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PRESS RELEASE

National Coal Council Topples Under Pressure

DOE has allowed the US coal advisory council's charter to expire and will develop a new charter

Billings, Montana – Department of Energy (DOE) announced today that the National Coal Council's (NCC) charter has expired. DOE has the intent to develop a new charter. Western grassroots groups had sued for access to NCC records, and urged DOE to terminate or restructure the group.

In a [letter](#) to the NCC, DOE's **Jennifer Wilcox, Principal Deputy Assistant Secretary** writes, "the Department is in the process of submitting a new charter, revised to reflect matters currently faced by the coal industry, workers, and communities, including priorities established by the Energy Act of 2020 as well as the Bipartisan Infrastructure Law enacted this week, and to generally modernize the advisory committee."

On October 15, 2020, WORC, Democracy Forward and Western Environmental Law Center [sued](#) the Trump administration for violating the Federal Advisory Committee Act (FACA) by not appointing balanced interests to NCC and by refusing to make fully public NCC meetings and records. The lawsuit sought to compel release of the NCC's materials from 2017 to the present and prevent the Council from going about its work until it complies with the FACA requirements.

"We are pleased the Department of Energy has allowed the National Coal Council's charter to expire. This does end the NCC's unethical influence over national energy policy, but can't undo the harm the council has caused over the last several years. We ask that any new council be balanced with members who represent landowner, taxpayer, environmental, and public health interests. It's vital that people and communities impacted by the coal industry have a voice on this advisory council," **said Bob LeResche, Powder River Basin Resource Council and WORC board member from Clearmont, Wyoming.**

The NCC is an outside advisory group, which makes recommendations on federal policies related to the production and consumption of American coal. Under President Trump, the NCC worked exclusively to advance the coal industry's economic interests, and it did so behind closed doors. The NCC is composed of two entities that are functionally identical — the Council chartered under FACA and a 501(c)(6) not-for-profit corporate entity called "NCC, Inc."

WORC released a [letter](#) from members this past September detailing the highly inappropriate relationship between the NCC, and its corporate alter ego, National Coal Council, Inc. WORC urged Secretary of Energy, Jennifer Granholm to scrutinize and restructure or terminate the NCC. The letter described how the NCC includes no perspectives from individuals or organizations working to address the negative impacts of coal extraction, and there are no clear lines of separation between NCC and NCC, Inc. The industry association blatantly funds and influences the work of the NCC, resulting in biased information to the Department of Energy on behalf of the coal industry.

“The National Coal Council was a group of corporate lobbyists masquerading as a government advisory committee, so the Department of Energy is right to let the group’s charter expire,” **said Ellen Pfister, a Northern Plains Resource Council board member who ranches adjacent to coal development in Montana’s Bull Mountains.** “Any new council must represent the interests of all stakeholders, especially those directly impacted by coal development. First priorities for any new advisory body should be determining how to create new jobs for coal workers by cleaning up mined lands and accurately assessing the larger financial and social burdens that coal production brings to bear on our climate, water, and air quality.”

Background:

Under the Trump Administration’s “Energy Dominance” agenda, the NCC’s focus shifted to advocate for the increased use and financial support of coal. Since 2017, it has recommended: [eliminating alleged barriers to coal production on federal lands](#), [extensive subsidization of coal plants in the name of “grid resiliency”](#), [government support and funding for research to find uses of coal to create products currently made with other materials](#), even [more generous financial support and tax breaks for coal companies, and significant weakening of pollution control regimes like the Clean Air Act](#).

The NCC has come to involve two entities: the National Coal Council chartered under FACA, and a 501(c)(6) not-for-profit corporate lobbying trade association called “NCC, Inc.,” funded by anonymous donors. All of NCC Inc.’s members are appointed members of the federally chartered NCC, and, as one court [found](#), there is “no meaningful distinction between the NCC and NCC, Inc.”

In October of 2021, [WORC pressed ahead with the lawsuit](#). Records obtained in the course of litigation demonstrated the remarkable extent to which the NCC was merely a vehicle for the coal industry. NCC and NCC Inc. officials repeatedly stated that the Department appointing more NCC members would help to fill NCC Inc.’s coffers.

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[The Western Organization of Resource Councils](#) is a network of eight grassroots organizations in seven Western states with 15,000 members, many of them ranchers and farmers committed to common-sense reform in agriculture, oil and gas development, coal mine reclamation, and rural economic development. Headquartered in Billings, Mont., WORC also has offices in Colorado and Washington, D.C.

[Democracy Forward](#) is a nonprofit legal organization founded in 2017 to litigate challenges to unlawful government action on behalf of organizations, individuals, and municipalities. The organization has taken

650 legal actions and reversed dozens of harmful policies. Democracy Forward is expanding its work, building on its success to confront unlawful threats to democracy and social progress.

[Northern Plains](#) is a grassroots conservation and family agriculture group that organizes Montanans to protect our water quality, family farms and ranches, and unique quality of life.

[The Powder River Basin Resource Council](#), founded in 1973, is a family agriculture and conservation organization in Wyoming. Resource Council members are family farmers and ranchers and concerned citizens who are committed to conservation of our unique land, mineral, water, and clean air resources.