

NATIONAL COAL COUNCIL REESTABLISHMENT ACT

JULY 2, 2025.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. GUTHRIE, from the Committee on Energy and Commerce,
submitted the following

R E P O R T

together with

MINORITY VIEWS

[To accompany H.R. 3015]

The Committee on Energy and Commerce, to whom was referred the bill (H.R. 3015) to reestablish the National Coal Council in the Department of Energy to provide advice and recommendations to the Secretary of Energy on matters related to coal and the coal industry, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

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PURPOSE AND SUMMARY

H.R. 3015, the “National Coal Council Reestablishment Act”, was introduced by Representative Rulli on April 24, 2025, and referred to the Committee on Energy and Commerce on April 24, 2025. H.R. 3015 re-establishes and codifies the National Coal Council, which was a federal advisory committee established in 1984 to provide industry expertise to DOE. The council provides guidance, reports, and recommendations on matters affecting the coal industry and the future of coal technologies.

BACKGROUND AND NEED FOR LEGISLATION

The United States is blessed with the largest coal reserves in the world, totaling 469 billion short tons of coal.¹ Throughout our nation’s history, the prosperity and security of the United States has been inextricably linked to reliable, affordable, and abundant energy supplies. Coal provides some of the highest capacity factors for electricity generation and is a key raw material for efficient steel production. Historically, coal resources provided the energy supplies necessary to drive the industrial revolution in the United States in the 19th and 20th century and helped place the United States as a geopolitical power on the world stage during and after World War II.

Today, our nation’s energy system remains reliant on coal. In 2024, 16% of electricity generation in the United States came from approximately 401 coal-fired power plants.² The coal industry supports over 100,000 direct jobs and approximately 324,000 indirect jobs, along with 70,000 jobs in coal-fired power plants.³ On average, these jobs pay over 50% above the average wage.⁴ Throughout Appalachia, the Midwest, and Western states, the coal industry is an economic driver for small and rural communities.

Throughout the 119th Congress, the House Energy and Commerce Committee has held several hearings examining the ongoing reliability crisis facing our nation, as well as the historic projected electricity demands that are largely driven by developments in artificial intelligence, reshoring domestic manufacturing, and general economy-wide electrification. Expert witnesses that testified before this committee stated the grave national and economic security implications for failed leadership in next generation industries. We also learned of ongoing supply chain constraints for critical grid components and infrastructure needed for new generation and transmission facilities. To meet our growing electricity needs, existing coal assets must play a critical role to protect reliability for households and businesses. On May 23, 2025, the Trump administration utilized authority under 202(c) of the Federal Power Act to maintain the operation of the J.H. Campbell Coal Power Plant in Michigan to address potential capacity shortfalls in the

¹Energy Information Administration, “U.S. Coal Reserves” (October 2024), <https://www.eia.gov/coal/reserves/>.

²America’s Power, “Coal Facts” (2024), <https://americaspower.org/coal-facts/>.

³National Mining Association, “Coal: Reliable and Affordable Power”, https://nma.org/wp-content/uploads/2023/04/coal_americas_power_2024.pdf.

⁴Ibid.

Midcontinent Independent System Operator (MISO) territory during the peak summer months.⁵

Particularly concerning are the rate of pre-mature retirements of baseload generating facilities, predominantly coal fired power plants, at a time where our nation's energy could outpace available supply. In 2025 alone, 12.3 GW of coal fired generation plans to retire, a 65% increase over 2024.⁶ Actions of the previous administration, along with aggressive climate focused regulations from states, are key drivers of pre-mature closure of coal fired generating units. Under the Biden administration, federal agencies took aggressive actions to reduce coal use in the United States. The Environmental Protection Agency's suite of power plant regulations—New Source Performance Standards for Greenhouse Gas Emissions From New, Modified, and Reconstructed Fossil Fuel-Fired Electric Generating Units; Emission Guidelines for Greenhouse Gas Emissions From Existing Fossil Fuel-Fired Electric Generating Units; and Repeal of the Affordable Clean Energy Rule; National Emission Standards for Hazardous Air Pollutants for Coal- and Oil-Fired Electric Utility Steam Generating Units; Hazardous and Solid Waste Management System: Disposal of Coal Combustion Residuals From Electric Utilities; Legacy CCR Surface Impoundments; and Supplemental Effluent Limitations Guidelines and Standards for the Steam Electric Power Generating Point Source Category—took aim at existing and new coal-fired generating units to render the facilities financially unviable. The Department of Interior halted new coal leases in the Powder River Basin in Wyoming and Montana, which accounts for 40% of the nation's thermal coal production.

