

**Summary of Independent Counsel Reform Act of 2003**  
**Introduced by Senator Lieberman**  
**(Changes from 1994 Law Appear in Boldface)**

The Attorney General shall conduct a preliminary investigation whenever there is specific and credible evidence that a covered person may have violated Federal criminal law. **The number of covered persons has been reduced to include the President, the Vice President, the President's cabinet, the Chief of Staff.** The Attorney General also has discretion to appoint an independent counsel where the investigation or prosecution by the Department of Justice would result in a conflict of interest.

During the preliminary investigation, the Attorney General shall have no authority to plea bargain or grant immunity, but will possess the **authority to convene grand juries and issue subpoenas. The Attorney General will be given a maximum of seven months for the preliminary investigation.**

If, after a preliminary investigation, the Attorney General determines there are **substantial grounds** to believe that further investigation is warranted, the Attorney General shall apply to a special three-judge panel of the U.S. Court of Appeals for the appointment of an independent counsel.

The special court shall appoint an appropriate independent counsel from a list of candidates comprised of five individuals recommended annually by the chief judge of each federal circuit.

**An independent counsel shall have no actual or apparent conflict of interest, shall conduct the investigation on a full-time basis, and shall not hold any office of profit or trust under the United States.**

The independent counsel shall have the authority to fully investigate and prosecute the subject matter of the appointment and all matters directly related to the prosecutorial jurisdiction and the proper investigation of the subject matter. **"Directly related" includes federal crimes, other than certain misdemeanors, that impede the investigation such as perjury and obstruction of justice. He or she may not expand his investigation into unrelated areas.**

**The independent counsel shall within 90 days of appointment submit a budget for the first year, and thereafter on an annual basis. This budget shall be submitted to the Attorney General and the General Accounting Office. The GAO shall review the annual budget and submit a written appraisal to Congress.**

**The Independent Counsel is not required to report evidence of impeachable offenses to Congress.**

**The term of an independent counsel shall terminate after two years except for good cause or dilatory tactics. The special court shall review all requests for extensions and may grant an extension for additional one-year periods.**