and it has been regarded by other institutions around the world as something that has a great reputation. Therefore, I think it's only logical that it be called the Canadian Museum of History and Civilization.

The Chair: Thank you, Mr. Simms.

Mr. Cash.

Mr. Andrew Cash (Davenport, NDP): Thank you, Mr. Chair. As you know, we've tabled a similar motion. I think it's worth noting that we spent quite a long time studying Canada's 150th birthday. In that long study, we never heard a single witness come forward to suggest or to promote this idea. The government decided to set aside the witness testimony during the Canada 150th study, pursue its own agenda, and then call witnesses. They could do the right thing, and it would be incumbent upon them to do so, because they've sort of done this process backwards. They should listen to some of the witness testimony and respond to it accordingly.

That's why it is important to pass this motion, not just because it's a good idea but because it's part of the democratic process. We invite witnesses in. We want to hear their expert opinions on these things. One reason the NDP has opposed this from the beginning is that the process has been completely backwards on this. This is an opportunity not to right the entire process but at least to indicate to Canadians that we're interested in the democratic process here at this committee. On behalf of my colleagues, I say we'll be supporting this.

The Chair: Thank you, Mr. Cash.

Madam Boutin-Sweet.

[Translation]

Ms. Marjolaine Boutin-Sweet (Hochelaga, NDP): Thank you, Mr. Chair.

At the end of clause 8, it says "... people and objects that reflect and have shaped Canada's history and identity, and also to enhance their awareness of world history and cultures".

History and anthropology are not the same thing. At the moment, the museum is a museum of history and anthropology. However, if we keep the word "history" only, we lose the anthropological dimension. This clause shows a willingness to continue to cover the history of other peoples. As a result, I think it would be important to keep the word "civilization" in the name of the museum, alongside the word "history".

[English]

The Chair: Thank you.

Those in favour of Liberal amendment 1 on page 1?

(Amendment negated)

The Chair: I'm not going to list all the amendments that impacts. If you want, I can do that, but as we work our way through, that will become evident.

Next up is amendment BQ-3 on page 6.

Mr. Plamondon, do you want to take a minute to speak to amendment BQ-3?

• (1600)

[Translation]

Mr. Louis Plamondon (Bas-Richelieu—Nicolet—Bécancour, BQ): According to the amendment we are proposing, the Canadian Museum of History would not include the Canadian War Museum or any other museum. If we want to have a museum of history, let's

make one, but let's not damage the reputation of the Canadian Museum of Civilization, especially since there is a danger. If everything is grouped together, there is a risk that the current government will have control and provide its own interpretation of history, which is hardly reassuring. It would be sort of like revisiting history through the eyes of the Conservative Party.

Just think of the emphasis placed on the War of 1812 festivities. Yet, according to polls, less than one-tenth of 1% of Canadians said they knew the war existed. In fact, it is an insignificant part of Canadian history. That gives us an idea of what the party wants to do with our history, or rather with the rewriting of our history, which would then be very different. I think every museum has its own calling and, if we want to create a museum of history, it should focus on history only.

Thank you.

[English]

The Chair: *Merci.* We have a couple of people who'd like to speak to this bill.

Mr. Cash or Mr. Nantel—did you want to speak to the bill? No?

Okay. Those in favour of amendment BQ-3?

(Amendment negated)

The Chair: Next we go to amendment BQ-4 on page 10.

Mr. Cash.

Mr. Andrew Cash: I just want to clarify that the time accorded our colleagues who are not on the committee is being taken out of the government's allotted time and not the opposition's.

The Chair: It is not taken out of anyone's time, really. It's just committee time. We don't have set time on one clause.

Mr. Plamondon.

[Translation]

Mr. Louis Plamondon: This amendment deals with clause 2 of the bill. We would like it to say: "History is to enhance Canadians' knowledge and understanding of events".

This amendment removes the word "appreciation" from the wording of the clause. In our view, the sole purpose of a museum must be to enhance the public's knowledge and understanding. If we talk about enhancing appreciation, we suddenly see a desire to influence public opinion. Then there is the risk of propaganda. That is why I moved this amendment. It seeks to remove the word "appreciation".

Thank you.

[English]

The Chair: All those in favour of BQ-4?

(Amendment negated)

The Chair: Next we move to LIB-5. That's on page 12 of your binder of amendments.

