



Politico Playbook Power List 2019: Michael Dreeben

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Robert Mueller's investigation keeps getting closer to President Donald Trump and his family, with heightened legal and political stakes shadowing his every move.

Leading the special counsel's defense each step of the way is Michael Dreeben, a 30-year veteran of the Justice Department widely recognized by both Democrats and Republicans as one of the government's elite attorneys and strategists for ferreting out illegal behavior.

"He's the biggest brain in criminal law in the country," said Orin Kerr, a former federal prosecutor and University of Southern California law professor. "No one is better at thinking several steps ahead than he is."

Dreeben, the deputy solicitor general, has been on assignment to Mueller's squad since nearly the start.

He had a heavy workload in 2018, successfully defending the special counsel against challenges to his authority brought by both former Trump campaign chairman Paul Manafort and a Russian company charged in connection with a Kremlin-linked online troll farm accused of attempting to sabotage the 2016 U.S. presidential election.

Despite those wins in court, the fights have kept coming. In November, Dreeben argued before the U.S. Court of Appeals in Washington that Deputy Attorney General Rod Rosenstein was following more than a century of DOJ precedent when he first tapped Mueller for the special counsel job in May 2017.

"It would make little sense for Congress to have a Department of Justice with no authority for the head of the department to actually appoint people," Dreeben told the court, which was hearing another challenge aimed at knocking Mueller from his position on constitutional grounds.

More big court battles are expected in 2019 for Dreeben, and some could be explosive.

Trump's lawyers are threatening to go to the Supreme Court if the special counsel tries to subpoena the president. Dreeben is also likely to have a big role in Mueller's final report, a highly anticipated document that could end up at the center of a dispute over its public release pitting House Democrats against the DOJ and the White House.

"He's the ideal person for Mueller to have as a strategic thinker and appellate advocate," said Ilya Shapiro, a senior fellow in constitutional studies at the Cato Institute.

Dreeben, who like others on Mueller's squad has declined all interview requests, has other useful assets for the special counsel as Mueller navigates the high-stakes Russia investigation. The 64-year-old career civil servant has represented the United States more than 100 times before the Supreme Court — during both Democratic and GOP administrations — earning him recognition from Chief Justice John Roberts for being only the “second person to reach that rare milestone this century.”