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115TH CONGRESS
2^D SESSION

S. 2602

[Report No. 115-_____]]

To support carbon dioxide utilization and direct air capture research, to facilitate the permitting and development of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 22, 2018

Mr. BARRASSO (for himself, Mr. WHITEHOUSE, Mrs. CAPITO, Ms. HEITKAMP, and Ms. DUCKWORTH) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

_____ (legislative day, _____), _____

Reported by Mr. BARRASSO, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To support carbon dioxide utilization and direct air capture research, to facilitate the permitting and development of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines, and for other purposes.

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 “Utilizing Significant
3 Emissions with Innovative Technologies Act” or the “USE
4 IT Act”.

5 **TITLE I—ENCOURAGING PROJ-**
6 **ECTS TO REDUCE EMISSIONS**

7 **SEC. 101. RESEARCH, INVESTIGATION, TRAINING, AND**
8 **OTHER ACTIVITIES.**

9 Section 103 of the Clean Air Act (42 U.S.C. 7403)
10 is amended—

11 (1) in subsection (c)(3), in the first sentence of
12 the matter preceding subparagraph (A), by striking
13 “precursors” and inserting “precursors”; and

14 (2) in subsection (g)—

15 (A) by redesignating paragraphs (1)
16 through (4) as subparagraphs (A) through (D),
17 respectively, and indenting appropriately;

18 (B) in the undesignated matter following
19 subparagraph (D) (as so redesignated)—

20 (i) in the second sentence, by striking
21 “The Administrator” and inserting the fol-
22 lowing:

23 “(5) COORDINATION AND AVOIDANCE OF DU-
24 PPLICATION.—The Administrator”; and

25 (ii) in the first sentence, by striking
26 “Nothing” and inserting the following:

1 ~~“(4) EFFECT OF SUBSECTION.—Nothing”;~~
2 ~~(C) in the matter preceding subparagraph~~
3 ~~(A) (as so redesignated)—~~
4 ~~(i) in the third sentence, by striking~~
5 ~~“Such program” and inserting the fol-~~
6 ~~lowing:~~
7 ~~“(3) PROGRAM INCLUSIONS.—The program~~
8 ~~under this subsection”;~~
9 ~~(ii) in the second sentence—~~
10 ~~(I) by inserting “States, institu-~~
11 ~~tions of higher education,” after “sci-~~
12 ~~entists,”; and~~
13 ~~(II) by striking “Such strategies~~
14 ~~and technologies shall be developed”~~
15 ~~and inserting the following:~~
16 ~~“(2) PARTICIPATION REQUIREMENT.—Such~~
17 ~~strategies and technologies described in paragraph~~
18 ~~(1) shall be developed”;~~ and
19 ~~(iii) in the first sentence, by striking~~
20 ~~“In carrying out” and inserting the fol-~~
21 ~~lowing:~~
22 ~~“(1) IN GENERAL.—In carrying out”;~~ and
23 ~~(D) by adding at the end the following:~~
24 ~~“(6) CERTAIN CARBON DIOXIDE ACTIVITIES.—~~

1 “(A) IN GENERAL.—In carrying out para-
2 graph (3)(A) with respect to carbon dioxide, the
3 Administrator shall carry out the activities de-
4 scribed in each of subparagraphs (B) and (C).

5 “(B) DIRECT AIR CAPTURE RESEARCH.—

6 “(i) DEFINITIONS.—In this subpara-
7 graph:

8 “(I) BOARD.—The term ‘Board’
9 means the Direct Air Capture Tech-
10 nology Advisory Board established by
11 clause (iii)(I).

12 “(II) DILUTE.—The term ‘dilute’
13 means a concentration of less than 1
14 percent by volume.

15 “(III) DIRECT AIR CAPTURE.—

16 “(aa) IN GENERAL.—The
17 term ‘direct air capture’, with re-
18 spect to a facility, technology, or
19 system, means that the facility,
20 technology, or system uses ear-
21 bon capture equipment to cap-
22 ture carbon dioxide directly from
23 the air.

24 “(bb) EXCLUSION.—The
25 term ‘direct air capture’ does not

1 include any facility, technology,
2 or system that captures carbon
3 dioxide—

4 “(AA) that is delib-
5 erately released from a natu-
6 rally occurring subsurface
7 spring; or

8 “(BB) using natural
9 photosynthesis.

10 “(IV) INTELLECTUAL PROP-
11 erty.—The term ‘intellectual prop-
12 erty’ means—

13 “(aa) an invention that is
14 patentable under title 35, United
15 States Code; and

16 “(bb) any patent on an in-
17 vention described in item (aa).

18 “(ii) TECHNOLOGY PRIZES.—

19 “(I) IN GENERAL.—Not later
20 than 1 year after the date of enact-
21 ment of the USE IT Act, the Admin-
22 istrator shall establish a program to
23 provide, and shall provide, financial
24 awards on a competitive basis for di-
25 rect air capture from media in which

1 the concentration of carbon dioxide is
2 dilute.

3 ~~“(II) DUTIES.—In carrying out~~
4 ~~this clause, the Administrator shall—~~

5 ~~“(aa) subject to subclause~~
6 ~~(III), develop specific require-~~
7 ~~ments for—~~

8 ~~“(AA) the competition~~
9 ~~process; and~~

10 ~~“(BB) monitoring and~~
11 ~~verification procedures for~~
12 ~~approved projects;~~

13 ~~“(bb) offer financial awards~~
14 ~~for a project designed—~~

15 ~~“(AA) to capture more~~
16 ~~than 10,000 tons of carbon~~
17 ~~dioxide per year; and~~

18 ~~“(BB) to be deployed~~
19 ~~at a cost of less than \$200~~
20 ~~per ton of carbon dioxide~~
21 ~~captured; and~~

22 ~~“(cc) to the maximum ex-~~
23 ~~tent practicable, make financial~~
24 ~~awards to geographically diverse~~
25 ~~projects, including at least—~~

1 “(AA) † project in a
2 coastal State; and

3 “(BB) † project in a
4 rural State.

5 “(III) PUBLIC PARTICIPATION.—

6 In carrying out subclause (II)(aa), the
7 Board shall—

8 “(aa) provide notice of and,
9 for a period of not less than 60
10 days, an opportunity for public
11 comment on, any draft or pro-
12 posed version of the requirements
13 described in subclause (II)(aa);
14 and

15 “(bb) take into account pub-
16 lic comments received in devel-
17 oping the final version of those
18 requirements.

