

A. BIOGRAPHICAL INFORMATION AND QUALIFICATIONS

1. Name (Include any former names or nicknames used):

Daniel Benjamin Maffei

2. Position to which nominated:

Commissioner, Federal Maritime Commission

3. Date of Nomination:

November 19, 2015

4. Address (List current place of residence and office addresses):

[REDACTED]

5. Date and Place of Birth:

July 4, 1968, Syracuse, NY

6. Provide the name, position, and place of employment for your spouse (if married) and the names and ages of your children (including stepchildren and children by a previous marriage).

Abby Lynne Davidson, Sr. Dir. of Strategic Partnerships, CARE

[REDACTED]

7. List all college and graduate degrees. Provide year and school attended.

Brown University, BA 1990

Columbia University, Graduate School of Journalist, MS 1991

Harvard University, JFK School of Government, MPP 1995

8. List all post-undergraduate employment, and highlight all management-level jobs held and any non-managerial jobs that relate to the position for which you are nominated.

January 2015 – present
Self-Employed Public Affairs Consultant
(See answers to Q11 for clients)

January 2015 – present
Senior Fellow (paid as independent contractor)
Center for the Study of the Presidency and Congress,
Washington, DC
(Focus on improving government procurement and acquisitions)

January 2013 – January 2015
Member of Congress from NY-24
United States House of Representatives, Washington, DC
(Service on Armed Services Committee and Science, Space and Technology Committee, Ranking Democrat on Oversight Subcommittee, Managed Washington and three district offices, represented Port of Oswego and East Syracuse Rail Yard)

June 2011 – December 2012
Senior Policy Advisor
Manatt, Phelps, Phillips, LLP, Washington, DC

August 2011 – May 2012
Visiting Professor of Environmental Studies
SUNY College of Environmental Science and Forestry, Syracuse, NY

January 2011 – May 2011
Senior Fellow (paid as independent contractor)
Third Way, Washington, DC

January 2009 – January 2011
Member of Congress from NY-25
United States House of Representatives, Washington, DC
(Service on Financial Services Committee and Judiciary Committee, Managed Washington and three district offices, represented East Syracuse Rail Yard)

2006 – 2008
Senior Vice President, Corporate Development
Pinnacle Capital Management, LLC, Syracuse, NY

2005

Campaign Coordinator (paid as independent contractor)

Matt Driscoll for Mayor, Syracuse, NY

2005

Summer Teaching Fellow (paid as independent contractor)

Syracuse University Maxwell School of Public Affairs, Syracuse, NY

1998 – 2005

Senior Policy Advisor, Communications Director, Press Secretary

U.S. House Ways and Means Committee, Washington, DC

1997 – 1998

Press Secretary

U.S. Senator Daniel Patrick Moynihan, Washington, DC

1995 – 1996

Press Secretary

U.S. Senator Bill Bradley, Washington, DC

1995

Summer Researcher

Aspen Institute, Washington, DC

1992 – 1993

Reporter/Producer, News Administrative Assistant

ABC Affiliate WIXT-TV, (now WSYR-TV), Syracuse, NY

1991 – 1992

Weekend and Part-time Reporter

CBS Affiliate WWNY-TV, Watertown, NY

1991

Part-time Anchor and Reporter

CBS Affiliate WTNY-AM, Watertown, NY

1990

Summer Anchor and Reporter

WBRU-FM, Providence, RI

9. Attach a copy of your resume.

See Attached.

10. List any advisory, consultative, honorary, or other part-time service or positions with Federal, State, or local governments, other than those listed above, within the last ten years.

None.

11. List all positions held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business, enterprise, educational, or other institution within the last ten years.

