

**Campaign Legal Center • Common Cause • Democracy 21
League of Women Voters • Public Citizen • U.S. PIRG**

April 10, 2008

Dear Congressman Wynn,

On March 27, you announced your intention to resign your seat in the House of Representatives in the next few months to take a position at the lobbying law firm of Dickstein Shapiro LLP.

As you know, the Open Government and Honest Leadership Act of 2007 amended House Rules to require any sitting member of the House who is in negotiations or has accepted an offer of future employment to recuse himself or herself from any official matter that might affect their future employer. The rule further requires members in your situation to recuse themselves from any official matter that might *appear* to be a conflict of interest as a result of negotiations or agreement regarding future employment or compensation.

You indicated to the House Committee on Standards of Official Conduct in writing on March 28 that you will comply with these requirements.

According to 2007 year-end lobby disclosure reports filed with the Clerk of the House, Dickstein Shapiro LLP lobbied on behalf of the following clients:

Triple Canopy	Nuclear Electric Insurance Ltd.
Airnet Systems, Inc.	Eversealed Windows
Teco Energy	Nstar Electric & Gas Corporation
Swisher Intl.	Covanta Energy Corporation
American Greyhound Track Operators Assn	Novozymes North America
Stamps.com	Diamond Management & Technology
Arkansas State Univ.	Millenium Cell
American Society of Interventional Pain Physicians	Delmarva Power & Light Company
Artel, Inc.	Luiginos
Peabody Energy	Dey, L.P.
Atlantic City Electric Company	Intuit
Oracle Corporation	Interactive Gaming Council (IGC)
Cigar Assn of America	Harbour Group Industries, Inc.
DKRW Energy LLC	Hach Co.
Exoxemis	
E.I. Dupont Nemours & C	

In your capacity as a partner in the Public Policy & Law Practice division at Dickstein Shapiro, it is possible that you would advocate on behalf of any of the clients listed above.

Therefore, consistent with your Statement of Recusal filed with the Committee on Standards of Official Conduct, you cannot “act directly or through others in deciding, approving, or disapproving official matters” or “recommend, investigate, advise or otherwise contribute to or influence such official matters,” that might affect any of the Dickstein Shapiro clients listed above who remain as clients of the firm.

Based on the different industries represented in the list above, to avoid any conflicts of interest or any appearance thereof, you will likely need to recuse yourself from all official matters relating to the issues of energy, telecommunications, tobacco, construction, higher education, information technology, gambling, environmental issues, and pharmaceuticals. By voting on or participating in the consideration of legislation in these issue areas, you may create the appearance of a conflict of interest because legislation on these issues may affect the clients of your future employer.

Furthermore, the official actions you might take that could influence matters of relevance to the clients of Dickstein Shapiro include more than just recorded floor votes. As you know, the actions taken by committee members during the mark up of a bill can influence the final outcome as much as a vote for passage. And there are other official activities undertaken by committees, such as hearings and investigations, which could affect the interest of clients of Dickstein Shapiro.

Therefore, we believe that you should step down from serving on the House Energy and Commerce Committee. It is difficult to believe that any direct or indirect action you might take in an official capacity as a member of this committee, especially as Chairman of the Subcommittee on Environment and Hazardous Materials, would not affect the interests of clients Dickstein Shapiro represents.

In consideration of the House Rules that apply to Members of Congress who engage in future employment negotiations and accept future employment positions, we urge you to step down as a member of the House Energy and Commerce Committee.

We would appreciate your letting us know about the steps you are planning to take regarding this matter within the next week.

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