19 “(IV) PEER REVIEW.—No finan-
20 cial awards may be provided under
21 this clause until the proposal for
22 which the award is sought has been
23 peer reviewed in accordance with such
24 standards for peer review as are es-
25 tablished by the Administrator.

1 “(iii) DIRECT AIR CAPTURE TECH-
2 NOLOGY ADVISORY BOARD.—

3 “(I) ESTABLISHMENT.—There is
4 established an advisory board to be
5 known as the ‘Direct Air Capture
6 Technology Advisory Board’.

7 “(II) COMPOSITION.—The Board
8 shall be composed of 9 members ap-
9 pointed by the Administrator, who
10 shall provide expertise in—

11 “(aa) climate science;

12 “(bb) physics;

13 “(cc) chemistry;

14 “(dd) biology;

15 “(ee) engineering;

16 “(ff) economics;

17 “(gg) business management;

18 and

19 “(hh) such other disciplines
20 as the Administrator determines
21 to be necessary to achieve the
22 purposes of this subparagraph.

23 “(III) TERM; VACANCIES.—

1 “(aa) TERM.—A member of
2 the Board shall serve for a term
3 of 6 years.

4 “(bb) VACANCIES.—A va-
5 cancy on the Board—

6 “(AA) shall not affect
7 the powers of the Board;
8 and

9 “(BB) shall be filled in
10 the same manner as the
11 original appointment was
12 made.

13 “(IV) INITIAL MEETING.—Not
14 later than 30 days after the date on
15 which all members of the Board have
16 been appointed, the Board shall hold
17 the initial meeting of the Board.

18 “(V) MEETINGS.—The Board
19 shall meet at the call of the Chair-
20 person.

21 “(VI) QUORUM.—A majority of
22 the members of the Board shall con-
23 stitute a quorum, but a lesser number
24 of members may hold hearings.

1 “(VII) CHAIRPERSON AND VICE
2 CHAIRPERSON.—The Board shall se-
3 lect a Chairperson and Vice Chair-
4 person from among the members of
5 the Board.

6 “(VIII) COMPENSATION.—Each
7 member of the Board may be com-
8 pensated at not to exceed the daily
9 equivalent of the annual rate of basic
10 pay in effect for a position at level V
11 of the Executive Schedule under sec-
12 tion 5316 of title 5, United States
13 Code, for each day during which the
14 member is engaged in the actual per-
15 formance of the duties of the Board.

16 “(IX) DUTIES.—The Board shall
17 advise the Administrator on carrying
18 out the duties of the Administrator
19 under this subparagraph.

20 “(X) FACA.—The Federal Advi-
21 sory Committee Act (5 U.S.C. App.)
22 shall apply to the Board.

23 “(iv) INTELLECTUAL PROPERTY.—

24 “(I) IN GENERAL.—As a condi-
25 tion of receiving a financial award

1 under this subparagraph, an applicant
2 shall agree to vest the intellectual
3 property of the applicant derived from
4 the technology in 1 or more entities
5 that are incorporated in the United
6 States.

7 “(II) RESERVATION OF LI-
8 CENSE.—The United States—

9 “(aa) may reserve a non-
10 exclusive, nontransferable, irrev-
11 ocable, paid-up license, to have
12 practiced for or on behalf of the
13 United States, in connection with
14 any intellectual property de-
15 scribed in subclause (I); but

16 “(bb) shall not, in the exer-
17 cise of a license reserved under
18 item (aa), publicly disclose pro-
19 prietary information relating to
20 the license.

21 “(III) TRANSFER OF TITLE.—

22 Title to any intellectual property de-
23 scribed in subclause (I) shall not be
24 transferred or passed, except to an
25 entity that is incorporated in the

1 United States, until the expiration of
2 the first patent obtained in connection
3 with the intellectual property.

4 “(v) AUTHORIZATION OF APPROPRIA-
5 TIONS.—There is authorized to be appro-
6 priated to carry out this subparagraph
7 \$25,000,000, to remain available until ex-
8 pended.

9 “(vi) TERMINATION OF AUTHORITY.—
10 The Board and all authority provided
11 under this subparagraph shall terminate
12 on December 31, 2028.

13 “(C) CARBON DIOXIDE UTILIZATION RE-
14 SEARCH.—

15 “(i) DEFINITION OF CARBON DIOXIDE
16 UTILIZATION.—In this subparagraph, the
17 term ‘carbon dioxide utilization’ refers to
18 technologies or approaches that lead to the
19 use of carbon dioxide—

20 “(I) through the fixation of ear-
21 bon dioxide through photosynthesis or
22 chemosynthesis, such as through the
23 growing of algae or bacteria;

24 “(II) through the chemical con-
25 version of carbon dioxide to a material

1 or chemical compound in which the
2 carbon dioxide is securely stored; or

3 “(III) through the use of carbon
4 dioxide for any other purpose for
5 which a commercial market exists, as
6 determined by the Administrator.

7 “(ii) PROGRAM.—The Administrator
8 shall carry out a research and development
9 program for carbon dioxide utilization to
10 promote technologies that transform car-
11 bon dioxide generated by industrial proe-
12 cesses into a product of commercial value,
13 or as an input to products of commercial
14 value.

15 “(iii) TECHNICAL AND FINANCIAL AS-
16 SISTANCE.—Not later than 2 years after
17 the date of enactment of the USE IT Act,
18 in carrying out this subsection, the Admin-
19 istrator shall support research and infra-
20 structure activities relating to carbon diox-
21 ide utilization by providing technical assist-
22 ance and financial assistance in accordance
23 with clause (iv).

24 “(iv) ELIGIBILITY.—To be eligible to
25 receive technical assistance and financial

1 assistance under clause (iii), a carbon diox-
2 ide utilization project shall—

3 “(I) have access to an emissions
4 stream generated by a stationary
5 source within the United States that
6 is capable of supplying not less than
7 250 metric tons per day of carbon di-
8 oxide for research;

9 “(II) have access to adequate
10 space for a laboratory and equipment
11 for testing small-scale carbon dioxide
12 utilization technologies, with onsite
13 access to larger test bays for scale-up;
14 and

15 “(III) have existing partnerships
16 with institutions of higher education,
17 private companies, States, or other
18 government entities.

19 “(v) COORDINATION.—In supporting
20 carbon dioxide utilization projects under
21 this paragraph, the Administrator shall
22 collaborate, as appropriate, with the head
23 of any relevant Federal agency, States, the
24 private sector, and institutions of higher
25 education to develop methods and tech-

1 nologies to account for the carbon dioxide
2 emissions avoided by the carbon dioxide
3 utilization projects.

