

Senator Heitkamp's efforts to secure a future for coal

Building on years of advocating commonsense energy policies in North Dakota, Sen. Heitkamp has consistently brought together members of both parties to champion a realistic path forward for coal—and she's worked across the aisle to make sure unworkable rules don't harm North Dakota's energy sector.

But Sen. Heitkamp believes that for coal to have a future, pushing back against unworkable rules isn't enough—both parties also need to come together to invest in innovative carbon capture, utilization, and storage (CCUS) technologies to lower emission and help coal remain viable. For several years, Sen. Heitkamp has worked with both parties and groups across the political spectrum to build a coalition to do that, just as she did to successfully lift the ban on exporting U.S. oil.

1986-1992: Sen. Heitkamp served as North Dakota's tax commissioner, overseeing taxes on coal, coal gasification plants, electrical generation plants, and more.

1992-2000: As North Dakota attorney general, Sen. Heitkamp served on the state's Industrial Commission, which manages coal exploration as well as research, development, and marketing for lignite coal.

2001-2012: For more than a decade, Sen. Heitkamp served on the board of directors of Dakota Gasification Company, which runs a one-of-a-kind Synfuels plant in Beulah, N.D.

August 2013: Sen. Heitkamp visits SaskPower's Boundary Dam Carbon Capture Project.

February 2014: Then-U.S. Environmental Protection Agency (EPA) Administrator Gina McCarthy visited North Dakota at Sen. Heitkamp's request. Sen. Heitkamp defended North Dakota's coal industry and made the case for investments in clean coal technologies. Sen. Heitkamp brought McCarthy to Dakota Gasification to see the techniques used to make natural gas from coal and to transport CO₂ for enhanced oil recovery.

March 5, 2014: Sen. Heitkamp organized and served as the keynote speaker at the Coal Technology Symposium, which brought together leading experts from government, industry, and academia, including the University of North Dakota's Energy and Environmental Research Center (EERC), to lay out why it's so important to find a path forward for coal.

March 24, 2014: Sen. Heitkamp announced new major legislation, the *Advanced Clean Coal Technology Investment in Our Nation (ACCTION) Act*, to support a viable path forward for coal. Her bill aimed to help make it affordable for coal plants to lower their carbon pollution through the use of advanced clean coal technologies.

August 2014: At a U.S. Department of Energy meeting held in Bismarck at Sen. Heitkamp's request, the senator joined then-Energy Secretary Ernest Moniz for a panel discussion and called on him to emulate North Dakota's all-of-the-above energy strategy, including coal and carbon capture technology. Moniz held the meeting as part of a series across the country as the Energy Department was developing its Quadrennial Energy Review—a comprehensive energy strategy for the country.

January 2015: Sen. Heitkamp met with Julio Friedmann, then-Deputy Assistant Secretary for Clean Coal at the Energy Department. Sen. Heitkamp used the meeting to discuss ways to promote a realistic path forward for coal in North Dakota and across the country—including through her ACCTION Act.

February 2015: Sen. Heitkamp reintroduced her ACCTION Act to help encourage coal plants to lower their carbon pollution through the use of advanced clean coal technologies by making capital more accessible and ultimately the technology more affordable.

May 2015: Alongside Sen. Joe Manchin (D-WV), Heitkamp introduced a package of bills to support the development of clean coal—including key pieces from Sen. Heitkamp's ACCTION Act. Sen. Heitkamp's

provisions aimed to streamline rules governing clean coal energy and remove uncertainty inhibiting development of carbon emissions-reducing technologies.

July 30, 2015: The Senate Energy Committee passed three of Sen. Heitkamp's provisions to strengthen clean coal power: prioritizing clean coal research and development by establishing a program dedicated to clean coal technological innovation; solidifying clean coal technologies as a clear part of the nation's energy mix by designating it as an official Energy Department fossil energy priority; using pre-authorized funding for carbon and cost-reducing fossil energy projects.

December 2015: Sen. Heitkamp and Sen. Sheldon Whitehouse (D-RI) pressed U.S. negotiators at the United Nations climate talks in Paris to include carbon capture and utilization in their agreement.

December 18, 2015: The year-end spending bill Congress passed included provisions Sen. Heitkamp pushed for to permanently extend the Indian Coal Production Tax Credit, helping protect the economic viability of existing coal mining projects on tribal lands.

July 13, 2016: Sens. Heitkamp and Whitehouse introduced a bill to promote carbon capture technologies by extending and expanding the 45Q tax credit, which encourages investment in carbon capture, utilization, and storage (CCUS). The bill had support from progressive and conservative senators, as well as a broad range of environmental and labor groups, and coal companies and utilities.