**January 2015 – Present
Senior Fellow,
Center for the Study of the Presidency and Congress,
Washington, DC**

**April 2015 – Present
Member of Board of Advisors,
National Committee to Preserve Social Security and Medicare,
Washington, DC**

**January 2011 – Present
Member of Board of Advisors,
Global Panel America
(subsidiary to Global Panel Worldwide, Prague, Czech Republic)**

**April 2015 – present
Consultant
Dezenhall Resources Ltd., Washington, DC**

**March 2015 –August 2015
Consultant
Synoptos Inc., Washington, DC**

**January 2011 – May 2011
Senior Fellow
Third Way, Washington, DC**

**2005 – 2013
Proprietor
Maffei and Associates LLC, Syracuse, NY**

12. Please list each membership you have had during the past ten years or currently hold with any civic, social, charitable, educational, political, professional, fraternal, benevolent or religious organization, private club, or other membership organization. Include dates of membership and any positions you have held with any organization. Please note whether any such club or organization restricts membership on the basis of sex, race, color, religion, national origin, age, or handicap.

None of the following organizations listed restricts membership on the basis of sex, race, color, religion, national origin, age, or handicap.

April 2015 – Present

Member of Board of Advisors,

National Committee to Preserve Social Security and Medicare, Washington, DC

January 2015 – Present

Member

U.S. Assoc. of Former Members of Congress, Washington, DC

October 2014 – December 2015

Member

New York Farm Bureau, Albany, NY

January 2011 – Present

Member of Board of Advisors,

Global Panel America

(subsidiary to Global Panel Worldwide, Prague, Czech Republic)

January 2007 – August 2015

Active Member

Rotary Club of DeWitt, Syracuse, NY

January 2007 – December 2014

Member

Italian American Athletic Club (IACC), Syracuse, NY

January 2009 – December 2014

Member

National Democratic Club, Washington, DC

August 2011 – August 2012

Member

United University Professions (UUP) at SUNY-ESF, Syracuse, NY

December 2007 – December 2008

Board Member

The Newland Center for Adult Learning and Literacy, Syracuse, NY

January 2007 – December 2008

Board Member

The Spanish Action League of Onondaga County, Syracuse, NY

January 2007 – December 2008

Board Member

New York DonorsChoose.org, New York, NY

January 2007 – December 2007

Advisory Board Member

Kids Win! of Catholic Charities of Onondaga County, Syracuse, NY

2005 – 2008

Member from DeWitt

Onondaga County Democratic Committee, Syracuse, NY

2007 – 2012

Member

Sierra Club (Iroquois Chapter), Syracuse, NY

2000 – Present

Member

AAA of Central and Western New York, Syracuse, NY

13. Have you ever been a candidate for and/or held a public office (elected, non-elected, or appointed)? If so, indicate whether any campaign has any outstanding debt, the amount, and whether you are personally liable for that debt.

Yes, I have been a candidate for and have held public office. I have no reason to believe the campaign has any outstanding debt.

14. Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$500 or more for the past ten years. Also list all offices you have held with, and services rendered to, a state or national political party or election committee during the same period.

Dave Valesky for New York State Senate \$500 in 2006

Terry McAuliffe for Governor \$500 in 2012

2005-2008 Member, Onondaga County Democratic Committee

15. List all scholarships, fellowships, honorary degrees, honorary society memberships, military medals, and any other special recognition for outstanding service or achievements.

None

16. Please list each book, article, column, or publication you have authored, individually or with others. Also list any speeches that you have given on topics relevant to the position for which you have been nominated. Do not attach copies of these publications unless otherwise instructed.

“Democrats Would Be Wise Not to Denigrate Innovation” by Dan Maffei in *The Hill* (on-line), December 1, 2015

“Time for patients to benefit from lifesaving drugs” by Dan Maffei in *The Hill* (on-line), October 23, 2015

“Consequences of Regulation by Clickbait” by Dan Maffei in *Medium* (on-line), September 28, 2015

“Free Affordable Care Act From Unpopular Taxes” by Dan Maffei in *Roll Call* (on-line), August 27, 2015

“A Frightening Thought: Congress’ Flip-Flop on Wart and Diplomacy” by Dan Mahaffee and Dan Maffei in *The National Interest* (on-line), August 20, 2015

“Science Denial: It’s Not Just A Republican Problem” by Dan Maffei in *Roll Call*, June 4, 2015