4 “(vi) AUTHORIZATION OF APPROPRIA-
5 TIONS.—There is authorized to be appro-
6 priated to carry out this subparagraph
7 \$50,000,000, to remain available until ex-
8 pended.

9 “(D) REPORT ON CARBON DIOXIDE NON-
10 REGULATORY STRATEGIES AND TECH-
11 NOLOGIES.—

12 “(i) IN GENERAL.—Not less fre-
13 quently than once every 2 years, the Ad-
14 ministrator shall submit to the Committee
15 on Environment and Public Works of the
16 Senate and the Committee on Energy and
17 Commerce of the House of Representatives
18 a report that describes—

19 “(I) the recipients of assistance
20 under subparagraphs (B) and (C);
21 and

22 “(II) a plan for supporting addi-
23 tional nonregulatory strategies and
24 technologies that could significantly
25 prevent carbon dioxide emissions or

1 reduce carbon dioxide levels in the air,
2 in conjunction with other Federal
3 agencies.

4 “(ii) INCLUSIONS.—The plan sub-
5 mitted under clause (i) shall include—

6 “(I) a methodology for evaluating
7 and ranking technologies based on the
8 ability of the technologies to cost ef-
9 fectively reduce carbon dioxide emis-
10 sions or carbon dioxide levels in the
11 air; and

12 “(II) a description of any nonair-
13 related environmental or energy con-
14 siderations regarding the tech-
15 nologies.”.

16 **TITLE II—IMPROVEMENT OF**
17 **PERMITTING PROCESS FOR**
18 **CARBON DIOXIDE CAPTURE**
19 **AND INFRASTRUCTURE PROJ-**
20 **ECTS**

21 **SEC. 201. INCLUSION OF CARBON CAPTURE INFRASTRUC-**
22 **TURE PROJECTS.**

23 Section 41001(6) of the FAST Act (42 U.S.C.
24 4370m(6)) is amended—

25 (1) in subparagraph (A)—

1 (A) in the matter preceding clause (i), by
2 inserting “carbon capture,” before “renewable
3 or conventional”;

4 (B) in clause (i)(III), by striking “or” at
5 the end;

6 (C) by redesignating clause (ii) as clause
7 (iii); and

8 (D) by inserting after clause (i) the fol-
9 lowing:

10 “(ii) is covered by a programmatic
11 plan or environmental review developed for
12 the primary purpose of facilitating develop-
13 ment of carbon dioxide pipelines; or”; and
14 (2) by adding at the end the following:

15 “(C) ASSOCIATED DEFINITION.—For pur-
16 poses of subparagraph (A), the term ‘construc-
17 tion of infrastructure for carbon capture’ in-
18 cludes construction of any facility, technology,
19 or system that captures, utilizes, or sequesters
20 carbon dioxide emissions and carbon dioxide
21 pipelines.”.

1 **SEC. 202. DEVELOPMENT OF CARBON CAPTURE, UTILIZA-**
2 **TION, AND SEQUESTRATION PERMITTING**
3 **GUIDANCE AND REGIONAL PERMITTING**
4 **TASK FORCE.**

5 (a) DEVELOPMENT OF GUIDANCE.—

6 (1) IN GENERAL.—Not later than 1 year after
7 the date of enactment of this Act, the Chair of the
8 Council on Environmental Quality (referred to in
9 this section as the “Chair”), in consultation with the
10 Administrator of the Environmental Protection
11 Agency, the Secretary of Energy, the Secretary of
12 the Interior, and the head of any other relevant Fed-
13 eral agency (as determined by the President), shall
14 prepare guidance—

15 (A) to facilitate reviews associated with the
16 deployment of carbon capture, utilization, and
17 sequestration projects and carbon dioxide pipe-
18 lines; and

19 (B) that identifies current or emerging ac-
20 tivities that transform captured carbon dioxide
21 into a product of commercial value, or as an
22 input to products of commercial value.

23 (2) REQUIREMENTS.—The guidance under
24 paragraph (1) shall—

25 (A) address requirements under—

1 (i) the National Environmental Policy
2 Act of 1969 (42 U.S.C. 4321 et seq.);

3 (ii) the Federal Water Pollution Con-
4 trol Act (33 U.S.C. 1251 et seq.);

5 (iii) the Clean Air Act (42 U.S.C.
6 7401 et seq.);

7 (iv) the Safe Drinking Water Act (42
8 U.S.C. 300f et seq.);

9 (v) the Endangered Species Act of
10 1973 (16 U.S.C. 1531 et seq.);

11 (vi) division A of subtitle III of title
12 54, United States Code (formerly known
13 as the “National Historic Preservation
14 Act”);

15 (vii) the Migratory Bird Treaty Act
16 (16 U.S.C. 703 et seq.);

17 (viii) the Act of June 8, 1940 (16
18 U.S.C. 668 et seq.) (commonly known as
19 the “Bald and Golden Eagle Protection
20 Act”); and

21 (ix) any other Federal law that the
22 Chair determines to be appropriate; and

23 (B) include guidance to States for the de-
24 velopment of programmatic environmental re-
25 views under the National Environmental Policy

1 Act of 1969 (42 U.S.C. 4321 et seq.) for siting,
2 analyzing, and authorizing carbon dioxide pipe-
3 line networks.

4 ~~(3) SUBMISSION; PUBLICATION.—The Chair~~
5 shall—

6 (A) submit the guidance under paragraph
7 (1) to the Committee on Environment and Pub-
8 lic Works of the Senate and the Committee on
9 Energy and Commerce of the House of Rep-
10 resentatives; and

11 (B) publish and make publicly available
12 the guidance under paragraph (1).

13 ~~(b) TASK FORCE.—~~

14 (1) ESTABLISHMENT.—Not later than 18
15 months after the date of enactment of this Act, the
16 Chair shall establish not less than 2 task forces,
17 which shall each cover a different geographical area
18 that faces differing demographic, land use, or geo-
19 logical issues, to identify permitting challenges that
20 permitting authorities and project developers and
21 operators face.

22 ~~(2) MEMBERS AND SELECTION.—~~

23 (A) IN GENERAL.—The Chair shall—

24 (i) develop criteria for the selection of
25 members to each task force; and

1 (ii) select members for each task force
2 in accordance with clause (i) and subpara-
3 graph (B).

