

# United States Senate

WASHINGTON, DC 20510

May 20, 2021

The Honorable Brenda Mallory  
Chair  
Council on Environmental Quality  
Executive Office of the President  
730 Jackson Place NW  
Washington, D.C. 20506

Dear Chair Mallory,

We write to inquire about the status of the Council on Environmental Quality's (CEQ) implementation of the Utilizing Significant Emissions with Innovative Technologies (USE IT) Act. The USE IT Act was signed into law as section 102 of the Consolidated Appropriations Act of 2021 (P.L. 116-260) as a bipartisan effort to support the development of carbon capture, utilization, and storage (CCUS) projects. CCUS technologies have been recognized internationally as an essential element in reducing carbon dioxide emissions.<sup>1</sup> President Biden has recognized that reducing power sector emissions requires "leveraging the carbon pollution-free energy potential of power plants retrofitted with carbon capture . . . ."<sup>2</sup>

The ability to maximize the development of CCUS projects will require the creation of pipeline networks capable of transporting captured carbon dioxide to markets for commercial use or to reservoirs for permanent sequestration. A key barrier limiting CCUS project deployment has been the complicated maze of permitting requirements. Therefore, CEQ will play a pivotal role in implementing the law and removing barriers to encourage these innovative projects.

Among its provisions, the USE IT Act directs the Chair of CEQ to convene various federal agencies and develop a report within 180 days of enactment, by June 25, 2021, to provide, among other things, a review of the federal permitting process, including providing best practices and templates for more efficient permitting. This report will improve the ability of interested agencies and stakeholders to engage and assist in developing CCUS projects and supporting carbon dioxide pipelines.

Following the release of the report, the USE IT Act directs CEQ to develop guidance consistent with the report's findings. This guidance will improve federal agencies' ability to facilitate permitting and support the efficient development of CCUS projects and supporting infrastructure.

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<sup>1</sup> THE INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE, SPECIAL REPORT: GLOBAL WARMING OF 1.5°C (2018).

<sup>2</sup> The White House, Fact Sheet: President Biden Sets 2030 Greenhouse Gas Pollution Reduction Target Aimed at Creating Good-Paying Union Jobs and Securing U.S. Leadership on Clean Energy Technologies (April 22, 2020).

Given the broad, bipartisan support for enhanced deployment of CCUS technologies, we request that CEQ provide a full accounting to Congress on CEQ's progress in implementing the USE IT Act by June 10, 2021 and on an ongoing basis every three months thereafter.

Thank you for your prompt attention to this important matter.

Sincerely,



Shelley Moore Capito  
United States Senator



Sheldon Whitehouse  
United States Senator



John Barrasso, M.D.  
United States Senator



Margaret Wood Hassan  
United States Senator



James M. Inhofe  
United States Senator



Joe Manchin III  
United States Senator



Steve Daines  
United States Senator



Tina Smith  
United States Senator



Kevin Cramer  
United States Senator



Mike Braun  
United States Senator



M. Michael Rounds  
United States Senator



John Hoeven  
United States Senator

A handwritten signature in blue ink that reads "Cynthia M. Lummis". The signature is fluid and cursive, with the first name being the most prominent.

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Cynthia Lummis  
United States Senator