

Scope

Resources

Investigative Authority

The [order](#) appointing Mueller states:

“The Special Counsel is authorized to conduct the investigation confirmed by then-FBI Director James A. Comey in testimony before the House Permanent Select Committee on Intelligence on March 20, 2017, including:

1. any links and/or coordination between the Russian government and individuals associated with the campaign of President Donald Trump; and
2. any matters that arose or may arise directly from the investigation; and
3. any other matters within the scope of [28 CFR 600.4\(a\)](#).”

BUDGET: “A Special Counsel shall be provided all appropriate resources by the Department of Justice.”

Within 60 days of appointment, the Special Counsel proposes a budget for the current fiscal year (which ends Sept. 30), which the Attorney General* can review and approve.

At the end of the fiscal year, the Attorney General determines whether the investigation should continue. [28 CFR 600.8](#)

STAFF: The Special Counsel can request specific DOJ employees be assigned to the investigation. The Special Counsel may also request additional non-DOJ personnel. [28 CFR 600.5](#)

NOTE: Mueller must submit a budget for the next fiscal year, which begins October 1, 2017, by July 3rd. Along with the budget request, Mueller provides the Attorney General with a status report. The Attorney General then determines whether the investigation shall continue. [28 CFR 600.8](#).

The Special Counsel has “the full power and independent authority to exercise all investigative and prosecutorial functions of any United States Attorney.” [28 CFR 600.6](#). This includes the power to subpoena, to convene a grand jury, and to prosecute criminal charges.

The Special Counsel must inform the Attorney General of any “major development” in the investigation or litigation. [28 CFR 600.8 \(b\)](#)

Although the Special Counsel functions quasi-independently, the Attorney General can ask the Special Counsel to explain any investigative or prosecutorial step. The Attorney General can then order the Special Counsel not to take that step. Yet, the Attorney General must explain the decision in a report filed at the end of the investigation with the chairman and ranking minority members of the Judiciary Committees of both houses of Congress. [28 CFR 600.7](#) and [28 CFR 600.9](#)

Activities to Date**

[The Washington Post](#) reported Mueller has expanded his investigation to include possible obstruction of justice by Trump in his firing of Comey. Mueller is also seeking interviews with top former and current intelligence officials about Trump’s alleged attempts to have them persuade Comey to end his investigation or publicly clear Trump.

[The New York Times](#) reported that Mueller is also looking at possible money laundering by Trump associates in an effort to hide payments from Russian officials.

Mueller is investigating the finances and business dealings of top White House aide and Trump son-in-law Jared Kushner, [The Washington Post](#) reported.

Mueller has hired deputy solicitor general Michael Dreeban who is hailed by both Democrats and Republicans for “[his encyclopedic knowledge of criminal law](#).” Also working for Mueller are a [former deputy assistant attorney general](#) and the [chief of the Justice Department’s fraud section](#). Mueller’s team has been described as a “[Murderer’s Row of Prosecutors](#).”

Mueller has taken over an [ongoing grand jury investigation](#) in the Eastern District of Virginia that is reviewing former Trump National Security Adviser Michael Flynn’s lobbying work for a Turkish businessman. The grand jury [has subpoenaed](#) Flynn’s business associates.

In early July, [The Washington Post](#) reported Mueller had hired a total of 15 lawyers, 13 of whom were public. Mueller’s critics pointed to the fact that at least seven members of Mueller’s team had donated to Democratic candidates; five of them to Hillary Clinton. Yet, when pressed on whether he had confidence in Mueller, Attorney General Jeff Sessions, who recused himself from the investigation, remarked, “I feel confident in what he’ll do. That’s all I can say to you about that.” Here is a list of [lawyers working for Mueller](#) and their backgrounds.

Possible Outcomes:

Criminal or civil prosecution. Report to Deputy Attorney General.

*Since Attorney General Jeff Sessions has recused himself from the investigation, all decisions will likely be made by Deputy Attorney General Rod Rosenstein.

**All information current as of July 24, 2017.

Scope

According to a [January press release](#), the committee's inquiry will include, but is not limited to:

- A review of the intelligence that informed the Intelligence Community Assessment, "[Assessing Russian Activities and Intentions in Recent U.S. Elections.](#)"
- Counterintelligence concerns related to Russia and the 2016 U.S. election, including any intelligence regarding links between Russia and individuals associated with political campaigns.
- Russian cyber-activity and other "active measures" directed against the U.S., both as it regards the 2016 election and more broadly.

The committee's probe is "[widely considered the premier inquiry, the one with the necessary jurisdiction and the best chance of producing a credible outcome.](#)"

Resources

The panel has [reportedly](#) secured an additional \$1.2 million for the probe.