“Equal pay for women helps the economy succeed” by Dan Maffei in *The (Syracuse) Post-Standard*, September 16, 2014

“Rep. Dan Maffei: Rebuilding infrastructure is the key to revitalizing Central New York” by Dan Maffei in *The (Syracuse) Post-Standard*, June 22, 2014

“Rep. Dan Maffei: I didn’t vote to ‘defund’ the Affordable Care Act” by Dan Maffei in *The (Syracuse) Post-Standard*, October 3, 2013

“Rep. Dan Maffei on Interstate 81’s future: Two options aren’t enough” by Dan Maffei in *The (Syracuse) Post-Standard*, May 30, 2013

“Rep. Dan Maffei: ‘It’s clear to me that our middle class families are still being squeezed’” by Dan Maffei in *The (Syracuse) Post-Standard*, February 8, 2013

“Commentary: Dan Maffei shares his vision for getting Central New York and the nation back on track” by Dan Maffei in *The (Syracuse) Post-Standard*, August 19, 2012

“The Case for Corporate Tax Reform” by Dan Maffei and Ryan McConaghy in *Third Way Report* (on-line), August 30, 2011

“Doing nothing on health care not an option” by Dan Maffei in *The (Syracuse) Post-Standard*, March 19, 2010

“Building a road map in the first 100 days” by Dan Maffei in *The (Syracuse) Post-Standard*, April 30, 2009

“Campaign as Classroom: Dan Maffei MPP 1995 on lessons learned” by Dan Maffei in *Kennedy School Bulletin*, Summer 2008

“Part of ‘thinking big’ is working for U.S. energy independence” by Dan Maffei in *The (Syracuse) Post-Standard*, May 22, 2008

17. Please identify each instance in which you have testified orally or in writing before Congress in a governmental or non-governmental capacity and specify the date and subject matter of each testimony.

As a member of Congress, I testified before committees, of which I was not a member, which had jurisdiction over a legislation that I sponsored. In 2009, I testified before the House Commerce Committee advocating passage of the Automobile Dealer Economic Rights Restoration Act (ADERRA). In 2011, I testified before the House Natural Resources Committee advocating passage of the Harriet Tubman National Historical Parks Act.

18. Given the current mission, major programs, and major operational objectives of the department/agency to which you have been nominated, what in your background or employment experience do you believe affirmatively qualifies you for appointment to the position for which you have been nominated, and why do you wish to serve in that position?

As a former member of Congress, I am distinctively qualified to be a Commissioner at the Federal Maritime Commission (FMC). Rarely has a former Member of Congress served as a Commissioner at the FMC, and during my time in Congress, I represented the oldest Great Lakes port (Oswego, NY) within a region of New York, the economy of which is dependent on the intermodal traffic from the Port of New York/New Jersey. In fact, if I were to be confirmed as a Commissioner at the FMC, I would be the only Commissioner in recent memory to have the experience of witnessing the effect of Federal regulations and shipping policies in the Great Lakes region.

Further, the FMC is currently encountering several urgent maritime-related challenges (see answer to Question 20) and addressing these challenges requires closer working relationships between the FMC and Congress, other Federal agencies, state governments, port authorities, and private sector industry. For example, a recent report issued by the FMC summarizing forums it hosted on port congestion and related supply chain issues states that “a substantial amount of time [at the forums] was devoted to the discussion of several collaborative congestion mitigation initiatives already underway and the need for more collaboration as well as greater communication, transparency, and sharing of information.”

As an effective communicator and team builder in a wide variety of contexts including the media, private sector, and legislative branch, I would work to strengthen existing partnerships and facilitate new ones. I have substantial experience working with disparate interests in my district and state, as well as within Congress, to bring groups together to develop and implement specific solutions. These skills, combined with my understanding of policy-making and the political process on many levels, would allow me to be an asset to the FMC as it carries out its important, statutorily-mandated programs aimed at maintaining an efficient and competitive international ocean transportation system; protecting the public from unlawful, unfair, and deceptive ocean transportation practices; and resolving shipping disputes.