Mr. Simms, do you want to speak to LIB-5?

Mr. Scott Simms: Yes, it's on including the word "critical". I have received some information from people who have been involved in this type of curatorial work for many years. To simply say, "understanding and appreciation of events" is one thing, but to include the word "critical" means you are looking at it in a very academic way. This has been the tradition of major museums such as this and others, other national museums, and other museums around the country. It enhances our understanding through a critical lens, which gives the experts a far greater role in what they do, and I think it enhances the research at the end of the day.

So I'm including this one word—"critical"—just before the word "understanding".

The Chair: Thank you, Mr. Simms.

Mr. Cash.

Mr. Andrew Cash: As the committee knows, we've tabled a similar amendment. I'd like to speak in support of it. I want to underline again that we heard witness testimony that said the mandate and the documentation around the museum is something that is often referred to. It guides the management in the running of the museum and in the decisions made there. I think that we shouldn't be afraid of the word "critical", as it pertains to museums and our discussion of heritage and history.

So I think it's important that we re-insert this word in the document.

• (1605)

The Chair: Thank you, Mr. Cash.

(Amendment negated)

The Chair: LIB-5 is defeated, and that means that NDP-4 is also defeated.

Mr. Cash.

Mr. Andrew Cash: We'd like to request recorded votes, sir.

The Chair: Sure.

Next we have BQ-6.

Mr. Plamondon, we are on BQ-6 on page 14.

[Translation]

Mr. Louis Plamondon: Thank you, Mr. Chair.

Isn't it on page 13?

[English]

Is it page 13?

The Chair: I believe it's page 14.

[Translation]

Mr. Louis Plamondon: We moved this amendment to include the following words: "and have shaped Canada's history".

This amendment actually removes the word "identity" from the wording of the clause. As we explained earlier, the role of the Canadian Museum of History is not to make history rosy to make it more popular and to determine Canada's identity. I think this clause would make things clear.

Thank you, Mr. Chair.

[English]

The Chair: Thank you.

(Amendment negated [See *Minutes of Proceedings*])

The Chair: Next we have NDP-5. That's on page 15, in the name of Mr. Nantel.

Mr. Nantel.

[Translation]

Mr. Pierre Nantel (Longueuil—Pierre-Boucher, NDP): Thank you, Mr. Chair.

There is no point in me spending too much time on this. It goes without saying that this amendment is very important for us. We heard from a number of witnesses who shared the same view. The amendment accurately reflects the expertise of those who came to share their positions on the issue in order to support our position. That is what I wanted to explain.

[English]

The Chair: Thank you, Mr. Nantel.

On NDP-5, those in favour?

An hon. member: Mr. Chair...

The Chair: Are you requesting a recorded vote for every vote, Mr. Cash?

Mr. Andrew Cash: Yes. We are requesting a recorded vote for every vote, as well as the first two votes that we did.

The Chair: We can't.... Those votes are ancient history at this point.

We will proceed with the recorded vote on NDP-5.

(Amendment negated: nays 6; yeas 5)

The Chair: Next we move to page 19, in the name of Ms. May.

Ms. May, would you like speak to PV-1?

I don't know what PV stands for.

[Translation]

Ms. Elizabeth May: It stands for Parti vert.

• (1610)

[English]

The Chair: Gotcha. Okay.

[Translation]

Ms. Elizabeth May: That was not my idea. It was your committee's idea. I am fine with either the Green Party of Canada or the Parti vert. That is the acronym this group chose.

[English]

I'm presenting a small amendment to back up and say that overall I'm prepared to take a leap of faith and support this bill, but there are many things that have created a great deal of concern in the community at large. I've had many representations opposed to this bill. Both of my amendments go toward putting to rest some of the concerns of people across the country who are not as prepared as I am to give the Minister of Heritage, whom I think has nothing but best intentions, the benefit of the doubt.

My amendment is to proposed paragraph 9(1)(c). It simply removes the word "destroy". The clause now reads that in furtherance of its purpose, the Canadian Museum of History may "sell, exchange, give away, destroy or otherwise dispose of museum material in its collection".

I suggest removing the word "destroy". I think it would increase public confidence in the entire act.

Thank you, Mr. Chair.

The Chair: Thank you, Ms. May.

