

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

May 21, 2008

The Honorable Speaker Nancy Pelosi
H-232, US Capitol
Washington, DC 20515

Dear Speaker Pelosi,

Our organizations greatly appreciate the outstanding leadership you have provided for the successful enactment of landmark ethics and lobbying reforms in this Congress.

In light of this, we are writing to express our concerns about how the new House ethics rules applied to Representative Al Wynn's recent acceptance of a job as a lobbyist and to his decision to remain as a Representative for a period of time after accepting the job.

Our organizations include the Campaign Legal Center, Common Cause, Democracy 21, the League of Women Voters, Public Citizen and U.S. PIRG.

Representative Wynn's initial reaction was to remain as a member of the House Energy and Commerce Committee after accepting a lobbying job at a Washington lobbying law firm which had numerous clients with interests pending before the Committee. He resigned from the Committee only after this conflict became a matter of public controversy.

Given the actions of Representative Wynn, and related questions about how well the new House ethics rules deal with Members' negotiating and accepting new jobs, we believe that these new rules need to be reviewed and strengthened, at an appropriate time.

For example, in contrast to the Wynn matter, the new Senate ethics rules prohibit a Senator from negotiating or accepting a job involving "lobbying activity," as this term is defined in the Lobbying Disclosure Act, until after a successor is elected to the Senator's seat.

Our organizations believe a similar kind of provision should be adopted by the House that recognizes a Representative should not negotiate or accept a job involving lobbying activities until after a successor to the Representative has been elected, or the Representative has left the House. Furthermore, it should be made clear that in the case of

a lame duck session, this provision would apply to a Representative, even where a successor has been chosen in the election that came before the lame duck session.

The new House ethics rules, furthermore, establish disclosure and recusal requirements that apply when a Member engages in negotiations for or accepts a new job. These rules, however, do not provide for timely or adequate disclosure to the public.

Under the new rules, while a Member must file a statement with the House Ethics Committee that the Member is engaged in negotiations for employment, the statement is not made public unless the Member takes the further step of recusal from a matter in which the Member may have a conflict, or the appearance of a conflict, of interest.

It is solely up to the Member to decide, however, whether such recusal is required. And while the Member is required to notify the House Ethics Committee of such a recusal, there is apparently no requirement for the Member to publicly disclose the circumstances that caused the recusal.

The potential absence of timely and adequate public disclosure under the new rules is illustrated by the fact that while numerous House Members have announced they will retire at the end of this Congress, only two Representatives, to date, have filed notices of employment negotiations that have become public.

This calls into serious question whether the new disclosure and recusal rules provide the public with adequate and timely information.

We urge the House to review and address at an appropriate time the matters we have raised and look forward to working with you and interested House members to address these matters.

Thank you again for your strong leadership on ethics and lobbying reforms.

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