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Washington, D.C., 24 September 2004

**Instruction to the Secretariat of the Commission for Environmental Cooperation to make public the Factual Record for Submission SEM-00-005 (Molymex II)**

THE COUNCIL:

SUPPORTIVE of the process provided for in Articles 14 and 15 of the North American Agreement on Environmental Cooperation (NAAEC) regarding submissions on enforcement matters and the preparation of factual records;

HAVING RECEIVED the final factual record for Submission SEM-00-005;

NOTING that pursuant to Article 15(7) of the NAAEC, the Council is called upon to decide whether to make the factual record publicly available; and

AFFIRMING its commitment to a timely and transparent process;

HEREBY DECIDES:

TO MAKE PUBLIC and post on the registry the final factual record for Submission SEM-00-005 and;

TO ATTACH to the final factual record comments provided by the Parties to the Secretariat on the draft factual record.

APPROVED BY THE COUNCIL:

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Judith E. Ayres

Government of the United States of America

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José Manuel Bulás Montoro

Government of the United Mexican States

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Norine Smith

Government of Canada

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