

## Committee on Energy and Commerce

### 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.<sup>1</sup> 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.<sup>2</sup> 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.<sup>3</sup> 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.<sup>4</sup>

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.

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

<sup>2</sup> Department 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).

<sup>3</sup> Energy Information Administration, *Coal Data Browser* (Oct. 2024).

<sup>4</sup> Dennis 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).

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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.

For the reasons stated above, I oppose this legislation.

A handwritten signature in blue ink that reads "Frank Pallone, Jr." in a cursive script.

Frank Pallone, Jr.

Ranking Member

Committee on Energy and Commerce