Any further funding would have to come from a special request to the Senate Rules Committee, which could tap the Senate's reserve fund.

[As of late April](#), seven staffers were working part-time on the investigation, although two more staffers were being added.

Investigative Authority

[According to committee rules](#), subpoenas can be issued by either the chairman (Sen. Richard Burr, R-N.C.) or vice chairman (Mark Warner, D-Va.).

Trump's personal lawyer, Michael Cohen, received an inquiry from the committee, but refused to cooperate, in part because there is nothing "[linking me to this fake Russian conspiracy.](#)" In the wake of Cohen's rebuff, the committee voted unanimously June 1 to give Burr and Warner [blanket authority](#) to issue subpoenas as they deem necessary.

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Activities to Date*

The panel has been by far the most active of all the committees. They have held five public hearings, and [according to Chairman Richard Burr \(R-N.C.\)](#), they plan to interview 90 witnesses before the August recess. Meanwhile, the committee's vice chairman, Mark Warner (D-Va.), [announced in late June](#) that the panel had received 2,000 documents from Treasury Department as part of its probe into financial ties between Trump associates and Russian officials.

Burr said in late June he believed the investigation could be finished in 2017, but Warner said he was reluctant to make any predictions.

Hearings held so far are:

- January 10, 2017, "Assessing Russian Activities and Intentions in Recent U.S. Elections." [Hearing video.](#)
- March 30, 2017, "Disinformation: A Primer in Russian Active Measures and Influence Campaigns." [Hearing video.](#)
- June 8, 2017, Testimony of former FBI Director James Comey. [Opening statement.](#) [Full hearing transcript and video.](#)
- June 13, 2017, Testimony of Attorney General Jeff Sessions. [Opening statement.](#) [Hearing video.](#)
- June 21, 2017, "Russian Interference in the 2016 U.S. Elections." Jeanette Manfra, acting undersecretary for cybersecurity and communications, Department of Homeland Security, testifies Russians hacked 21 states. [Hearing video.](#) [Opening statement.](#)

The committee has also subpoenaed Flynn. After initially resisting the request, a compromise was reached [in late May](#). He will now turn over documents from two of his businesses and some personal records.

Possible Outcomes:

Public and/or closed hearings. Public and/or classified reports. Legislative proposals. Referrals for prosecution.

Inquiry: Senate Judiciary Committee, Subcommittee on Crime and Terrorism

BRENNAN CENTER
FOR JUSTICE
TWENTY YEARS

Scope

The chairman of the subcommittee is Sen. Lindsey Graham, (R-S.C.). Among other things, the panel has jurisdiction over the FBI. [In March](#), Graham said the subcommittee's investigation would focus "on what laws may have been broken by the Russians and if we don't have laws to protect from this kind of stuff, we're going to need to create some."

- [The Judiciary Committee](#) has asked the FBI for all memos by former FBI Director James Comey about his contacts with President Trump, President Obama, or other high-ranking officials about Trump associates' alleged connections with Russia, as well as his memos on similar discussions about the Hillary Clinton email investigation.
- Both Judiciary Committee Chairman Chuck Grassley (R-Iowa), and Diane Feinstein (D-Cal) have begun to take an active role. [In late June](#), Grassley said "I don't know how you can avoid" investigating obstruction of justice related to the firing of Comey.

Resources

BUDGET: It does not appear the panel has received any additional funds.

Any additional funding would have to come from a special request to the Senate Rules Committee, which could tap the Senate's reserve fund.

STAFF: [No special staff](#) have been hired.

Investigative Authority

[According to Judiciary Committee rules](#), the subcommittee does not have subpoena power. The full Judiciary Committee can issue a subpoena by majority vote, or by agreement between the chairman (Sen. Chuck Grassley, R-Iowa) and ranking minority member (Dianne Feinstein, D-Cal.).

Activities to Date*

The committee has held the following public hearings:

- March 15, 2017, ["The Modus Operandi and Toolbox of Russia and Other Autocracies for Undermining Democracies Throughout the World"](#)
- May 8, 2017, ["Russian Interference in the 2016 United States Election"](#)
- July 11, 2017, "Concurrent Congressional and Criminal Investigations: Lessons from History"

Possible Outcomes:

Public and/or closed hearings. Public and/or classified report. Legislative proposals. Referrals for prosecution.

Inquiry: House Permanent Select Committee on Intelligence

Scope

According to a [March press release](#), the committee will focus on four questions:

- What Russian cyber-activity and other active measures were directed against the United States and its allies?
- Did the Russian active measures include links between Russia and individuals associated with political campaigns or any other U.S. persons?
- What was the U.S. government's response to these Russian active measures and what do we need to do to protect ourselves and our allies in the future?
- What possible leaks of classified information took place related to the [Intelligence Community Assessment](#) of these matters?