Mr. Calandra.

Mr. Paul Calandra (Oak Ridges—Markham, CPC): I wonder if we might have the department officials give us a better appreciation of why that may, or may not, be in there.

Ms. Cynthia White-Thornley (Executive Director, Heritage Group, Department of Canadian Heritage): Thank you.

The word "destroy" is in the act, as it was in the previous act, but it's an extremely rare occurrence. At times it becomes necessary to destroy an object because it might become unstable over time, or it is composed of dangerous material. It is a very rare occurrence but it's part of the management of the collection. If an object is assessed to be of no value, or if it becomes unstable, or if it is not of interest to another public museum, it provides an opportunity for research into conservation techniques.

Ms. Elizabeth May: If I could just follow up a bit—

The Chair: Sorry, Ms. May—

Ms. Elizabeth May: —because in the context it doesn't make any sense. You're not going to get any revenue from destroying something.

The Chair: Sorry, Ms. May.

Mr. Simms.

Mr. Scott Simms: Can I give her my time?

The Chair: Not really. That's not how we're set up.

Mr. Scott Simms: That's too bad. I tried.

In the case of destroying material for the sake of danger, were you talking about old film that is highly flammable, that sort of thing?

Ms. Cynthia White-Thornley: That's one possibility.

Mr. Scott Simms: That's one possibility.

The other possibility being...I've read that when they destroy material they do it in an experimental way to do tests on certain objects. Is that correct?

Ms. Cynthia White-Thornley: That's another possibility.

For example, an artifact that may be deemed to be of no value could be given to the Canadian Conservation Institute to do experimental conservation techniques upon it.

Mr. Scott Simms: Do you have an example?

Ms. Cynthia White-Thornley: The Canadian Conservation Institute is always experimenting. It's a leading-edge special operating agency of the department. It's continually testing new ways of preserving material. They will sometimes take an old map, or something where they are testing a new chemical composition, to see what impact it would have on the artifact in question.

Mr. Scott Simms: Okay.

Ms. Cynthia White-Thornley: A map is probably not the best example because we wouldn't normally do it on maps. Carbon-14 dating is a perfect example. My colleague's giving me an example of carbon-14 dating. As technology becomes more and more sophisticated and we test new ways of seeing how old artifacts are, we sometimes need to use that kind of technology.

The Chair: Thank you, Mr. Simms.

Madame Boutin-Sweet.

[Translation]

Ms. Marjolaine Boutin-Sweet: Thank you, Mr. Chair.

I have a few questions about materials.

First, what other materials could be dangerous? You talked about carbon 14, but I did not quite understand the logic behind that. Could you perhaps repeat what you said?

Second, you mentioned film, but there are other things. It could be anything. You talked about maps in particular. Could those things be reproduced before they are destroyed, so that the information is at least preserved?

Third, if the material is dangerous, who decides to destroy the object in question?

[English]

Ms. Cynthia White-Thornley: That decision would be made by the museum itself, most likely by the curator in charge of the area that's being studied. As to whether or not a reproduction is made of something before it's destroyed, those are technical questions you'd have to ask the museum curators. I can't imagine a case where an original map would be destroyed, requiring a reproduction.

A map probably wasn't the best example, but maybe a bone fragment. If it was decided that there is so much of it that this particular bone fragment might not be of particular significance, they might wish to do some testing on it. I want to emphasize that it's extremely rare for material to be destroyed.

● (1615)

The Chair: Mr. Cash.

Mr. Andrew Cash: Just for some context, in the current mandate of the Museum of Civilization, is there a clause similar to this?

Ms. Cynthia White-Thornley: Yes, it is the same clause.

Mr. Andrew Cash: It's the same clause. Can you tell us how often things get destroyed?

Ms. Cynthia White-Thornley: I can't, I'm afraid. I'd have to check with the museum to get some records for you. I could do that if you'd like. I don't have information regarding how much would be destroyed in a given year, for example.

The Chair: Do we want a recorded vote?

Some hon. members: Yes.

(Amendment negatived: nays 7; yeas 4)

[Translation]

Ms. Marjolaine Boutin-Sweet: Before we move to the next amendment, I would like to propose another one that would fit in here.

[English]

The Chair: You have another amendment. Do we have the amendment?