July 15, 2016: Senate Majority Leader Mitch McConnell (R-KY) backed the bill shortly after it was introduced. The bill also gained support after its introduction from Sens. Shelley Moore Capito (R-WV), Roy Blunt (R-MO) and Bob Casey (D-PA), and others across the political spectrum.

November 2016: The Washington Post published a story ("There's actually a way for Trump to help coal and still help the climate") about Sen. Heitkamp's bill to extend and expand the 45Q tax credit. Reporter Chris Mooney writes: "It's not hard to see Trump and his Republican allies in Congress supporting legislation like this," adding that, "looking to the future, advancing CCS could actually make a difference for the climate and the industry."

December 4, 2016: After being one of the first Democrats asked to meet with then President-elect Donald Trump, an editorial in the Grand Forks Herald speculated it was because of Sen. Heitkamp's record of bipartisan proposals and steadfast work to get things done—pointing to her CCS bill has a proposal that could pass and set a bipartisan tone for the beginning of the new administration.

December 27, 2016: The Willison Herald covered Sen. Heitkamp's bipartisan bill to extend and expand the 45Q tax credit, saying it's "poised for a strong comeback" in 2017: "Among the orphaned bills of the 2016 legislative session is one that not only found broad-based bipartisan support — a rarity this past session — but one that could play a very important role in strengthening the Bakken oil and gas sector and the coal industry in Montana and North Dakota, while at the same time still reducing net carbon dioxide emissions."

January 2017: The New York Times interviewed Sen. Heitkamp about President Trump and her bill to extend and expand the 45Q tax credit to support coal: "What I saw with the president-elect was a laserlike focus on jobs,' [Sen. Heitkamp] said. 'I think he was intrigued' about the economic opportunity that carbon capture could provide to keep coal power generation in the national mix,' she added."

February 2017: The New York Times covered Sen. Heitkamp's successful work bringing together coal companies and environmental groups in support of her bill: "Executives of the three companies — Cloud Peak Energy, Peabody Energy and Arch Coal — are going so far as to make common cause with some of their harshest critics, including the Natural Resources Defense Council and the Clean Air Task Force. Together, they are lobbying for [Sen. Heitkamp's] tax bill to expand government subsidies to reduce the environmental impact of coal burning."

March 2017: Sen. Heitkamp successfully pushed EPA administrator Scott Pruitt and the Trump Administration to take action on North Dakota's proposal to oversee regulation for underground storage of CO₂ – a critical step to advance a collaborative CCUS projects in North Dakota.

May 2017: Sen. Heitkamp [joins bipartisan Congressional delegation trip](#) to Norway, where she tours a CCUS project and discusses U.S. energy interests.

June 2017: Sen. Heitkamp led a diverse group of 15 Democratic senators—including more liberal and more conservative lawmakers—in urging congressional appropriators to fund strong U.S. Department of Energy investments in CCUS technologies, which the president's budget put on the chopping block.

July 2017: Sens. Heitkamp and Whitehouse [re-introduce their bill to promote carbon capture technologies](#) by extending and expanding the 45Q tax credit with an expanded, bipartisan group of Senators, including Shelley Moore Capito (R-WV), and John Barrasso (R-WY).

September 2017: 45Q legislation [was discussed favorably](#) at a U.S. Senate Committee on Environment and Public Works hearing on expanding and accelerating the deployment and use of CCUS technology.

September 2017: Sens. Heitkamp, Capito, Whitehouse, and Barrasso participate in [Center for Climate and Energy Solutions forum](#) to push for their 45Q legislation.

October 2017: Sen. Heitkamp discusses 45Q legislation [at every opportunity](#) with the Trump administration as tax reform is debated.

October 2017: Sen. Heitkamp meets with the CEO of Norway's Gassnova about their progress on CCUS, and speaks at panel she helped organize on the technology.

December 2017: Sens. Heitkamp, Capito, Whitehouse, and Barrasso [send a letter to Senate leadership](#) urging their 45Q legislation to be included in any tax extenders package.

December 2017: Sens. Heitkamp, Capito, Whitehouse, and Barrasso's 45Q legislation included in S.2256 tax extenders package.

February 2018: Sens. Heitkamp and John Hoeven (R-ND) introduce bipartisan legislation to extend the refined coal tax credit.

February 2018: Sen. Heitkamp's 45Q legislation passes Congress and is signed in to law.

March 2018: Sen. Heitkamp introduces the bipartisan [Utilizing Significant Emissions with Innovative Technologies \(USE IT\) Act](#) to support carbon utilization and direct air capture research. The bill would also support federal, state, and non-governmental collaboration in the construction and development of CCUS facilities and CO₂ pipelines.