The National Coal Council, established in 1984, is a federal advisory committee in the Department of Energy that provides advice and recommendations on general policy matters relating to the coal industry. Over the course of its 37-year history, the council provided the federal government with expertise on matters affecting the coal industry and its workers, including reports on coal technologies and innovations, coal marketing and exports, research and development for advanced coal technologies. Unless otherwise specified in law, the Federal Advisory Committees Act requires advisory committees must be rechartered every two years.

Following a lawsuit from environmental groups, the Biden administration's Department of Energy did not renew the Coal Council's charter and instead created a new council, the National Advisory Committee on Coal, that would align with the administration's climate agenda.⁷ The approach of the Biden administration abandoned 37 years of work and trusted expertise from the National Coal Council and diverted the underlying purpose of supporting the U.S. coal industry. On June 15, 2025, the Trump administration's Department of Energy re-established the National Coal Council's charter for an additional two years. The National Coal Council Re-establishment Act would codify this action to support the re-charter

⁵ Department of Energy, "Federal Power Act Section 202(c) Midcontinent Independent System Operator" (May 2025), <https://www.energy.gov/ceser/federal-power-act-section-202c-midcontinent-independent-system-operator-miso>.

⁶ Energy Information Administration, "Planned retirements of U.S. coal-fired electric generating capacity to increase in 2025" (February 2025) <https://www.eia.gov/todayinenergy/detail.php?id=64604>.

⁷ https://democracyforward.org/wp-content/uploads/2022/05/NCC-Notice-of-Dismissal_5.19.pdf.

of the Coal Council. In addition, the legislation would remove the requirement for the council to be re-chartered every two years.

COMMITTEE ACTION

On April 30, 2025, the Subcommittee on Energy held a legislative hearing on 14 pieces of legislation, including H.R. 3015. The Subcommittee received testimony from:

- Mike Goff, Acting Undersecretary of Energy, U.S. Department of Energy;
- David L. Morenoff, Acting General Counsel, Federal Energy Regulatory Commission;
- Terry Turpin, Director, Office of Energy Projects, Federal Energy Regulatory Commission;
- Jim Matheson, Chief Executive Officer, National Rural Electric Cooperative Association;
- Amy Andryszak, President and Chief Executive Officer, Interstate Natural Gas Association of America;
- Todd A. Snitchler, President and Chief Executive Officer, Electric Power Supply Association; and
- Kim Smaczniak, Partner, Roselle LLP.

On June 5, 2025, the Subcommittee on Energy met in open markup session and forwarded H.R. 3015, without amendment, to the full Committee by a record vote of 15 yeas and 13 nays.

On June 25, 2025, the full Committee on Energy and Commerce met in open markup session and ordered H.R. 3015, without amendment, favorably reported to the House by a record vote of 25 yeas and 20 nays.

COMMITTEE VOTES

Clause 3(b) of rule XIII requires the Committee to list the record votes on the motion to report legislation and amendments thereto. The following reflects the record votes taken during both Subcommittee and Committee consideration:

**COMMITTEE ON ENERGY AND COMMERCE
SUBCOMMITTEE ON ENERGY
119TH CONGRESS
ROLL CALL VOTE # 9**

BILL: H.R. 3015, National Coal Council Reestablishment Act

AMENDMENT: Approved favorably to the Full Committee (Final Passage)

DISPOSITION: Agreed to, by a roll call vote of 15 yeas to 13 nays.

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Latta	X			Ms. Castor		X	
Mr. Weber	X			Mr. Peters		X	
Mr. Palmer	X			Mr. Menendez		X	
Mr. Allen	X			Mr. Mullin		X	
Mr. Balderson	X			Ms. McClellan		X	
Mr. Pfluger	X			Ms. DeGette		X	
Mrs. Harshbarger				Ms. Matsui		X	
Mrs. Miller-Meeks				Mr. Tonko		X	
Mr. James	X			Mr. Veasey		X	
Mr. Bentz	X			Ms. Schrier		X	
Mr. Fry	X			Ms. Fletcher		X	
Ms. Lee				Ms. Ocasio-Cortez		X	
Mr. Langworthy	X			Mr. Auchincloss			
Mr. Rulli	X			Mr. Pallone		X	
Mr. Evans	X						
Mr. Goldman	X						
Mrs. Fedorchak	X						
Mr. Guthrie	X						

06/05/2025

**COMMITTEE ON ENERGY AND COMMERCE
119TH CONGRESS
ROLL CALL VOTE # 14**

BILL: H.R. 3015, National Coal Council Reestablishment Act

AMENDMENT: Final Passage

DISPOSITION: Agreed to, by a roll call vote of 25 yeas and 20 nays.