[Translation]

Ms. Marjolaine Boutin-Sweet: No.

[English]

The Chair: Next we have amendment Liberal-8, but why don't you explain what your amendment does?

[Translation]

Ms. Marjolaine Boutin-Sweet: The amendment reads: That Bill C-49, in Clause 2, be amended by replacing line 25 on page 2 with the following: (f) undertake or sponsor any research, including fundamental or basic research and theoretical and applied research, related..."

The idea here is to include the words "fundamental or basic research" in the museum's mission once again. Not only was the word "research" removed, but also the words "fundamental or basic research". Right now, archeologists, for example, are in charge of their own research. They can decide on the excavation site.

Even though we were told that this would not be the case, I am afraid that research will only focus on collections. In other words, I am afraid that, because of the amendments to this bill, research will only be possible as part of exhibitions. I don't think that is how things should work. I think research should be broader in scope in this large museum, which was the Canadian Museum of Civilization, after all.

That is why I want the words "fundamental or basic research" to be included in the museum's mission again.

[English]

The Chair: Thank you, Madame Boutin-Sweet.

Everyone should have a copy of this amendment in front of them.

(Amendment negatived: nays 6; yeas 5)

The Chair: Next we will move to Liberal amendment LIB-8 on page 23. Mr. Simms.

Mr. Scott Simms: This is one of the first amendments I wanted to bring here. The inspiration came from Bill C-11, which was to set up a study every five years of Bill C-11. This one proposes every three

years. I'd be open to five years, but what have you, I think three years is a pretty good period of time.

We are talking about curatorial independence. We're talking about the fact that these people are truly experts at what they do and they want to be independent. Sometimes we don't get it. For instance, we just voted to tell these people not to destroy things. Why didn't I vote against it? How can you say on the one hand that you want curatorial independence and then you're going to vote to tell them not to destroy something?

So here we are in a situation where I think this is the type of thing that this bill needs, a three-year review by a committee of the House so you don't have to go out and spend lots of money just to have an independent study of some sort. You can do a House study—it could be the Senate or a special committee to talk about our museums. You could even expand it to not just this museum, but the other museums including the Canadian War Museum as well.

I think this is a bold step, but it's one that could be used here in the Canadian Museum of History as a model to show that other museums can do this as well, to allow our committees to study for—and I didn't put curatorial independence by the way. I put "independent functioning of the Canadian Museum of History".

• (1620)

The Chair: Mr. Calandra.

Mr. Paul Calandra: I think our committees can already do this, Mr. Chair. I don't think it needs to be prescribed in legislation. It's not in any other piece of legislation with respect to our museums, and our committees already have the independence to do any research they want on any museum at any time.

(Amendment negatived)

The Chair: Next we will move to clause 2. Shall clause 2 carry?

An hon. member: Mr. Chair—

The Chair: We're in the middle of a vote. Do you have a point?

Mr. Andrew Cash: A very brief one, I'd asked that we record the votes. Does that mean for every vote I have to ask if I want a recorded vote?

The Chair: Yes. In the interests of time, we usually—you can't do a blanket statement that we're going to do a recorded vote, so we ask people if they want a recorded vote.

Mr. Andrew Cash: How do we determine whether that vote is going to be recorded?

The Chair: If a member wants a recorded vote, it's a recorded vote. It doesn't have to be a majority.

(Clause 2 agreed to on division)

(Clauses 3 to 9 inclusive agreed to on division)

The Chair: Now we have new clause 9.1 proposed in Green amendment 2 on page 27.

Ms. May, on Green amendment 2....

Ms. Elizabeth May: Thank you, Mr. Chair.

If you are working from the act, you are going to go to page four, line 33.

I'm prepared to vote for this bill, but what my amendment is attempting to do, similar to the one I raised initially in my earlier comments, is to enhance the public acceptance of the bill with this particular change.

We do note the Canadian Museums Act does have a section that assures curatorial independence, but for greater certainty and because there's so much public concern that there's a political agenda driving the change of the name from Museum of Civilization to Museum of History, I'm proposing the following:

9.1 For greater certainty, no decision taken by the Governor in Council, the Minister of Canadian Heritage and Official Languages or the Department of Canadian Heritage may infringe upon the curatorial independence of the Canadian Museum of History.

