

WEDNESDAY, MAY 12, 1999

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the Office of the President of the Philippines, transmitting to the Senate the following issuances:

Executive Order No. 75, entitled

ENSURING EFFECTIVE OPERATIONAL PROCESSES AND STRUCTURAL  
ARRANGEMENTS FOR BUDGETING AND MANAGEMENT  
FUNCTIONS

The President. Referred to the Committees on Civil Service and Government Reorganization; and Finance.

The Secretary. Administrative Order No. 65, entitled

DIRECTING THE ORGANIZATION AND IMPLEMENTATION OF  
ACTIVITIES AND PROGRAMS TO CELEBRATE THE  
PHILIPPINE INDEPENDENCE DAY ON 12 JUNE 1999 AND  
CREATING A NATIONAL COMMITTEE TO TAKE CHARGE OF  
THE CELEBRATION

The President. Referred to the Committees on Education, Arts and Culture; and Finance.

The Secretary. Letter from Dep. Governor and General Counsel Armando L. Suratos of the Bangko Sentral ng Filipinas, furnishing the Senate a copy of Bangko Sentral Circular No. 179, dated April 27, 1999, in compliance with Section 15(a) of Republic Act No. 7653.

The President. Referred to the Committee on Banks, Financial Institutions and Currencies.

The Majority Leader is recognized.

CONFERENCE COMMITTEE REPORT ON S. NO. 1255/H. NO. 6216  
(Clean Air Act)

Senator Drilon. With the permission of the Chamber, Mr. President, I move that we consider the Conference Committee Report on the disagreeing provisions of Senate Bill No. 1255 and House Bill No. 6216.

For that purpose, may I ask the Chair to recognize Sen. Gregorio B. Honasan to render the report of the Bicameral Conference Committee on the disagreeing provisions of Senate Bill No. 1255 and House Bill No. 6216.

The President. Senator Honasan is recognized.

#### REPORT OF SENATOR HONASAN

Senator Honasan. Thank you, Mr. President.

I have the honor to report to this august Chamber the results of the Bicameral Conference Committee, as we are honored

also this afternoon with the presence of one of the original proponents of the Clean Air Act, former senator and now Secretary Orlando S. Mercado of the Department of National Defense.

Mr. President, the Bicameral Conference Committee of the Senate and the House of Representatives on the disagreeing provisions of Senate Bill No. 1255 and House Bill No. 6216, submits the following joint statement to their respective chambers in explanation of the amendments agreed upon by the conferees and recommended in the accompanying Conference Committee Report:

1. The conferees agreed to reconcile both the Senate and House versions by adopting both versions as working drafts;

2. As a reference for this Report to the Senate, the Senate version is hereby used as a working draft;

3. Section 1 on the Short Title, the conferees decided to adopt the House version;

4. Section 2 on the Declaration of Principles, the Senate version was adopted;

5. Section 3 on the Declaration of Policies, the House version was adopted, the Senate having no corresponding provision;

6. Section 4 (a), (b), (c), (e) and (f) on the Recognition of Rights, the Senate version was adopted, with paragraphs (d), (g), and (h) adopted from the House version;

7. In Section 5, related to Definitions, the following have been adopted:

(a) Air pollutant is defined as any matter found in the atmosphere OTHER THAN OXYGEN, NITROGEN, WATER VAPOR, CARBON DIOXIDE, AND THE INERT GASES IN THEIR NATURAL OR NORMAL CONCENTRATIONS, that is detrimental to health or the environment, WHICH INCLUDES BUT NOT LIMITED TO SMOKE, DUST, SOOT, CINDERS, FLY ASH, SOLID PARTICLES OF ANY KIND, GASES, FUMES, CHEMICAL MISTS, STEAM AND RADIO-ACTIVE SUBSTANCES;

(b) Air pollution - (to include at the end of the sentence, after the word "welfare") OR WHICH WILL ADVERSELY AFFECT THEIR UTILIZATION FOR DOMESTIC, COMMERCIAL, INDUSTRIAL, AGRICULTURAL, RECREATIONAL, OR OTHER LEGITIMATE PURPOSES;

(c) On the second sentence--These values SHALL BE USED for air quality management purposes, such as determining time trends, evaluating stages of deterioration or enhancement of the air quality, and in general, used as basis for taking positive action in preventing, controlling, or abating air pollution;