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Guthrie	X			Mr. Pallone		X	
Mr. Latta	X			Ms. DeGette		X	
Mr. Griffith	X			Ms. Schakowsky		X	
Mr. Bilirakis	X			Ms. Matsui		X	
Mr. Hudson	X			Ms. Castor		X	
Mr. Carter (GA)	X			Mr. Tonko		X	
Mr. Palmer				Ms. Clarke		X	
Mr. Dunn	X			Mr. Ruiz		X	
Mr. Crenshaw	X			Mr. Peters		X	
Mr. Joyce	X			Mrs. Dingell			
Mr. Weber	X			Mr. Veasey		X	
Mr. Allen	X			Ms. Kelly		X	
Mr. Balderson	X			Ms. Barragán			
Mr. Fulcher				Mr. Soto			
Mr. Pfluger	X			Ms. Schrier		X	
Mrs. Harshbarger	X			Ms. Trahan		X	
Mrs. Miller-Meeks	X			Ms. Fletcher		X	
Mrs. Cammack	X			Ms. Ocasio-Cortez			
Mr. Obernolte	X			Mr. Auchincloss		X	
Mr. James	X			Mr. Carter (LA)		X	
Mr. Bentz				Mr. Menendez		X	
Mrs. Houchin	X			Mr. Mullin		X	
Mr. Fry	X			Mr. Landsman		X	
Ms. Lee				Ms. McClellan		X	
Mr. Langworthy	X						
Mr. Kean	X						
Mr. Rulli	X						
Mr. Evans							
Mr. Goldman	X						
Mrs. Fedorchak	X						

06/25/2025

OVERSIGHT FINDINGS AND RECOMMENDATIONS

Pursuant to clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII, the Committee held hearings and made findings that are reflected in this report.

NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY,
AND TAX EXPENDITURES

Pursuant to clause 3(c)(2) of rule XIII, the Committee finds that H.R. 3015 would result in no new or increased budget authority, entitlement authority, or tax expenditures or revenues.

CONGRESSIONAL BUDGET OFFICE ESTIMATE

Pursuant to clause 3(c)(3) of rule XIII, at the time this report was filed, the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974 was not available.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII, the general performance goal or objective of this legislation is to codify the National Coal Council and remove the requirement for the council to be re-chartered every two years under the Federal Advisory Committee Act.

DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII, no provision of H.R. 3015 is known to be duplicative of another Federal program, including any program that was included in a report to Congress pursuant to section 21 of Public Law 111–139 or the most recent Catalog of Federal Domestic Assistance.

RELATED COMMITTEE AND SUBCOMMITTEE HEARINGS

Pursuant to clause 3(c)(6) of rule XIII, the following related hearings were used to develop or consider H.R. 3015:

On February 5, 2025, the Subcommittee on Energy held a hearing on H.R. 3015. The title of the hearing was “Powering America’s Future: Unleashing American Energy.” The Subcommittee received testimony from:

- Amanda Eversole, Executive Vice President and Chief Advocacy Officer, American Petroleum Institute;
- Brigham McCown, Senior Fellow and Director, Initiative on American Energy Security, The Hudson Institute;
- Gary Arnold, Business Manager, Denver Pipefitters Local 208; and
- Tyler O’Connor, Partner, Crowell & Moring LLP.

On March 5, 2025, the Subcommittee on Energy held a hearing on H.R. 3015. The title of the hearing was “Scaling for Growth: Meeting the Demand for Reliable, Affordable Electricity.” The Subcommittee received testimony from:

- Todd Brickhouse, CEO and General Manager, Basin Electric Power Cooperative;
- Asim Haque, Senior Vice President for Governmental and Member Services, PJM;
- Noel W. Black, Senior VP of Regulatory Affairs, Southern Company; and
- Tyler H. Norris, James B. Duke Fellow, Duke University.

On March 25, 2025, the Subcommittee on Energy held a hearing on H.R. 3015. The title of the hearing was “Keeping the Lights On: Examining the State of Regional Grid Reliability.” The Subcommittee received testimony from:

- Gordon van Welie, President and Chief Executive Officer, ISO New England;
- Richard J. Dewey, President and Chief Executive Officer, New York Independent System Operator;
- Manu Asthana, President and Chief Executive Officer, PJM Interconnection LLC;
- Jennifer Curran, Senior Vice President for Planning and Operations, Midcontinent ISO;
- Lanny Nickell, Chief Operating Officer, Southwest Power Pool;
- Elliot Mainzer, President and Chief Executive Officer, California Independent System Operator; and
- Pablo Vegas, President and Chief Executive Officer, Electric Reliability Council of Texas, Inc.

On April 9, 2025, the Committee on Energy and Commerce held a hearing on H.R. 3015. The title of the hearing was “The Energy Needs for Advancing American Technological Leadership.” The Committee received testimony from:

- Eric Schmidt, Chair, Special Competitive Studies Project;
- Manish Bhatia, Executive Vice President of Global Operations, Micron Technology;
- Alexander Wang, Founder and Chief Executive Officer, Scale AI; and
- David Turk, Distinguished Visiting Fellow, Center on Global Energy Policy, Columbia University.