It's intended to strengthen the act overall, and strengthen public confidence that there's no secret political agenda behind the current change. I would urge the Conservatives who are here today to pass this in aid of assuring concerned people that there is no such agenda.

Thank you, Mr. Chair.

•(1625)

The Chair: Thank you, Ms. May.

Mr. Nantel.

[*Translation*]

Mr. Pierre Nantel: I would first like to congratulate Ms. May for this amendment. It is very cautious. I know how good her relationships are with everyone in the House, but a bit of caution does not hurt.

In light of all the current issues, including CBC/Radio-Canada, its rebranding and Bill C-60, I just don't want anyone in committee to forget that, last November, we passed a motion to invite Hubert Lacroix, the president of CBC/Radio-Canada, to appear. I think, given the current events, that should take place as soon as possible.

To go back to the amendment, anything that can prevent undue interference is relevant. Therefore, we are going to support this amendment.

[*English*]

The Chair: Thank you, Mr. Nantel.

Mr. Simms.

Mr. Scott Simms: First and for the record, I congratulate my colleague, the leader of the Green Party, for bringing this forward.

I think it's fundamental in several ways, because if you look at the testimony we heard, for all the doubts that may have been brought into this—whether it's any government that sees itself being a micromanager in an institution like this—we always lean on this one section of the Museums Act.

There's nothing wrong with doubling down on saying that people deserve to be independent. I think this is something that some people may not feel is necessary, but it certainly goes a long way to preserving their independence, so I encourage everyone to support it.

The Chair: Mr. Calandra.

Mr. Paul Calandra: Just briefly, I think this may answer the question.

It would be redundant, because as we said, it's already in the Museums Act, which governs all of the museums. It's not specifically in any other particular museum description.

Again on the one hand, as Mr. Simms pointed out too, one of the motions was to stop them from doing something and tell them what they could or couldn't destroy. But on the other hand, we're asking for curatorial independence, so they're kind of at odds with each other.

I think the act itself is pretty clear that curatorial independence is guaranteed by the Museums Act. You can restate it a hundred different times, but it's pretty clear. It's right in the act.

The Chair: Thank you, Mr. Calandra.

Mr. Cash.

Mr. Andrew Cash: Thank you, Mr. Chair.

I, too, would echo my colleague on the Liberal side and my colleague Pierre Nantel that this is a laudable amendment, but it really underlines the fact that the members opposite who support this bill don't quite understand that, regardless of the actual words written in the law around curatorial independence, this government has proven time and time again that they are experts in being able to skate through the words and reach into supposed independent crown agencies to make sure that they do the government's bidding.

So I would just underline to our colleague from Saanich—Gulf Islands that we'll probably support this amendment, but we are under no illusion that this is actually going to beef up or preserve the independence of this museum.

The Chair: Okay, thank you.

Shall amendment Green-2, carry?

(Amendment negatived)

The Chair: Amendment Green-2 is defeated.

(Clauses 10 to 22 inclusive agreed to on division)

(Clause 1 agreed to on division)

The Chair: Shall the title carry?

Some hon. members: Agreed.

An hon. member: On division.

The Chair: Shall Bill C-49 carry?

Some hon. members: Agreed.

An hon. member: On division.

The Chair: Shall I report the bill to the House?

Some hon. members: Agreed.

An hon. member: No.

The Chair: I will report the bill to the House.

That concludes the clause-by-clause consideration of Bill C-49.

Mr. Nantel.

•(1630)

[*Translation*]

Mr. Pierre Nantel: I would simply like to ask our colleagues opposite or the clerk whether any steps have been taken to invite Mr. Lacroix, from CBC/Radio-Canada.

[*English*]

The Chair: We have a motion. It has passed, but we haven't set a date. It's up to the committee as to when we're going to do that.

Mr. Simms is proposing this summer.

[*Translation*]

Mr. Pierre Nantel: Could we possibly talk about it, Mr. Calandra?

[*English*]

Mr. Paul Calandra: May I suggest that we have a subcommittee meeting on Wednesday and we'll discuss that one?

[*Translation*]

Mr. Pierre Nantel: That's great. Thank you.

[*English*]

The Chair: In light of the fact that we have nothing scheduled for Wednesday, we'll have a subcommittee meeting on Wednesday to discuss future business of the committee.

The meeting is adjourned.

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