For definitions (d), (e), (f), (g) and (h), the Senate

versions were adopted;

(i) On the definition of Greenhouse gases, the House version was adopted;

(j) On hazardous substances, the Senate version was adopted;

(k) On infectious waste, the Senate version was adopted;

(l) On medical waste, the Senate version was adopted;

(m) On the definition of Mobile source, the House version was adopted;

(n) On the definition of Motor vehicle, the House version was adopted;

(o) On the definition of Municipal waste, the Senate version was adopted;

(p) On the definition of New vehicle, the Senate version was adopted;

(q) On the definition of Octane Rating or the Anti-Knock Index (AKI), the Senate version was adopted;

(r) On the definition of Ozone Depleting Substances or ODS, the House version was adopted;

(s) On the definition of Persistent Organic Pollutants, the Senate version was adopted;

(t) On the definition of poisonous and toxic fumes, the Conference Committee has adopted this definition: WHICH MEANS ANY EMISSIONS AND FUMES WHICH ARE BEYOND INTERNATIONALLY ACCEPTED STANDARDS, INCLUDING, BUT NOT LIMITED TO WORLD HEALTH ORGANIZATION (WHO) GUIDELINE VALUES;

For definitions (u), (w), and (x), the Senate definitions were adopted;

8. Section 6 on the Air Quality Monitoring and Information Network, the Senate version was adopted;

9. Section 7 on Integrated Air Quality Improvement Framework, the House version was adopted;

10. Section 8 which is on Air Quality Action Plan, the House version was adopted, and subsection (e) was adopted from the Senate version;

11. Section 9 on Airsheds, the House version was adopted;

12. Section 10 on Management of Nonattainment Areas, the

House version was adopted, to include the following amendments adopted by the Conference Committee:

On the second sentence--The Department shall prepare and implement a program that will prohibit new sources of exceeded air pollutant WITHOUT A CORRESPONDING REDUCTION IN EXISTING SOURCES.

On the last paragraph--for those designated as nonattainment areas, the Department, after consultation with local government authorities, NONGOVERNMENT ORGANIZATIONS (NGOs), PEOPLE'S ORGANIZATIONS (POs) AND CONCERNED SECTORS may revise the designation of such areas and expand its coverage to cover larger areas depending on the condition of the areas.

13. Section 11, on Air Quality Control Techniques, the Senate version was adopted.

14. Section 12 on Ambient Air Quality Guideline Values and Standards, the House version was adopted;

15. Section 13 on Emission Charge System, the House version was adopted to include in the following sentence adopted from the Senate version:

Industries, which shall install pollution control devices or retrofit their existing facilities with mechanisms that reduce pollution shall be entitled to tax incentives such as but not limited to tax credits and/or accelerated depreciation deductions;

16. Section 14 on Air Quality Management Fund, the House version was adopted;

17. Section 15 on Air Pollution Research and Development Program, the Senate version was adopted;

18. Section 16 on Permits, the Senate version was adopted;

19. Section 17 on Emission Quotas, the Senate version was adopted;

20. Section 18 on Financial Liability for Environmental Rehabilitation, the Senate version was adopted;

21. Section 19 on Pollution from Stationary Sources, the House version was adopted;

22. Section 20 on Ban on Incineration, the Senate version was adopted with the following modifications:

INCINERATION, HEREBY DEFINED AS THE BURNING OF MUNICIPAL, BIO-MEDICAL AND HAZARDOUS WASTES, WHICH PROCESS EMITS POISONOUS AND TOXIC FUMES, IS HEREBY PROHIBITED.....

WITH DUE CONCERN ON THE EFFECTS OF CLIMATE CHANGE, THE DEPARTMENT SHALL PROMOTE THE USE OF STATE-OF-THE-ART, ENVIRONMENTALLY-SOUND AND SAFE NON-BURN TECHNOLOGIES FOR THE HANDLING, TREATMENT, THERMAL DESTRUCTION, UTILIZATION, AND DISPOSAL OF SORTED, UNRECYCLED, UNCOMPOSTED MUNICIPAL, BIO-MEDICAL AND HAZARDOUS WASTES.