4 ~~(B) MEMBERS.—Each task force—~~

5 (i) shall include not less than 1 rep-
6 resentative of each of—

7 (I) the Environmental Protection
8 Agency;

9 (II) the Department of Energy;

10 (III) the Department of the Inte-
11 rior;

12 (IV) any other Federal agency
13 the Chair determines to be appro-
14 priate;

15 (V) any State that requests par-
16 ticipation in the geographical area
17 covered by the task force;

18 (VI) industry; and

19 (VII) nongovernmental organiza-
20 tions; and

21 (ii) at the request of a Tribal or local
22 government, may include a representative
23 of—

1 (I) not less than 1 local govern-
2 ment in the geographical area covered
3 by the task force; and

4 (II) not less than 1 Tribal gov-
5 ernment in the geographical area cov-
6 ered by the task force.

7 (3) MEETINGS.—

8 (A) IN GENERAL.—Each task force shall
9 meet not less than twice each year.

10 (B) JOINT MEETING.—To the maximum
11 extent practicable, the task forces shall meet
12 collectively not less than once each year.

13 (4) DUTIES.—Each task force shall—

14 (A) inventory existing or potential ap-
15 proaches to facilitate reviews associated with
16 the deployment of carbon capture, utilization,
17 and sequestration projects and carbon dioxide
18 pipelines;

19 (B) develop common models for State-level
20 carbon dioxide pipeline regulation and oversight
21 guidelines that can be shared with States in the
22 geographical area covered by the task force;

23 (C) provide technical assistance to States
24 in the geographical area covered by the task
25 force in implementing regulatory requirements

1 and any models developed under subparagraph
2 (B); and

3 (D) develop guidance for relevant Federal
4 agencies on how to develop and research tech-
5 nologies that—

6 (i) can capture carbon dioxide; and

7 (ii) would be able to be deployed with-
8 in the region covered by the task force, in-
9 cluding any projects that have received
10 technical or financial assistance for re-
11 search under paragraph (6) of section
12 103(g) of the Clean Air Act (42 U.S.C.
13 7403(g)).

14 (5) REPORT.—Each year, each task force shall
15 prepare and submit to the Chair and to the other
16 task forces a report that includes—

17 (A) any recommendations for improve-
18 ments in the issuance or administration of Fed-
19 eral permits and other Federal authorizations
20 required under a law described in subsection
21 (a)(2)(A); and

22 (B) any other nationally relevant informa-
23 tion that the task force has collected in carrying
24 out the duties under paragraph (4).

1 ~~(6) EVALUATION AND REVISION.—The Chair~~
2 ~~shall—~~

3 ~~(A) evaluate the reports under paragraph~~
4 ~~(5) and, as necessary, revise the guidance under~~
5 ~~subsection (a); and~~

6 ~~(B) submit to the Committee on Environ-~~
7 ~~ment and Public Works of the Senate, the Com-~~
8 ~~mittee on Energy and Commerce of the House~~
9 ~~of Representatives, and relevant Federal agen-~~
10 ~~cies each year any revisions to the guidance~~
11 ~~under subsection (a) and a report that describes~~
12 ~~any recommendations for legislation, rules, or~~
13 ~~revisions to rules that would address the issues~~
14 ~~identified by the task forces under paragraph~~
15 ~~(5).~~

16 **SECTION 1. SHORT TITLE.**

17 *This Act may be cited as the “Utilizing Significant*
18 *Emissions with Innovative Technologies Act” or the “USE*
19 *IT Act”.*

1 **TITLE** **I—ENCOURAGING**
2 **PROJECTS TO REDUCE EMIS-**
3 **SIONS**

4 **SEC. 101. RESEARCH, INVESTIGATION, TRAINING, AND**
5 **OTHER ACTIVITIES.**

6 *Section 103 of the Clean Air Act (42 U.S.C. 7403) is*
7 *amended—*

8 *(1) in subsection (c)(3), in the first sentence of*
9 *the matter preceding subparagraph (A), by striking*
10 *“percursors” and inserting “precursors”; and*

11 *(2) in subsection (g)—*

12 *(A) by redesignating paragraphs (1)*
13 *through (4) as subparagraphs (A) through (D),*
14 *respectively, and indenting appropriately;*

15 *(B) in the undesignated matter following*
16 *subparagraph (D) (as so redesignated)—*

17 *(i) in the second sentence, by striking*
18 *“The Administrator” and inserting the fol-*
19 *lowing:*

20 *“(5) COORDINATION AND AVOIDANCE OF DUPLI-*
21 *CATION.—The Administrator”; and*

22 *(ii) in the first sentence, by striking*
23 *“Nothing” and inserting the following:*

24 *“(4) EFFECT OF SUBSECTION.—Nothing”;*

1 (C) in the matter preceding subparagraph

2 (A) (as so redesignated)—

3 (i) in the third sentence, by striking

4 “Such program” and inserting the fol-

5 lowing:

6 “(3) PROGRAM INCLUSIONS.—The program

7 under this subsection”;

8 (ii) in the second sentence—

9 (I) by inserting “States, institu-

10 tions of higher education,” after “sci-

11 entists,”; and

12 (II) by striking “Such strategies

13 and technologies shall be developed”

14 and inserting the following:

15 “(2) PARTICIPATION REQUIREMENT.—Such

16 strategies and technologies described in paragraph (1)

17 shall be developed”; and

18 (iii) in the first sentence, by striking

19 “*In carrying out*” and inserting the fol-

20 lowing:

21 “(1) IN GENERAL.—*In carrying out*”; and

22 (D) by adding at the end the following:

23 “(6) CERTAIN CARBON DIOXIDE ACTIVITIES.—

24 “(A) IN GENERAL.—*In carrying out para-*

25 *graph (3)(A) with respect to carbon dioxide, the*

1 *Administrator shall carry out the activities de-*
2 *scribed in each of subparagraphs (B), (C), (D),*
3 *and (E).*

4 *“(B) DIRECT AIR CAPTURE RESEARCH.—*

5 *“(i) DEFINITIONS.—In this subpara-*
6 *graph:*

7 *“(I) BOARD.—The term ‘Board’*
8 *means the Direct Air Capture Tech-*
9 *nology Advisory Board established by*
10 *clause (iii)(I).*

11 *“(II) DILUTE.—The term ‘dilute’*
12 *means a concentration of less than 1*
13 *percent by volume.*

14 *“(III) DIRECT AIR CAPTURE.—*

15 *“(aa) IN GENERAL.—The*
16 *term ‘direct air capture’, with re-*
17 *spect to a facility, technology, or*
18 *system, means that the facility,*
19 *technology, or system uses carbon*
20 *capture equipment to capture car-*
21 *bon dioxide directly from the air.*

