

The Energy 202: Trump administration is largely following through on manufacturing group's "wish list"

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Early in President Trump's term, a powerful group of manufacturers delivered to his deputies a "wish list" of regulations they wanted rewritten.

Two years later, the Trump administration appears to have largely followed through on those requests, according to a new report.

An analysis from Public Citizen, a left-leaning nonprofit consumer rights advocacy group, examined how various government agencies have responded to the 132 requests that the group, the National Association of Manufacturers, submitted to the Trump administration about two months into his presidency.

Public Citizen found just 71 of those requests seemed to actually line up with major government rules on which the Trump administration could take action. Of those, government agencies — such as the Environmental Protection Agency and Interior Department — moved to modify, delay or get rid of 60 of them during Trump's time in office. That's about 85 percent.

Matt Kent, a regulatory policy associate at Public Citizen who wrote the report, said his work "is strong evidence that our government agencies are working for the corporations they are supposed to be regulating instead of working to protect the public."

When reached for comment, Ross Eisenberg, NAM's vice president for energy and resources, conceded that "there's no denying that we've been effective advocates for our members and have had a great partner in the Trump administration."

But he added that in virtually every instance the association has asked the administration to reconsider a rule, it has also asked for a replacement. "What too often gets lost in this conversation is that we aren't simply saying 'no' to regulation — what we are pushing for is smarter, better regulation," he said.

Among the lobbying group's priorities when Trump first took office, according to the March 2017 list, was reversing the decline in coal-fired power, which could raise energy costs for manufacturers.

So it asked the Trump administration to lift a moratorium on coal-mining leases on federal lands and rewrite the Obama-era Clean Power Plan meant to reduce heat-trapping emissions from coal power plants.

By 2018, the administration had fulfilled both of those requests.

Those regulatory changes also included the EPA endorsing the scientifically contentious idea that the burning of wood for energy is “carbon neutral” and the White House withdrawing guidance directing federal agencies to consider climate-change impacts in legally mandated environmental reviews of construction projects.

NAM submitted its “wish list” at the request of the Commerce Department, which had asked the public for suggestions to reduce regulatory burdens on manufacturers.

The association’s roster of members, which with 14,000 includes manufacturers of all sizes, spans economic sectors to include the machinery manufacturer Caterpillar, the tire company Goodyear, the carmaker Toyota, the pharmaceutical firm Merck, chip maker Intel and electronics giant Samsung, as well as the energy firms Southern Co., Devon Energy, ConocoPhillips and ExxonMobil.

In Trump’s Washington, NAM has emerged as an influential player in helping to shape both the regulations its members face and also the president’s image as job creator-in-chief.

NAM gave Trump a platform to speak at its annual meeting toward the end of 2017 at the same time the lobbying group was pushing members of Congress on the president’s biggest agenda item at the time: passing a package of tax cuts. NAM, of course, is not the only lobbying group with the administration’s ear. Others, such as the powerful U.S. Chamber of Commerce and American Petroleum Institute, asked for many of the same regulatory rollbacks that NAM has.

But Amit Narang, regulatory policy advocate at Public Citizen, said the NAM list is a useful “proxy” for understanding how industry in general has influenced regulators over the past two years.

“Given just how broad-based the push to deregulate has been,” Narang said, “we think that this NAM report is one of the best proxies in terms of demonstrating that corporate and special interests are both driving and benefiting from the Trump administration’s deregulatory agenda.”

Oftentimes, those different lobbying groups would work together.

In June 2018, for example, while meeting at NAM, an API representative discussed with Andrew Wheeler, then the Environmental Protection Agency's deputy administrator, an item on the NAM priority list from a year before: a reconsideration of Obama-era emission standards on new oil and gas wells.

Staffers for both Wheeler, who eventually became the EPA's top official, and his predecessor in that job, Scott Pruitt, were in frequent contact with NAM lobbyists, according to emails released to the Sierra Club under the Freedom of Information Act.

When reached for comment, EPA spokesperson James Hewitt said the agency "has met with a diverse range of stakeholder groups" over the past two years.

Unlike the previous administration, he added, "we find engagement crucial in helping craft lawful, responsible regulations that protect our environment and our economy."

A good chunk of the manufacturers' requests — 61 of 132 — were too vague or inconsequential to be associated with a major regulatory action that the Trump administration could take, according to Public Citizen.

And there are another 11 specific requests that the Trump administration did not take action on — or even, at times, took action counter to the wishes.

Immigration was one of those issues. For example, NAM has asked — to no avail so far — that the spouses of highly-skilled H-1B visa holders be allowed to work in the United States as well.