23. Section 21 on Pollution from Motor Vehicles, the House version was adopted with the following modifications. In the second paragraph:

THE FOLLOWING EMISSION STANDARDS FOR TYPE OF APPROVAL OF MOTOR VEHICLES SHALL BE EFFECTIVE BY THE YEAR 2003:

a) For LIGHT DUTY VEHICLES, the exhaust emission limits for gaseous pollutants shall be....(a chart is included)

b) For LIGHT COMMERCIAL VEHICLES, the exhaust emission limit of gaseous pollutants as a function of the given reference mass shall be....(including a chart)

c) For HEAVY DUTY VEHICLES, the exhaust emission limits of gaseous pollutants shall be....(including a chart)

On sub-section (b), the House version was adopted;

On sub-section (c), the Senate version was adopted;

On sub-section (d) the House version was adopted;

24. Section 22 on Regulation of All Motor Vehicles and Engines, the Senate version was adopted subject to style;

25. Section 23 on Second-hand Motor Vehicle Engines, the House version was adopted with modification on the section title.

26. Section 24 on Pollution from Smoking, the Senate version was adopted.

27. Section 25 on Pollution from Other Mobile Sources, the Senate version was adopted.

Provisions on Standards for Noise and Odor Levels or Standards for Noise, Vibration and Odor Levels found in Sections 30 and 33 of the House and Senate versions, respectively, were deleted since noise, vibration and odor levels are charied as nuisances.

29. Section 26 on Fuels and Additives, the Senate version was adopted with the following modifications:

PURSUANT TO the Air Quality Framework to be established under Section 7 of this Act, the DEPARTMENT OF ENERGY (DOE), CO-CHAIRER BY the Department of Environment and Natural Resources (DENR), in consultation with the Bureau of Product

Standards (BPS) of the DTI, the DOST, the representatives of the fuel and automotive industries, ACADENE and the consumers shall set specifications for all types of fuel and fuel-related products, to improve fuel composition for increased efficiency and reduced emissions; PROVIDED, HOWEVER, THAT THE SPECIFICATIONS FOR ALL TYPES OF FUEL AND FUEL-RELATED PRODUCTS SET FORTH PURSUANT TO THIS SECTION SHALL BE ADOPTED BY THE BPS AS PHILIPPINE NATIONAL STANDARDS (PNS).

In the second paragraph, the word "Department," referring to the DENR was changed to DOE.

Sub-section (a), the Senate version was adopted to include as a last sentence: PROVIDED, THAT BY THE YEAR 2003, UNLEADED GASOLINE FUEL SHOULD CONTAIN AROMATICS NOT TO EXCEED THIRTY-FIVE PERCENT (35%) BY VOLUME AND BENZENE NOT TO EXCEED TWO PERCENT (2%) BY VOLUME;

Subsection (b), the Senate version was adopted with CETANE NUMBER OR INDEX OF NOT LESS THAN FORTY-EIGHT (48); PROVIDED, THAT BY THE YEAR 2004, CONTENT OF SAID SULPHUR SHALL BE 0.05% BY WEIGHT;

Subsection (c), the Senate version was adopted.

Fourth paragraph, the House version was adopted.

Fifth paragraph, the Senate version was adopted.

30. Section 28 on Misfueling, the House version was adopted.

31. Section 29 on Prohibition on Manufacture, Import and Sale of Leaded Gasoline and of Engines and/or Components Requiring Leaded Gasoline, the Senate version was adopted.

32. Section 30 on Ozone-Depleting Substances, the House version was adopted.

33. Section 31 on Greenhouse Gases, the House version was adopted.

34. Section 32 on Persistent Organic Pollutants, the Senate version was adopted with the following modifications: ....

The Department shall develop SHORT-TERM and long-term national government programs on the reduction and elimination of POPs such as dioxins and furans. SUCH PROGRAMS SHALL BE FORMULATED WITHIN A YEAR AFTER THE ESTABLISHMENT OF THE INVENTORY LIST.

35. Section 33 on Radioactive Emissions, the House version was adopted.

36. Section 34 on Lead Agency, the House version was adopted to include in the succeeding sentence the following:

TO BE MORE EFFECTIVE IN THIS REGARD, THE DEPARTMENT'S ENVIRONMENTAL MANAGEMENT BUREAU (EMEB) SHALL BE CONVERTED FROM A STAFF BUREAU TO A LINE BUREAU FOR A PERIOD OF NO MORE THAN TWO (2) YEARS, UNLESS A SEPARATE COMPREHENSIVE ENVIRONMENTAL MANAGEMENT AGENCY IS CREATED BY LAW.