22 *“(bb) EXCLUSION.—The term*
23 *‘direct air capture’ does not in-*
24 *clude any facility, technology, or*

1 *system that captures carbon diox-*
2 *ide—*

3 *“(AA) that is delib-*
4 *erately released from a natu-*
5 *rally occurring subsurface*
6 *spring; or*

7 *“(BB) using natural*
8 *photosynthesis.*

9 *“(IV) INTELLECTUAL PROP-*
10 *ERTY.—The term ‘intellectual property’*
11 *means—*

12 *“(aa) an invention that is*
13 *patentable under title 35, United*
14 *States Code; and*

15 *“(bb) any patent on an in-*
16 *vention described in item (aa).*

17 *“(ii) TECHNOLOGY PRIZES.—*

18 *“(I) IN GENERAL.—Not later than*
19 *1 year after the date of enactment of*
20 *the USE IT Act, the Administrator, in*
21 *consultation with the Secretary of En-*
22 *ergy, shall establish a program to pro-*
23 *vide, and shall provide, financial*
24 *awards on a competitive basis for di-*
25 *rect air capture from media in which*

1 *the concentration of carbon dioxide is*
2 *dilute.*

3 “(II) *DUTIES.—In carrying out*
4 *this clause, the Administrator shall—*

5 “*(aa) subject to subclause*
6 *(III), develop specific require-*
7 *ments for—*

8 “*(AA) the competition*
9 *process; and*

10 “*(BB) monitoring and*
11 *verification procedures for*
12 *approved projects;*

13 “*(bb) offer financial awards*
14 *for a project designed—*

15 “*(AA) to capture more*
16 *than 10,000 tons of carbon*
17 *dioxide per year; and*

18 “*(BB) to be deployed at*
19 *a cost of less than \$200 per*
20 *ton of carbon dioxide cap-*
21 *tured; and*

22 “*(cc) to the maximum extent*
23 *practicable, make financial*
24 *awards to geographically diverse*
25 *projects, including at least—*

1 “(AA) 1 project in a
2 coastal State; and

3 “(BB) 1 project in a
4 rural State.

5 “(III) PUBLIC PARTICIPATION.—
6 In carrying out subclause (II)(aa), the
7 Administrator shall—

8 “(aa) provide notice of and,
9 for a period of not less than 60
10 days, an opportunity for public
11 comment on, any draft or pro-
12 posed version of the requirements
13 described in subclause (II)(aa);
14 and

15 “(bb) take into account pub-
16 lic comments received in devel-
17 oping the final version of those re-
18 quirements.

19 “(IV) PEER REVIEW.—No finan-
20 cial awards may be provided under
21 this clause until the proposal for which
22 the award is sought has been peer re-
23 viewed in accordance with such stand-
24 ards for peer review as are established
25 by the Administrator.

1 “(iii) *DIRECT AIR CAPTURE TECH-*
2 *NOLOGY ADVISORY BOARD.—*

3 “(I) *ESTABLISHMENT.—There is*
4 *established an advisory board to be*
5 *known as the ‘Direct Air Capture*
6 *Technology Advisory Board’.*

7 “(II) *COMPOSITION.—The Board*
8 *shall be composed of 9 members ap-*
9 *pointed by the Administrator, who*
10 *shall provide expertise in—*

11 “(aa) *climate science;*

12 “(bb) *physics;*

13 “(cc) *chemistry;*

14 “(dd) *biology;*

15 “(ee) *engineering;*

16 “(ff) *economics;*

17 “(gg) *business management;*

18 *and*

19 “(hh) *such other disciplines*
20 *as the Administrator determines*
21 *to be necessary to achieve the pur-*
22 *poses of this subparagraph.*

23 “(III) *TERM; VACANCIES.—*

1 “(aa) *TERM.*—A member of
2 the Board shall serve for a term of
3 6 years.

4 “(bb) *VACANCIES.*—A va-
5 cancy on the Board—

6 “(AA) shall not affect
7 the powers of the Board; and

8 “(BB) shall be filled in
9 the same manner as the
10 original appointment was
11 made.

12 “(IV) *INITIAL MEETING.*—Not
13 later than 30 days after the date on
14 which all members of the Board have
15 been appointed, the Board shall hold
16 the initial meeting of the Board.

17 “(V) *MEETINGS.*—The Board
18 shall meet at the call of the Chair-
19 person.

20 “(VI) *QUORUM.*—A majority of
21 the members of the Board shall con-
22 stitute a quorum, but a lesser number
23 of members may hold hearings.

24 “(VII) *CHAIRPERSON AND VICE*
25 *CHAIRPERSON.*—The Board shall select

1 *a Chairperson and Vice Chairperson*
2 *from among the members of the Board.*

3 “(VIII) *COMPENSATION.—Each*
4 *member of the Board may be com-*
5 *pensated at not to exceed the daily*
6 *equivalent of the annual rate of basic*
7 *pay in effect for a position at level V*
8 *of the Executive Schedule under section*
9 *5316 of title 5, United States Code, for*
10 *each day during which the member is*
11 *engaged in the actual performance of*
12 *the duties of the Board.*

13 “(IX) *DUTIES.—The Board shall*
14 *advise the Administrator on carrying*
15 *out the duties of the Administrator*
16 *under this subparagraph.*

17 “(X) *FACA.—The Federal Advi-*
18 *sory Committee Act (5 U.S.C. App.)*
19 *shall apply to the Board.*

20 “(iv) *INTELLECTUAL PROPERTY.—*

21 “(I) *IN GENERAL.—As a condi-*
22 *tion of receiving a financial award*
23 *under this subparagraph, an applicant*
24 *shall agree to vest the intellectual prop-*
25 *erty of the applicant derived from the*

1 *technology in 1 or more entities that*
2 *are incorporated in the United States.*

3 “(II) *RESERVATION OF LI-*
4 *CENSE.—The United States—*

5 *“(aa) may reserve a non-*
6 *exclusive, nontransferable, irrev-*
7 *ocable, paid-up license, to have*
8 *practiced for or on behalf of the*
9 *United States, in connection with*
10 *any intellectual property de-*
11 *scribed in subclause (I); but*

12 *“(bb) shall not, in the exer-*
13 *cise of a license reserved under*
14 *item (aa), publicly disclose pro-*
15 *prietary information relating to*
16 *the license.*

17 “(III) *TRANSFER OF TITLE.—*
18 *Title to any intellectual property de-*
19 *scribed in subclause (I) shall not be*
20 *transferred or passed, except to an en-*
21 *tity that is incorporated in the United*
22 *States, until the expiration of the first*
23 *patent obtained in connection with the*
24 *intellectual property.*

