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Musk Operation Dredges Up Memories of Bush-Era Task Force

Then-Vice President Dick Cheney led an energy task force that drew scorn for its secrecy.

By Robin Bravender
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Long before President-elect Donald Trump tapped Elon Musk to lead a controversial effort to slash government regulations, then-Vice President Dick Cheney sparked an uproar over his energy task force's interactions with industry groups.

With the details of Musk’s new “Department of Government Efficiency” still taking shape, energy and environmental insiders point to the Cheney-era task force as one example of what a presidential advisory committee could look like — and also as a cautionary tale.

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There could be some key differences in the Cheney Energy Task Force and the effort Trump announced this week, depending on how the Trump effort is structured. Trump suggested that Musk and the effort’s co-leader, Vivek Ramaswamy, will “provide advice and guidance” from outside the government, but also that they will partner with the White House and Office of Management and Budget, suggesting a more formalized government effort that might trigger transparency and ethics requirements.

The Bush administration's task force blew up into a national controversy that was the subject of steady headlines and ultimately landed at the Supreme Court.

The Bush administration contended that the Cheney task force was made up only of government officials, but critics argued that industry groups had significant sway over the group and that they were therefore required to be more open about its activities.

Environmentalists and government watchdogs sued the administration for details about the task force’s operations, arguing that Cheney’s task force had run afoul of a law that governs federal advisory committees. The lawsuit landed in the Supreme Court, which [handed the Bush administration a win](#) in 2004 by refusing to order the White House to hand over details of Cheney’s meetings.

One key question for the Trump-Musk operation is whether it's subject to [the Federal Advisory Committee Act](#), a 1972 law that governs federal advisory groups and aims to ensure that advice is objective and accessible to the public.

Among the [requirements of advisory committees](#) subject to that law is that the membership must be balanced in terms of viewpoints, members may be subject to ethics laws and meetings must be generally open to the public.

A central question in the Cheney legal fight was whether outside industry representatives were “de facto” members of a task force that officially was composed solely of government employees, said David Bookbinder, who was a Sierra Club attorney during the group’s legal battle to secure Cheney’s task force records.

The Musk-Ramaswamy operation “will definitely be a FACA because it will have non-government members,” Bookbinder said. “Whether these chuckleheads will comply with FACA's disclosure requirements is another issue.”

Musk, who owns the social media platform X, has been outlining ideas for his new reg-slashing endeavor on the site. “All actions of the Department of Government Efficiency will be posted online for maximum transparency,” he posted Tuesday. He and Ramaswamy have suggested they’ll be crowdsourcing ideas from the public about wasteful government programs.

<https://www.eenews.net/articles/musk-operation-dredges-up-memories-of-bush-era-task-force/>