37. Section 35 on Linkage Mechanism, the Senate version was adopted.

38. Section 36 on the Role of Local Government Units, the Senate version was adopted to include in the first paragraph the following sentence: PROVIDED, HOWEVER, THAT IN CASE WHERE THE BOARD HAS NOT BEEN DULY CONSTITUTED AND HAS NOT PROMULGATED ITS STANDARDS, THE STANDARDS SET FORTH IN THIS ACT SHALL APPLY.

39. Section 37 on Environment and Natural Resources Office, the first paragraph of the Senate version was adopted. On the second line, the word "shall" before the words "be established" was replaced with the word MAY.

On the last paragraph, the House version was adopted.

40. Section 38 on Record-Keeping, Inspection, Monitoring and Entry by the Department, the House version was adopted with the deletion of paragraph (d).

The second paragraph was adopted from the Senate version with modifications;

The last paragraph was adopted from the House version.

41. Section 39 on Public Education and Information Campaign, the Senate version was adopted.

42. Section 40 on Administrative Action, the Senate version was adopted with the following modifications:

Without prejudice to the right of any affected person to file an administrative action, the Department shall, ON ITS OWN INSTANCE OR UPON VERIFIED COMPLAINT BY ANY PERSON, institute administrative proceedings against any person who violates the:

43. Section 41 on Citizen Suits, the House version was adopted.

44. Section 42 on Independence of Action, the Senate version was adopted with modifications. It shall now read as:

THE FILING OF AN ADMINISTRATIVE SUIT AGAINST SUCH PERSON/ENTITY DOES NOT PRECLUDE THE RIGHT OF ANY OTHER PERSON TO FILE, AND WHICH SHALL PROCEED INDEPENDENT OF ANY CRIMINAL OR CIVIL ACTION FOR DAMAGES ARISING FROM THE SAME ACT.

45. Section 43 on Suits and Strategic Legal Actions Against



Public Participation and the Enforcement of this Act, the House version was adopted with the following modifications:

WHERE A SUIT IS BROUGHT AGAINST A PERSON WHO FILED AN ACTION AS PROVIDED IN SEC. 41 OF THIS ACT, OR AGAINST ANY PERSON, INSTITUTION OR GOVERNMENT AGENCY THAT IMPLEMENTS THIS ACT,..... to IMMEDIATELY make determination NOT EXCEEDING THIRTY (30) DAYS whether...OR ENFORCING THE PROVISIONS OF THIS ACT. Upon determination, THEREOF, EVIDENCE WARRANTING THE SAME,.....

46. Section 44 on Lien Upon Personal and Immovable Properties of Violators, the Senate version was adopted.

47. Section 45 on Violation of Standards for Stationary Sources, the House version was adopted with modifications from the Senate version.

48. Section 46 on Violation of Standards for Motor Vehicles, the House version was adopted. Penalties enumerated herein were adopted from the Senate version.

49. Section 47 on Fines and Penalties for Violations of Other Provisions in the Act, the House version was adopted.

50. Section 48 on Gross Violations, the Senate version was adopted.

51. Section 49 on Potential Loss or Shifts of Employment, the Senate version was modified accordingly.

52. Section 50 on Appropriations, the Senate version was adopted and modified accordingly to read:

*Appropriations.* - An amount of Seven Hundred Fifty million pesos (P750,000,000.00) shall be appropriated for the initial implementation of this Act, of which, the amount of Three Hundred million pesos (P300,000,000.00) shall be appropriated to the Department; Two hundred million pesos (P200,000,000.00) to the Department of Trade and Industry; One Hundred Fifty million pesos (P150,000,000.00) to the Department of Transportation and Communications; and, One Hundred million pesos (P100,000,000.00) to the Department of Energy.

Thereafter, the amount necessary to effectively carry out the provisions of this Act shall be included in the General Appropriations Act.

53. Section 51 on Implementing Rules and Regulations, both versions were adopted with corrections, to include "IN CONSULTATION WITH THE SENATE COMMITTEE ON ENVIRONMENT AND THE HOUSE COMMITTEE ON ECOLOGY."

