

108TH CONGRESS
1ST SESSION

S. 107

To prohibit the exportation of natural gas from the United States to Mexico for use in electric energy generation units near the United States border that do not comply with air quality control requirements that provide air quality protection that is at least equivalent to the protection provided by requirements applicable in the United States.

IN THE SENATE OF THE UNITED STATES

JANUARY 9, 2003

Mrs. FEINSTEIN (for herself and Mrs. BOXER) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To prohibit the exportation of natural gas from the United States to Mexico for use in electric energy generation units near the United States border that do not comply with air quality control requirements that provide air quality protection that is at least equivalent to the protection provided by requirements applicable in the United States.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Southern Border Air
3 Quality Protection Act”.

4 **SEC. 2. PROHIBITION ON EXPORTATION OF CERTAIN NAT-**
5 **URAL GAS TO MEXICO.**

6 (a) PROHIBITION.—No person may export natural
7 gas to Mexico for the purpose of electric energy generation
8 by any electric energy generation unit that—

9 (1) has a generation capacity greater than 50
10 megawatts;

11 (2) is located within 50 miles of the United
12 States;

13 (3) is first placed into operation, or is modified
14 to have the capability to use natural gas, after De-
15 cember 31, 2002; and

16 (4) does not comply with air quality control re-
17 quirements that the Secretary of Commerce, in con-
18 sultation with the Administrator of the Environ-
19 mental Protection Agency, determines provide air
20 quality protection that is at least equivalent to the
21 protection provided by the air pollution emission rate
22 requirements applicable in the air quality control re-
23 gion in the United States that is closest to that unit.

24 (b) AUTHORITY.—To carry out this Act, the Presi-
25 dent shall exercise authority under the Export Administra-
26 tion Act of 1979 (50 U.S.C. App. 2401 et seq.) (as contin-

1 ued in effect under the International Emergency Eco-
2 nomic Powers Act (50 U.S.C. 1701 et seq.) and Executive
3 Order No. 12924 (50 U.S.C. 1701 note)).

4 (c) PENALTIES.—Penalties provided under section 11
5 of the Export Administration Act of 1979 (50 U.S.C. App.
6 2410) shall apply to violations of this Act to the same
7 extent as those penalties apply to violations under that
8 Act.

○