Resources

After months of [complaining](#) by the committee's top Democrat and Republican, the panel was granted [additional resources](#) in June.

Two new staffers were hired: a new general counsel and a senior counsel for investigations. Both have national security and investigative experience.

Investigative Authority

[According to committee rules](#), subpoenas can be issued by the committee's chair, Devin Nunes (R-Cal), in consultation with the ranking minority member, Adam Schiff (D-Cal.), or by a vote of the entire committee.

But Nunes is no longer [leading the investigation](#). He has stepped aside because he is under investigation by the House Ethics Committee for disclosing classified information he reviewed at the White House that allegedly showed intelligence agencies may have ["incidentally intercepted"](#) communications of Trump transition team members.

Nunes [has been replaced](#) by the committee's second-ranking Republican, Mike Conaway (Tex.). Despite the recusal, Nunez has acted on his own in issuing subpoenas. Nunes [reportedly issued the subpoenas](#) to the three intelligence agencies without first discussing it with Schiff or other committee Democrats.

Activities to Date*

The committee has held the following public hearings:

- March 20, 2017, ["Open Hearing on Russian Active Measures Investigation"](#)
- May 23, 2017, ["Open and Closed Hearings for Russia Investigation Task Force"](#)

On May 31, the committee issued seven subpoenas. [Four of the subpoenas](#) involve Russia's role in the 2016 campaign. Former National Security Adviser Michael Flynn and one of his businesses was subpoenaed, as was Trump's longtime personal lawyer Michael Cohen, and his firm.

Committee Republicans are also interested in requests by Obama administration officials to "unmask" the names of Trump associates appearing in intelligence intercepts during the transition. [The panel subpoenaed](#) the CIA, the FBI and the National Security Agency to pursue this line of inquiry.

Carter Page, a Trump campaign foreign policy adviser with longstanding ties to Russia, [has announced](#) he will testify before the committee sometime in June.

- June 21, 2017, "Russia Investigative Task Force Hearing with Former Secretary of Homeland Security Jeh Johnson" Opening statement [here](#). [Hearing video](#).
- Hillary Clinton Campaign Chairman John Podesta [appeared in closed session](#) before the panel June 27, 2017, and longtime GOP political operative Roger Stone is [scheduled for a closed session](#) July 24.
- Trump campaign communications adviser Michael Caputo is set to [have a closed-door interview July 14](#). Caputo, who has denied any Russian collusion with the Trump campaign, worked in Russia in the 1990's and 2000's for a conglomerate that supported Putin.
- Susan Rice, former President Obama's national security adviser, [reportedly will testify](#) in a closed committee session in July. The panel is interested in Rice's efforts at "unmaking" in which she asked intelligence agencies to reveal the names of Americans appearing in communication intercepts. Rice [denies](#) any wrongdoing.
- [In March](#), Trump campaign manager Paul Manafort said he would appear before the panel, but [as of early July](#), no date had been set.
- Michael Cohen, who is often described as "Trump's personal lawyer," and [who declined an invitation](#) to appear before the Senate Intelligence Committee, says that he has been subpoenaed by the House Committee and [will appear September 5](#).

Possible Outcomes:

Public and/or closed hearings. Public and/or classified report. Legislative proposals. Referrals for prosecution.

Inquiry: House Committee on Oversight and Government Reform

BRENNAN CENTER
FOR JUSTICE
TWENTY YEARS

Scope

- Rep. Trey Gowdy (R-S.C.) was named the new chairman of this committee [in June](#).
- Gowdy sees a limited role for the panel in investigating the ties between Trump and Russia. The bulk of the work should be done by special counsel Robert Mueller, the House Permanent Select Committee on Intelligence and the House Judiciary Committee, if they choose to get involved, Gowdy remarked.
- Gowdy did allow that there was one subject related to the Trump/Russia probe that fell clearly within the committee's jurisdiction: the issuance of security clearances.

Resources

BUDGET: The committee received a negligible one percent budget increase to \$18.3 million this Congress, but it does not appear the panel has received any additional funds for the Trump probe.

Any additional funding would have to come from a special request to the House Administration Committee, which would tap the House's reserve fund.

STAFF: It is unknown if additional staff has been hired.

Investigative Authority

[Committee rules](#) give the chairman sole discretion to issue subpoenas. There is no provision for issuing subpoenas by majority committee vote.

Activities to Date*

- Given the new direction of the committee, it is not clear what actions the panel has taken, if any.
- For instance, [of higher priority](#) to Gowdy is the 2020 census, and [he has already written](#) to the census bureau asking if their cost estimate for the headcount is reliable.

Possible Outcomes:

Public and/or closed hearings. Public and/or classified report. Legislative proposals. Referrals for prosecution.