54. Section 53 on Joint Congressional Oversight Committee, the House version was adopted.

55. Section 54 on Separability of Provisions, both versions were adopted and reconciled.

56. Section 55 on Repealing Clause, the first sentence of the House bill was adopted and the second sentence of the Senate bill was adopted.

57. Section 56 on Effectivity, the Senate version was adopted.

In case of conflict between the statements/amendments stated in this Joint Explanatory Statement and that of the provisions of the consolidated bill in the accompanying Conference Committee Report, the provisions of the latter shall prevail.

Thank you, Mr. President.

The President. The Majority Leader is recognized.

Senator Drilon. We wish to congratulate and thank our colleague, Sen. Gregorio B. Honasan, for the effort put into crafting this important and historic piece of legislation.

But before we approve the report, Mr. President, may I ask the Chair to recognize the Minority Leader who wishes to raise some points of clarification.

The President. The Chair would also like to congratulate and recognize the work done by Senator Honasan and the work done by Congressman Sandoval. Both of them got together.

Senator Guingona is recognized.

Senator Guingona. Thank you, Mr. President. May I add my own words of congratulations to the distinguished chairman. But may I ask him to just yield for some clarificatory questions.

Senator Honasan. With pleasure, Mr. President.

Senator Guingona. On the emission standards for the type of motor vehicles, who will bear the additional costs? Will it be the consumers or the oil companies or both?

Senator Honasan. Mr. President, the additional cost would be a function of the determination by the lead agencies about the validity of the additional cost that would be passed on to the consumers. This is precisely one of the intents of the law to give government the wherewithal, the capability to verify the claims of the oil companies, that because of such emission standards, certain costs must be passed on to the consumers.

Senator Guingona. We are not very clear on that answer. Does the distinguished sponsor mean that after the government shall have determined the cost for compliance with the standards of emission set, the cost will ultimately be shouldered by the

consumer only?

Senator Honasan. Not only by the consumers, Mr. President, but by the oil companies themselves. This would be the projected effect after verification by the lead agency about the validity of these computations.

Senator Guingona. Will that be part of the power granted to the different departments concerned pursuant to the implementing rules and regulations?

Senator Honasan. That is correct, Mr. President.

Senator Guingona. Will there be sufficient standards when we delegate this to the departments concerned to determine how much the oil companies will shoulder and how much the consumers will shoulder? Can they determine whether all the additional costs will be shouldered by the consumers because we are delegating a power that is powerful since it involves money?

Senator Honasan. This is also the intent of the law to make sure that the standards for determining any added costs, either to the consumer or to the oil companies, are based on very clear standards.

Senator Guingona. Yes, Mr. President. The standards are there and the determination of the costs are going to be made by the diverse departments concerned. But in the implementing rules, will we leave it to them to decide how much and upon whom the burden will be for the added costs?

Senator Honasan. Mr. President, the determination based on the standards will not be left solely to either the lead agency or the coordinated departments. In fact, this is one salient feature of this bill.

Mr. President, we have incorporated three mechanisms that will oversee the initial and effective implementation of this law:

First is an annual reporting by the lead agency, the Department of Environment and Natural Resources. Second is an evaluation plan every two years. And third is an oversight function to be performed by both Houses. These will ensure strict implementation without delegating too much power to the concerned agencies.

Senator Guingona. Will that function and report be done before the implementing rules and regulations are finalized?

Senator Honasan. Mr. President, this will be effective upon enactment of this law.

Senator Guingona. Will the implementing rules and regulations be approved by those three bodies that the gentleman

cited?

Senator Honasan. Yes, Mr. President.

Senator Guingona. And the oversight committee is made up of senators and congressmen?

Senator Honasan. Yes, Mr. President.

Senator Guingona. The incineration is defined and is hereby prohibited. Is that an absolute prohibition, or is it subject to scientific advances that may prove advantageous to society?

Senator Honasan. There is scientific basis according to the best available expert which the bicameral conference committee has consulted, and this happens to be the Environmental Management Bureau. But this is absolute in the sense that with the exception of certain items like traditional food preparation (*litson*), burning of leaves (*sigá*) to enhance fruit-bearing trees and in this case because of the absence of some data, cremation or anything that requires burning is prohibited.

Senator Guingona. How about hospital wastes?

Senator Honasan. Mr. President, considering the present technologies available to hospitals which require some form of incineration, we are giving them three years to phase out these burning technologies.

