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**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-4209**

COMMITTEE ON  
TRANSPORTATION AND  
INFRASTRUCTURE

SUBCOMMITTEES:  
AVIATION  
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CIVIL LIBERTIES  
COURTS, THE INTERNET, AND  
INTELLECTUAL PROPERTY  
COMMERCIAL AND  
ADMINISTRATIVE LAW

FACSIMILE COVER SHEET

DATE: 11/7/08

TO: The Hon. Fred Fielding

FAX #: 202-456-6279

FROM:  Congressman Steve Cohen  
 Chief of Staff Shirley Cooks  
 Legislative Director Marilyn Dillihay  
 Scheduler Craig Dulniak  
 Legislative Counsel James Park  
 Legislative Assistant Terence Houston  
 Legislative Correspondent Brittany Johnson  
 Communications Assistant Charlie Gerber  
 Staff Assistant Michael Fulton  
 Staff Assistant Taiwo Stanback  
 DC Intern \_\_\_\_\_

2 Pages in addition to the cover sheet.

MESSAGE: Re: UIGEA  
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November 7, 2008

The Honorable Fred Fielding  
White House Counsel  
The White House  
Washington, D.C. 20500

Dear Mr. Fielding:

I am aware of the efforts of the Bush Administration to speed to finalization a proposed rule issued pursuant to the Unlawful Internet Gambling Enforcement Act (UIGEA) in the near future, notwithstanding Chief of Staff Bolten's memorandum of May 9<sup>th</sup> prohibiting finalization of rules after November 1, 2008. Aside from the issue of "midnight rulemaking," I am surprised that your administration would seek to rush through a rule that would saddle an already ailing financial services sector with a burdensome rule in the current economic environment.

Of particular concern to me, however, is the possibility that the impetus for the rule may have been a particular White House employee who has a clear and obvious conflict of interest with respect to the UIGEA rules. It has been suggested to me that William Wichterman, Special Assistant to the President and Deputy Director of Public Liaison has been a source of considerable political pressure to speed this regulation through to finalization.

According to filings submitted to the House of Representatives under the Lobbying Disclosure Act, Mr. Wichterman was, as recently as March of this year, a lobbyist at the law firm of Covington and Burling, where he represented the National Football League on the Internet gambling issue, which is the subject of the proposed UIGEA regulation. The National Football League has been among the most vocal advocates for the proposed rule and the underlying law. I am sure you will agree that, at a minimum, the appearance of a conflict of interest is undeniable.

I am writing, therefore, to request that you or your office answer the following questions:

1. What has been the extent of Mr. Wichterman's involvement in the development of the proposed UIGEA rule?
2. Did Mr. Wichterman disclose to you or your office his potential conflict of interest on this matter? If so, was he nonetheless allowed by the White House to work on this issue?

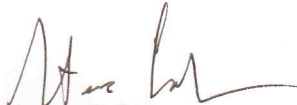
3. What is the White House policy on conflicts of interest of this sort? Is there a defined period during which employees who served as lawyers or lobbyists in the private sector must recuse themselves from matters affecting their former clients?

4. To your knowledge, it is Mr. Wichterman's intention to return to Covington and Burling when he completes his service at the White House?

Along with the answers to those question, I would further request that your office catalogue and provide to me all contacts from the White House, and particularly the Public Liaison Office, to the Department of the Treasury, the Office of Management and Budget, and the Board of Governors of the Federal Reserve.

Thank you for your attention to this matter.

Most sincerely,

A handwritten signature in black ink, appearing to read "Steve Cohen", with a stylized flourish extending to the right.

Steve Cohen  
Member of Congress

cc: The Hon. John Conyers, Jr.  
cc: The Hon. Henry Waxman  
cc: The Honorable Jim Nussle  
cc: The Honorable Henry Paulson  
cc: The Honorable Ben Bernanke

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# Fax Call Report



Congressman Steve Cohen  
202-225-5663  
Nov-7-2008 3:14PM

Job	Date	Time	Type	Identification	Duration	Pages	Result
1513	11/ 7/2008	3:13:17PM	Snd	912024566279	1:34	3	OK

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