1 “(v) *AUTHORIZATION OF APPROPRIA-*
2 *TIONS.—There is authorized to be appro-*
3 *priated to carry out this subparagraph*
4 *\$25,000,000, to remain available until ex-*
5 *pended.*

6 “(vi) *TERMINATION OF AUTHORITY.—*
7 *The Board and all authority provided*
8 *under this subparagraph shall terminate on*
9 *December 31, 2028.*

10 “(C) *CARBON DIOXIDE UTILIZATION RE-*
11 *SEARCH.—*

12 “(i) *DEFINITION OF CARBON DIOXIDE*
13 *UTILIZATION.—In this subparagraph, the*
14 *term ‘carbon dioxide utilization’ refers to*
15 *technologies or approaches that lead to the*
16 *use of carbon dioxide—*

17 “(I) *through the fixation of carbon*
18 *dioxide through photosynthesis or*
19 *chemosynthesis, such as through the*
20 *growing of algae or bacteria;*

21 “(II) *through the chemical conver-*
22 *sion of carbon dioxide to a material or*
23 *chemical compound in which the car-*
24 *bon dioxide is securely stored; or*

1 “(III) through the use of carbon
2 dioxide for any other purpose for
3 which a commercial market exists, as
4 determined by the Administrator.

5 “(ii) PROGRAM.—The Administrator,
6 in consultation with the Secretary of En-
7 ergy, shall carry out a research and devel-
8 opment program for carbon dioxide utiliza-
9 tion to promote existing and new tech-
10 nologies that transform carbon dioxide gen-
11 erated by industrial processes into a prod-
12 uct of commercial value, or as an input to
13 products of commercial value.

14 “(iii) TECHNICAL AND FINANCIAL AS-
15 SISTANCE.—Not later than 2 years after the
16 date of enactment of the USE IT Act, in
17 carrying out this subsection, the Adminis-
18 trator, in consultation with the Secretary of
19 Energy, shall support research and infra-
20 structure activities relating to carbon diox-
21 ide utilization by providing technical assist-
22 ance and financial assistance in accordance
23 with clause (iv).

24 “(iv) ELIGIBILITY.—To be eligible to
25 receive technical assistance and financial

1 *assistance under clause (iii), a carbon diox-*
2 *ide utilization project shall—*

3 “(I) *have access to an emissions*
4 *stream generated by a stationary*
5 *source within the United States that is*
6 *capable of supplying not less than 250*
7 *metric tons per day of carbon dioxide*
8 *for research;*

9 “(II) *have access to adequate*
10 *space for a laboratory and equipment*
11 *for testing small-scale carbon dioxide*
12 *utilization technologies, with onsite ac-*
13 *cess to larger test bays for scale-up;*
14 *and*

15 “(III) *have existing partnerships*
16 *with institutions of higher education,*
17 *private companies, States, or other*
18 *government entities.*

19 “(v) *COORDINATION.—In supporting*
20 *carbon dioxide utilization projects under*
21 *this paragraph, the Administrator shall*
22 *consult with the Secretary of Energy, and,*
23 *as appropriate, with the head of any other*
24 *relevant Federal agency, States, the private*
25 *sector, and institutions of higher education*

1 *to develop methods and technologies to ac-*
2 *count for the carbon dioxide emissions*
3 *avoided by the carbon dioxide utilization*
4 *projects, including the consideration of*
5 *lifecycle analysis developed pursuant to sec-*
6 *tion 45Q(f)(5)(B) of the Internal Revenue*
7 *Code of 1986.*

8 “(vi) *AUTHORIZATION OF APPROPRIA-*
9 *TIONS.—There is authorized to be appro-*
10 *priated to carry out this subparagraph*
11 *\$50,000,000, to remain available until ex-*
12 *pended.*

13 “(D) *DEEP SALINE FORMATION REPORT.—*

14 “(i) *DEFINITION OF DEEP SALINE FOR-*
15 *MATION.—*

16 “(I) *IN GENERAL.—In this sub-*
17 *paragraph, the term ‘deep saline for-*
18 *mation’ means a formation of sub-*
19 *surface geographically extensive sedi-*
20 *mentary rock layers saturated with*
21 *waters or brines that have a high total*
22 *dissolved solids content and that are*
23 *below the depth where carbon dioxide*
24 *can exist in the formation as a super-*
25 *critical fluid.*

1 “(II) *CLARIFICATION.*—*In this*
2 *subparagraph, the term ‘deep saline*
3 *formation’ does not include oil and gas*
4 *reservoirs.*

5 “(ii) *REPORT.*—*In consultation with*
6 *the Secretary of Energy, and, as appro-*
7 *priate, with the head of any other relevant*
8 *Federal agency and relevant stakeholders,*
9 *not later than 1 year after the date of enact-*
10 *ment of the USE IT Act, the Administrator*
11 *shall prepare, submit to Congress, and make*
12 *publicly available a report that includes—*

13 “(I) *a comprehensive identifica-*
14 *tion of potential risks and benefits to*
15 *project developers associated with in-*
16 *creased storage of carbon dioxide cap-*
17 *tured from stationary sources in deep*
18 *saline formations, using existing re-*
19 *search;*

20 “(II) *recommendations for man-*
21 *aging the potential risks identified*
22 *under subclause (I), including poten-*
23 *tial risks unique to public land; and*

24 “(III) *recommendations for Fed-*
25 *eral legislation or other policy changes*

1 to mitigate any potential risks identi-
2 fied under subclause (I).

3 “(E) REPORT ON CARBON DIOXIDE NON-
4 REGULATORY STRATEGIES AND TECH-
5 NOLOGIES.—

6 “(i) IN GENERAL.—Not less frequently
7 than once every 2 years, the Administrator
8 shall submit to the Committee on Environ-
9 ment and Public Works of the Senate and
10 the Committee on Energy and Commerce of
11 the House of Representatives a report that
12 describes—

13 “(I) the recipients of assistance
14 under subparagraphs (B) and (C); and

15 “(II) a plan for supporting addi-
16 tional nonregulatory strategies and
17 technologies that could significantly
18 prevent carbon dioxide emissions or re-
19 duce carbon dioxide levels in the air,
20 in conjunction with other Federal
21 agencies.