19. What do you believe are your responsibilities, if confirmed, to ensure that the department/agency has proper management and accounting controls, and what experience do you have in managing a large organization?

The responsibility of the Commissioners of the FMC to ensure proper management and accounting is crucial to the FMC's success. At a time of scarce resources, as a small agency, the FMC has continued to operate on a lean budget to execute a large mandate to oversee international trade. The FMC needs to continue to meet its statutory obligations to facilitate a positive impact on the economic recovery of the importers and exporters, which depend on a maritime industry providing stable, reliable ocean transportation.

I have experience managing a congressional office that included a Washington, DC office and three district offices within an economically challenged and diverse region of the country. In addition, I have managed teams in the private sector in completing specific deliverables. Given that this specific appointment is to a Commission in which five people of diverse backgrounds work together to manage the organization, my experience as a senior staff person on a congressional committee and then as a member of Congress is particularly relevant. For example, as Ranking Member of the Subcommittee on Oversight of the House Committee on Science, Space and Technology, I worked very closely in collaboration with the Chairman and other subcommittee members to plan most of the hearings in a bipartisan way.

20. What do you believe to be the top three challenges facing the department/agency, and why?

Congestion: Port congestion is a global problem. For the United States, the factors that contribute to congestion are the management of larger and larger ships entering ports and discharging cargo; chassis shortage and dislocation; formation of international shipping alliances of former competitors, sometimes from different countries; unnecessarily lengthy truck turn times; the exodus of well-qualified truck drivers who cannot make a living wage; the complexity of discharging cargo off of larger vessels, often stacked in no particular order; and delays in rail service and a shortage of railcars nationwide. Unfortunately, this list of factors is not exhaustive, and the interconnected nature of trade, consumer demand, and the use of intermodal transportation only increases congestion. All of these pieces also rely on the dilapidated infrastructure on which inbound and outbound cargo must travel.

(Answer to A20 continued on next page)

(Answer to A20 continued)

Congestion causes interruptions in the movement of goods, which leads to delays in consumers receiving goods, which then could result in a competitive disadvantage for the United States in international trade. Put simply, these delays cost the American shipper money. Understanding agreements that the FMC monitors that affect congestion would be a priority for me. For example, I am aware that one program over which the FMC has particular authority is called PierPass, a paid-gate system created under the West Coast Terminal Operators Agreement. Stakeholders assert that the costs have gone up, while service has gone down. I look forward to the challenge of working with the stakeholders to improve PierPass and facilitate other multi-faceted solutions to congestion.

Alliances: In a world where more shipping lines are joining forces to reduce costs, adapting to a growing number and size of shipping alliances is requiring every segment of the industry to reassess how best to move cargo efficiently. The entire supply chain must change because, over time, current practices will prove unsustainable, and could ultimately mean higher costs for shippers and consumers, fewer jobs, and a loss of economic strength for the United States. This is a challenge for the FMC as this is an industry change related to the magnitude of the ships coming to our ports. These alliances may also pose security issues due to the volume of containers that enter and exit U.S. ports on a daily basis. I am aware that the FMC partners with other agencies on areas of mutual interest, including vital homeland security issues. As a Commissioner, I would work hard to ensure that Federal partnerships remain strong to keep our ports and trade infrastructure secure.

Resources: As the FMC monitors these economic activities and agreements, the need for the expertise in human capital is paramount. The FMC is a regulatory agency responsible for maintaining fair and reliable practices in the estimated \$980 billion international ocean transportation industry. It manages this task with a remarkably small workforce of 125 employees. As international shipping increases, the FMC will need to maintain its pace to ensure that the needs of the business community and U.S. consumers continue to be met in the most efficient manner possible. I look forward to being part of the FMC solution to help solve existing and future problems that affect the maritime-related industry.

B. POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients, or customers. Please include information related to retirement accounts.

I have both FERS and TSP accounts from my service as a congressional staff person and Member of Congress.