On April 30, 2025, the Subcommittee on Energy held a legislative hearing on H.R. 3015. The title of the hearing was “Assuring Abundant, Reliable American Energy to Power Innovation.” The Subcommittee received testimony from:

- Mike Goff, Acting Undersecretary of Energy, U.S. Department of Energy;
- David L. Morenoff, Acting General Counsel, Federal Energy Regulatory Commission;
- Terry Turpin, Director, Office of Energy Projects, Federal Energy Regulatory Commission;
- Jim Matheson, Chief Executive Officer, National Rural Electric Cooperative Association;
- Amy Andryszak, President and Chief Executive Officer, Interstate Natural Gas Association of America;
- Todd A. Snitchler, President and Chief Executive Officer, Electric Power Supply Association; and
- Kim Smaczniak, Partner, Roselle LLP.

COMMITTEE COST ESTIMATE

Pursuant to clause 3(d)(1) of rule XIII, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974. At the time this report was filed, the estimate was not available.

EARMARK, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

Pursuant to clause 9(e), 9(f), and 9(g) of rule XXI, the Committee finds that H.R. 3015 contains no earmarks, limited tax benefits, or limited tariff benefits.

ADVISORY COMMITTEE STATEMENT

Pursuant to section 5(b) of the Federal Advisory Committee Act, the Committee finds that no new advisory committees were created by this legislation. However, the Committee finds that this legislation permanently reestablishes the National Coal Council within the Department of Energy, in accordance with the charter for the National Coal Council that was in effect on November 19, 2021. The Committee does not find that the functions of the reestablished advisory committee are being or could be performed by one or more agencies or by an advisory committee already in existence, or by enlarging the mandate of an existing advisory committee.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1. Short title

Section 1 provides that the Act may be cited as the “National Coal Council Reestablishment Act.”

Section 2. National Coal Council

Section 2 directs the Secretary of Energy to reestablish the National Coal Council in accordance with the charter in place on November 21, 2021 and removes the requirement for the National Coal Council to be re-chartered every two years under the Federal Advisory Committee Act.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

This legislation does not amend any existing Federal statute.

MINORITY VIEWS

H.R. 3015, the National Coal Council Reestablishment Act H.R. 3015 requires the Department of Energy (DOE) to re-establish the National Coal Council (NCC), an advisory council subject to the Federal Advisory Committee Act. On April 9, before the bill was introduced, Secretary of Energy Chris Wright announced that he was taking action to reinstate the NCC.¹ On June 18, DOE published a notice in the Federal Register that the NCC had been reestablished two days prior, and DOE also transmitted a letter to Chairman Guthrie enclosing a copy of the NCC's newly-revised charter.² The goal of the legislation has already been achieved.

Domestic consumption of coal has decreased by 64 percent since its peak in 2007. The vast majority—over 90 percent—of that decline has been driven by a sharp decrease in the demand for coal from power plants.³ This decrease has been due to a number of factors, including increased competition from clean sources of energy and the decrease in the price of natural gas. It is unclear that the NCC has the power to reverse either of those trends, and efforts by the Trump Administration to keep two coal plants in Michigan and Pennsylvania open appear poised to increase electricity prices.⁴

The majority's memo on the legislation indicates that a significant goal of the legislation—in addition to the already-accomplished re-establishment of the NCC—is to remove the requirement that the NCC be re-chartered every two years. If the majority is interested in abolishing that requirement, legislation to amend 5 U.S.C. § 1013, which requires that advisory committees terminate every two years, would be more appropriate. I am aware of no reason why the NCC should receive special treatment.

To avoid legislating an outcome that had already happened, I introduced an amendment at the Committee markup of H.R. 3015 that would have barred the bill from taking effect if DOE had published a notice in the Federal Register similar to its June 18 notice within a year of the bill's enactment. That amendment failed on a recorded vote. The majority wishes to enact a piece of legislation whose primary goal has already been accomplished.

¹Department of Energy, *Energy Department Acts to Unleash American Coal by Strengthening Coal Technology and Securing Critical Mineral Supply Chains* (Apr. 8, 2025).

²Department of Energy, *National Coal Council*, 90 Fed. Reg. 26045 (June 18, 2025); Letter from David A. Borak to Rep. Brett Guthrie, Chairman, House Committee on Energy and Commerce (June 16, 2025).

³Energy Information Administration, *Coal Data Browser* (Oct. 2024).

⁴Dennis Wamsted and Seth Feaster, *Who Will Pay for Forcing the Campbell Coal Plant to Stay Open*, Institute for Energy Economics and Financial Analysis (June 5, 2025).

For the reasons stated above, I oppose this legislation.

FRANK PALLONE, Jr.,
Ranking Member.