22 “(ii) INCLUSIONS.—The plan sub-
23 mitted under clause (i) shall include—

24 “(I) a methodology for evaluating
25 and ranking technologies based on the

1 ability of the technologies to cost effec-
 2 tively reduce carbon dioxide emissions
 3 or carbon dioxide levels in the air; and
 4 “*(II) a description of any nonair-*
 5 *related environmental or energy con-*
 6 *siderations regarding the tech-*
 7 *nologies.*”.

8 **TITLE II—IMPROVEMENT OF**
 9 **PERMITTING PROCESS FOR**
 10 **CARBON DIOXIDE CAPTURE**
 11 **AND INFRASTRUCTURE**
 12 **PROJECTS**

13 **SEC. 201. INCLUSION OF CARBON CAPTURE INFRASTRUC-**
 14 **TURE PROJECTS.**

15 Section 41001(6) of the FAST Act (42 U.S.C.
 16 4370m(6)) is amended—

17 (1) in subparagraph (A)—

18 (A) in the matter preceding clause (i), by
 19 inserting “carbon capture,” before “renewable or
 20 conventional”;

21 (B) in clause (i)(III), by striking “or” at
 22 the end;

23 (C) by redesignating clause (ii) as clause
 24 (iii); and

1 (D) by inserting after clause (i) the fol-
2 lowing:

3 “(ii) is covered by a programmatic
4 plan or environmental review developed for
5 the primary purpose of facilitating develop-
6 ment of carbon dioxide pipelines; or”;

7 (2) by adding at the end the following:

8 “(C) ASSOCIATED DEFINITION.—For pur-
9 poses of subparagraph (A), the term ‘construc-
10 tion of infrastructure for carbon capture’ in-
11 cludes construction of any facility, technology, or
12 system that captures, utilizes, or sequesters car-
13 bon dioxide emissions and carbon dioxide pipe-
14 lines.”.

15 **SEC. 202. DEVELOPMENT OF CARBON CAPTURE, UTILIZA-**
16 **TION, AND SEQUESTRATION REPORT, PER-**
17 **MITTING GUIDANCE, AND REGIONAL PERMIT-**
18 **TING TASK FORCE.**

19 (a) DEFINITION OF EFFICIENT, ORDERLY, AND RE-
20 SPONSIBLE.—In this section, the term “efficient, orderly,
21 and responsible” means, with respect to development or the
22 permitting process for carbon capture, utilization, and se-
23 questration projects and carbon dioxide pipelines, a process
24 that is completed in an expeditious manner while main-
25 taining environmental, health, and safety protections.

1 **(b) REPORT.**—

2 **(1) IN GENERAL.**—Not later than 180 days after
3 the date of enactment of this Act, the Chair of the
4 Council on Environmental Quality (referred to in
5 this section as the “Chair”), in consultation with the
6 Administrator of the Environmental Protection Agen-
7 cy, the Secretary of Energy, the Secretary of the Inte-
8 rior, the Executive Director of the Federal Permitting
9 Improvement Council, and the head of any other rel-
10 evant Federal agency (as determined by the Presi-
11 dent), shall prepare a report that—

12 **(A)** compiles all existing relevant Federal
13 permitting and review information and resources
14 for project applicants, agencies, and other stake-
15 holders interested in the deployment of carbon
16 capture, utilization, and sequestration projects
17 and carbon dioxide pipelines, including—

18 **(i)** the appropriate points of inter-
19 action with Federal agencies;

20 **(ii)** clarification of the permitting re-
21 sponsibilities and authorities among Fed-
22 eral agencies; and

23 **(iii)** best practices and templates for
24 permitting;

1 (B) inventories current or emerging activi-
2 ties that transform captured carbon dioxide into
3 a product of commercial value, or as an input
4 to products of commercial value;

5 (C) identifies gaps in the current Federal
6 regulatory framework for the deployment of car-
7 bon capture, utilization, and sequestration
8 projects and carbon dioxide pipelines;

9 (D) identifies Federal financing mecha-
10 nisms available to project developers, including
11 tax credits under section 45Q of the Internal
12 Revenue Code of 1986; and

13 (E) identifies any lifecycle analysis devel-
14 oped pursuant to section 45Q(f)(5)(B) of the In-
15 ternal Revenue Code of 1986.

16 (2) *SUBMISSION; PUBLICATION.*—The Chair
17 shall—

18 (A) submit the report under paragraph (1)
19 to the Committee on Environment and Public
20 Works of the Senate and the Committee on En-
21 ergy and Commerce of the House of Representa-
22 tives; and

23 (B) as soon as practicable, make the report
24 publicly available.

25 (c) *GUIDANCE.*—

1 (1) *IN GENERAL.*—*After submission of the report*
2 *under subsection (b)(2), but not later than 1 year*
3 *after the date of enactment of this Act, the Chair shall*
4 *submit guidance consistent with that report to all rel-*
5 *evant Federal agencies that—*

6 (A) *facilitates reviews associated with the*
7 *deployment of carbon capture, utilization, and*
8 *sequestration projects and carbon dioxide pipe-*
9 *lines; and*

10 (B) *supports the efficient, orderly, and re-*
11 *sponsible development of carbon capture, utiliza-*
12 *tion, and sequestration projects and carbon diox-*
13 *ide pipelines.*

14 (2) *REQUIREMENTS.*—

15 (A) *IN GENERAL.*—*The guidance under*
16 *paragraph (1) shall address requirements*
17 *under—*

18 (i) *the National Environmental Policy*
19 *Act of 1969 (42 U.S.C. 4321 et seq.);*

20 (ii) *the Federal Water Pollution Con-*
21 *trol Act (33 U.S.C. 1251 et seq.);*

22 (iii) *the Clean Air Act (42 U.S.C. 7401*
23 *et seq.);*

24 (iv) *the Safe Drinking Water Act (42*
25 *U.S.C. 300f et seq.);*

1 (v) *the Endangered Species Act of 1973*

2 (16 U.S.C. 1531 *et seq.*);

3 (vi) *division A of subtitle III of title*

4 54, *United States Code (formerly known as*

5 *the “National Historic Preservation Act”*);

6 (vii) *the Migratory Bird Treaty Act*

7 (16 U.S.C. 703 *et seq.*);

8 (viii) *the Act of June 8, 1940 (16*

9 U.S.C. 668 *et seq.) (commonly known as the*

10 *“Bald and Golden Eagle Protection Act”*);