2. Do you have any commitments or agreements, formal or informal, to maintain employment, affiliation, or practice with any business, association or other organization during your appointment? If so, please explain.

No.

3. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated.

None.

4. Describe any business relationship, dealing, or financial transaction which you have had during the last ten years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated.

None.

5. Describe any activity during the past ten years in which you have been engaged for the purpose of directly or indirectly influencing the passage, defeat, or modification of any legislation or affecting the administration and execution of law or public policy.

In my two terms as a Member of Congress, as well as during my campaigns, I advocated publically legislative positions on hundreds of topics. I am happy to provide specific examples as needed.

6. Explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items.

If I have or obtain any asset that presents a potential conflict of interest, I would divest of that asset. In any other matters, I will comply with the Ethics Agreement and recuse myself should a conflict arise.'

C. LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics, professional misconduct, or retaliation by, or been the subject of a complaint to, any court, administrative agency, the Office of Special Counsel, professional association, disciplinary committee, or other professional group? If yes:
 - a. Provide the name of agency, association, committee, or group;
 - b. Provide the date the citation, disciplinary action, complaint, or personnel action was issued or initiated;
 - c. Describe the citation, disciplinary action, complaint, or personnel action;
 - d. Provide the results of the citation, disciplinary action, complaint, or personnel action.

No.

2. Have you ever been investigated, arrested, charged, or held by any Federal, State, or other law enforcement authority of any Federal, State, county, or municipal entity, other than for a minor traffic offense? If so, please explain.

No.

3. Have you or any business or nonprofit of which you are or were an officer ever been involved as a party in an administrative agency proceeding, criminal proceeding, or civil litigation? If so, please explain.

Yes. In my capacity as a candidate for congress, I was a party to civil litigation in the following instances:

I was a plaintiff in lawsuits filed in November 2012 and October 2014, respectively, to request securing of ballots to protect against the possibility of vote counting irregularities in the respective year's general election. Because of each suit, the ballots were impounded after the 2012 and 2014 elections.

I was a Respondent in a lawsuit filed in May 2014 by the Onondaga County Republican Committee (OCRC), which claimed that my campaign manager should not have been issued voter registration in New York because the OCRC alleged that he was only a temporary resident; accordingly, the OCRC contended, the individual should not have been permitted to circulate candidate petitions for the Working Families Party. The court ruled in my favor, concluding my campaign manager was properly registered in New York and had conducted himself appropriately.

In November 2010, I was involved in a very close election and filed a court case to attempt to have all ballots counted. The judge eventually ruled that we had counted all of the votes. The lawsuit was resolved when I conceded the election.

4. Have you ever been convicted (including pleas of guilty or *nolo contendere*) of any criminal violation other than a minor traffic offense? If so, please explain.

No.

5. Have you ever been accused, formally or informally, of sexual harassment or discrimination on the basis of sex, race, religion, or any other basis? If so, please explain.

No.

6. Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be disclosed in connection with your nomination

None.

D. RELATIONSHIP WITH COMMITTEE

1. Will you ensure that your department/agency complies with deadlines for information set by congressional committees?

As a former Ranking Member of an investigative subcommittee of a House Committee, I understand how important timely compliance with Congressional requests are and I would do everything in my power to comply with deadlines set by committees.

2. Will you ensure that your department/agency does whatever it can to protect congressional witnesses and whistle blowers from reprisal for their testimony and disclosures?

Yes.

3. Will you cooperate in providing the Committee with requested witnesses, including technical experts and career employees, with firsthand knowledge of matters of interest to the Committee?


Yes.

4. Are you willing to appear and testify before any duly constituted committee of the Congress on such occasions as you may be reasonably requested to do so?

Yes.

F. Affidavit

DANIEL MAFFEI being duly sworn, hereby states that he/she has read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of his/her knowledge, current, accurate, and complete.


Signature of Nominee

Subscribed and sworn before me this 28 day of DEC, 2015.


Notary Public

RALPH HAMMOCK
NOTARY PUBLIC
REG. #266451
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES APRIL 30, 2018