Senator Guingona. The incineration is banned but there is an escape clause somewhere in the law.

Senator Honasan. It is not an escape clause, Mr. President, but a phase-out period after which the full weight of the ban takes effect.

Senator Guingona. Supposing there is a scientific device that is discovered or formulated which will not be injurious to the environment, how then will prohibition be disregarded if it is for the good... Do we have to repeal the law?

Senator Honasan. Thank you, Mr. President. This is the rationale then for the oversight function. A determination will be made by the crafters of the law itself, in coordination with the lead agencies which will be reporting annually, which will be involved in a two-year evaluation plan, as to whether the state-of-the-art technology requiring incineration or burning will have to be adopted, resulting in a required amendment to the law.

Senator Guingona. I thank the gentleman for that, Mr. President.

We are authorizing the implementation of rules and regulations for a period of one year, as I understand it.

Senator Honasan. That is correct, Mr. President.

Senator Guingona. Supposing that within the one-year period they still need more time because it is, as I understand it, very technical and may require more researches, more ways of refining the rules and regulations which should not vary with the law, is it extendible?

Senator Honasan. Again, Mr. President, it will be a function of the reporting mechanism, the two-year evaluation plan, and the role of both Houses as an oversight committee.

Senator Guingona. So this is just directory. It is not absolute that they have to finish within one year.

Senator Honasan. Yes, Mr. President. In effect, this is the first major environmental law which we might pass. We view this not as a purely environmental legislation. This is also a public health issue. And as we seek to address air pollution, it is in this light that we incorporate some flexibility to the law in the absence of data that continue to come in as we speak.

Senator Guingona. The period of implementation will be 2003, is that correct?

Senator Honasan. Not from the point of view of the phaseout period. The law will be implemented in one year's time, but there will be a phaseout period for certain provisions, such as incineration for hospital wastes and other specialized wastes.

Let me add, Mr. President, that the Clean Air Act is just the first in a series within a comprehensive package of environmental laws. We project to come up with a Clean Water Act and we intend to also begin at the same time with the Solid Waste Management Act. All these taken together would address issues not only related to environment but issues related to public health.

Senator Guingona. What is the lead agency in all of these? Is it the Department of Energy?

Senator Honasan. No, Mr. President. It is the Department of Environment and Natural Resources and its implementing arm is the Environmental Management Bureau.

Senator Guingona. How about the Bureau of Product Standards, is that under the DENR?

Senator Honasan. No, Mr. President. It will be one of the agencies that would be involved in determining fuel product standards as to chemical composition.

Senator Guingona. But it is the BPS that will adopt the national standards?

Senator Honasan. This is correct, Mr. President.

Senator Guingona. Are there enough standards in the law to guide them?

Senator Honasan. There are, Mr. President.

Senator Guingona. This provision on the aromatics and the benzene, is this a set proportionate formula or is this subject to changing scientific progresses?

Senator Honasan. Thank you, Mr. President. Based on the most current technical data which we have access to, these are reasonable standards. In fact, the 45% and the 4% in the Senate version for benzene and aromatics conform with European standards. Whereas after a three-year period, the 35% and 2% in the House version are close to the California standards which are the highest in the world. And the only way we can find out is to pass this law and find out if we can monitor and implement this but these standards are based on the most recent data which the committees have access to.

Senator Guingona. I certainly hope that the implementation will be as good as the law and the implementing rules and regulations. Because there may be a good law, good implementing rules and regulations, but if the implementors do not follow through then we will not succeed.

But at any rate, allow me to congratulate again the distinguished sponsor.

Senator Honasan. I would like to thank the distinguished gentleman. Thank you, Mr. President.

The President. The Majority Leader is recognized.

APPROVAL OF CONFERENCE COMMITTEE REPORT  
ON S. NO. 1255/H. NO. 6216

Senator Drilon. Mr. President, may I now move that we approve the Conference Committee Report on the disagreeing provisions of Senate Bill No. 1255 and House Bill No. 6216. This is an Act Providing for a Comprehensive Air Pollution Control Policy and for Other Purposes submitted by Sen. Gregorio B. Honasan.

The President. Is there any objection? [Silence] There being none, the motion is hereby approved unanimously.

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*The following is the whole text of the Report:*

(insert)