11 *and*

12 (i) *any other Federal law that the*

13 *Chair determines to be appropriate.*

14 (B) *ENVIRONMENTAL REVIEWS.—The guid-*

15 *ance under paragraph (1) shall include direction*

16 *to States and other interested parties for the de-*

17 *velopment of programmatic environmental re-*

18 *views under the National Environmental Policy*

19 *Act of 1969 (42 U.S.C. 4321 *et seq.*) for carbon*

20 *capture, utilization, and sequestration projects*

21 *and carbon dioxide pipelines.*

22 (C) *PUBLIC INVOLVEMENT.—The guidance*

23 *under paragraph (1) shall be subject to the pub-*

24 *lic notice, comment, and solicitation of informa-*

25 *tion procedures under section 1506.6 of title 40,*

1 *Code of Federal Regulations (or a successor regu-*
2 *lation).*

3 (3) *SUBMISSION; PUBLICATION.—The Chair*
4 *shall—*

5 (A) *submit the guidance under paragraph*
6 (1) *to the Committee on Environment and Pub-*
7 *lic Works of the Senate and the Committee on*
8 *Energy and Commerce of the House of Rep-*
9 *resentatives; and*

10 (B) *as soon as practicable, make the guid-*
11 *ance publicly available.*

12 (4) *EVALUATION.—The Chair shall—*

13 (A) *periodically evaluate the reports of the*
14 *task forces under subsection (d)(5) and, as nec-*
15 *essary, revise the guidance under paragraph (1);*
16 *and*

17 (B) *each year, submit to the Committee on*
18 *Environment and Public Works of the Senate,*
19 *the Committee on Energy and Commerce of the*
20 *House of Representatives, and relevant Federal*
21 *agencies a report that describes any rec-*
22 *ommendations for legislation, rules, revisions to*
23 *rules, or other policies that would address the*
24 *issues identified by the task forces under sub-*
25 *section (d)(5).*

1 (d) *TASK FORCE.*—

2 (1) *ESTABLISHMENT.*—*Not later than 18 months*
3 *after the date of enactment of this Act, the Chair shall*
4 *establish not less than 2 task forces, which shall each*
5 *cover a different geographical area with differing de-*
6 *mographic, land use, or geological issues—*

7 (A) *to identify permitting and other chal-*
8 *lenges and successes that permitting authorities*
9 *and project developers and operators face; and*

10 (B) *to improve the performance of the per-*
11 *mitting process and regional coordination for the*
12 *purpose of promoting the efficient, orderly, and*
13 *responsible development of carbon capture, utili-*
14 *zation, and sequestration projects and carbon di-*
15 *oxide pipelines.*

16 (2) *MEMBERS AND SELECTION.*—

17 (A) *IN GENERAL.*—*The Chair shall—*

18 (i) *develop criteria for the selection of*
19 *members to each task force; and*

20 (ii) *select members for each task force*
21 *in accordance with clause (i) and subpara-*
22 *graph (B).*

23 (B) *MEMBERS.*—*Each task force—*

24 (i) *shall include not less than 1 rep-*
25 *resentative of each of—*

1 (I) *the Environmental Protection*
2 *Agency;*

3 (II) *the Department of Energy;*

4 (III) *the Department of the Inte-*
5 *rior;*

6 (IV) *any other Federal agency the*
7 *Chair determines to be appropriate;*

8 (V) *any State that requests par-*
9 *ticipation in the geographical area*
10 *covered by the task force;*

11 (VI) *developers or operators of*
12 *carbon capture, utilization, and seques-*
13 *tration projects or carbon dioxide pipe-*
14 *lines; and*

15 (VII) *nongovernmental member-*
16 *ship organizations, the primary mis-*
17 *sion of which concerns protection of the*
18 *environment; and*

19 (ii) *at the request of a Tribal or local*
20 *government, may include a representative*
21 *of—*

22 (I) *not less than 1 local govern-*
23 *ment in the geographical area covered*
24 *by the task force; and*

1 (II) not less than 1 Tribal govern-
2 ment in the geographical area covered
3 by the task force.

4 (3) *MEETINGS.*—

5 (A) *IN GENERAL.*—Each task force shall
6 meet not less than twice each year.

7 (B) *JOINT MEETING.*—To the maximum ex-
8 tent practicable, the task forces shall meet collec-
9 tively not less than once each year.

10 (4) *DUTIES.*—Each task force shall—

11 (A) inventory existing or potential Federal
12 and State approaches to facilitate reviews associ-
13 ated with the deployment of carbon capture, uti-
14 lization, and sequestration projects and carbon
15 dioxide pipelines, including best practices that—

16 (i) avoid duplicative reviews;

17 (ii) engage stakeholders early in the
18 permitting process; and

19 (iii) make the permitting process effi-
20 cient, orderly, and responsible.

21 (B) develop common models for State-level
22 carbon dioxide pipeline regulation and oversight
23 guidelines that can be shared with States in the
24 geographical area covered by the task force;

1 (C) provide technical assistance to States in
2 the geographical area covered by the task force in
3 implementing regulatory requirements and any
4 models developed under subparagraph (B);

5 (D) inventory current or emerging activities
6 that transform captured carbon dioxide into a
7 product of commercial value, or as an input to
8 products of commercial value;

9 (E) identify gaps in the current Federal
10 and State regulatory framework and in existing
11 data for the deployment of carbon capture, utili-
12 zation, and sequestration projects and carbon di-
13 oxide pipelines;

14 (F) identify Federal and State financing
15 mechanisms available to project developers, in-
16 cluding tax credits under section 45Q of the In-
17 ternal Revenue Code of 1986;

18 (G) identify any lifecycle analysis developed
19 pursuant to section 45Q(f)(5)(B) of the Internal
20 Revenue Code of 1986; and

21 (H) develop recommendations for relevant
22 Federal agencies on how to develop and research
23 technologies that—

24 (i) can capture carbon dioxide; and

1 (ii) would be able to be deployed with-
2 in the region covered by the task force, in-
3 cluding any projects that have received tech-
4 nical or financial assistance for research
5 under paragraph (6) of section 103(g) of the
6 Clean Air Act (42 U.S.C. 7403(g)).

7 (5) *REPORT.*—Each year, each task force shall
8 prepare and submit to the Chair and to the other task
9 forces a report that includes—

10 (A) any recommendations for improvements
11 in efficient, orderly, and responsible issuance or
12 administration of Federal permits and other
13 Federal authorizations required under a law de-
14 scribed in subsection (c)(2)(A); and

15 (B) any other nationally relevant informa-
16 tion that the task force has collected in carrying
17 out the duties under paragraph (4).

18 (6) *EVALUATION.*—Not later than December 31,
19 2023, the Chair shall—

20 (A) reevaluate the need for the task forces;
21 and

22 (B) submit to Congress a recommendation
23 as to whether the task forces should continue.