Senate Commerce Committee Nominee Questionnaire, 116th Congress

Instructions for the nominees: The Senate Committee on Commerce, Science, and Transportation asks you to provide typed answers to each of the following questions. It is requested that the nominee type the question in full before each response. Do not leave any questions blank. Type "None" or "Not Applicable" if a question does not apply to the nominee. Return printed answers to Committee. Begin each section (i.e., "A", "B", etc.) on a new sheet of paper.

A. BIOGRAPHICAL INFORMATION AND QUALIFICATIONS

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

Mary A. Toman

2. Position to which nominated:

Under Secretary (Economic Affairs), Department of Commerce

3. Date of Nomination:

May 4, 2020

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

[redacted]
Office: 604 N. Elm Dr., Beverly Hills, CA 90210

5. Date and Place of Birth:

March 31, 1954 at Pasadena, CA

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).

Husband: Milton A. Miller, retired partner, Latham & Watkins LLP, Los Angeles, CA

Daughter: Mary Ann Toman-Miller, 28

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

B.A. with honors in Economics, Stanford University, 1976

MBA, Harvard Business School, 1981

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.

Government

***Deputy Assistant Secretary of Commerce, International Trade Administration, Trade Development, Automotive Affairs and Consumer Goods (1989-1992).** Headed U.S. delegations negotiating auto parts (the MOSS Talks) and vehicle issues with the Government of Japan. Duties included responsibility for export expansion and trade policies in 120 industries.

***Deputy Treasurer of the State of California (1995-1996).** Responsible for the State of California's treasury management, banking, cash management, investments and pensions. Represented the State Treasurer on the boards of the State's two public pension funds: the California Public Employees' Retirement System (CalPERS) and the State Teachers' Retirement System.

***Chairman and Commissioner, Industrial Development Authority of the City of Los Angeles (1993-1995).** Responsible for development projects and job creation through infrastructure and business development with emphasis on underserved urban neighborhoods.

***Presidential Transition Team of President-Elect George H.W. Bush: The Export-Import Bank of the United States and Overseas Private Investment Corporation (1988-1989)**

Business

***Bain & Co., Strategic Planning (1976-1977).** Research and Management Consulting.

***Procter & Gamble Company (1977-1979).** Brand management and marketing.

E.F. Hutton (1980). Corporate Finance Department.

***The Burton Group PLC (1981-1984).** Corporate and Strategic Planning Department founder for an international diversified company.

The London Group (1992-1994, 1997-1999, 2003-present). Created and manage international stock and real estate portfolio.

9. Attach a copy of your resume.

Please see resume attachment.

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.

Member, Advisory Committee on Human Trafficking Subcommittee on Training and Awareness, U.S. Department of Transportation (2018-2019)

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.

Board of Governors, Bath S. University, Bath, United Kingdom (1988-2014).

Director of a homeowners' association called "4 Ferncroft Freehold" during the past ten years. A directorship comes with ownership of an apartment. I have never worked and do not work for the homeowners' association and receive no income or fees of any kind from it.

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 religiously affiliated organization, private club, or other membership organization. (For this question, you do not have to list your religious affiliation or membership in a religious house of worship or institution.). 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 disability.

    Harvard Business School Alumni Association (1981-present)
    Stanford Alumni Association (lifetime member)
    Board of Governors, Bath S. University, Bath, England (1988-2014)
    University Club, Washington, D.C. (2015-present)
    California Republican Party (2010-2014, 2016)
    Heritage Foundation (2017-2019)
    CPAC (2018-2019)
    Incline Village Crystal Bay Republican Women (2016-2017)
    Jonathan Club, Los Angeles (2004-present)
    Harvard Club of New York (over 25 years)

    To the best of my knowledge, none of these organizations restricts membership on any of the stated grounds.

13. Have you ever been a candidate for and/or held a public office (elected, non-elected, or appointed)? **Yes.** If so, indicate whether any campaign has any outstanding debt, the amount, and whether you are personally liable for that debt. **No debt was ever incurred, and no debt is outstanding.**

14. List all memberships and offices held with and services rendered to, whether compensated or not, any political party or election committee within the past ten years. If you have held a paid position or served in a

formal or official advisory position (whether compensated or not) in a political campaign within the past ten years, identify the particulars of the campaign, including the candidate, year of the campaign, and your title and responsibilities.

Member, California Republican Party (2010-2014, 2016), no services rendered.

15. 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.

11-05-2018	Marsha Blackburn	1,000
09-27-2017	Ed Royce	900
12-31-2016	Ed Royce	2,700
09-17-2016	Ed Royce	300
09-22-2014	Ed Royce	500
10-26-2012	Tommy Thompson	1,000
12-30-2011	Ed Royce	2,500

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

Honorary Fellowship awarded by Bath S. University in 2014 in recognition of service on the Board of Governors of the University.

17. Please list each book, article, column, Internet blog posting, or other publication you have authored, individually or with others. Include a link to each publication when possible. **None** Also list any speeches that you have given on topics relevant to the position for which you have been nominated. **None** Do not attach copies of these publications unless otherwise instructed.

18. List digital platforms (including social media and other digital content sites) on which you currently or have formerly operated an account, regardless of whether or not the account was held in your name or an alias. Include the name of an "alias" or "handle" you have used on each

of the named platforms. Indicate whether the account is active, deleted, or dormant. Include a link to each account if possible.

Facebook, active, https://www.facebook.com/mary.toman.125

2002 campaign website, dormant, http://marytoman.org/

19. 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.

Testimony, Hearing before the Subcommittee on Innovation, Technology and Productivity of the Committee on Small Business, U.S. Senate, on U.S./Japan Auto Parts Trade, April 20, 1990. This testimony was in my capacity as Deputy Assistant Secretary of Commerce.

20. 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?

My background demonstrates deep experience in federal, state and local government as well as extensive and successful involvement in the private sector in both large and small businesses. In my government and private sector roles, I have been both a producer and consumer of Commerce Department data, experiences that will facilitate the making and implementation of policies to promote jobs, growth and continued prosperity.

As Deputy Assistant Secretary of Commerce, International Trade Administration, Trade Development for Automotive Affairs and Consumer Goods in President George H. W. Bush's Administration, I gained experience in the areas for which the Under Secretary is now responsible. My group produced statistics for analyses and forecasts for the automotive and 120 consumer goods industries that were published in the Department's annual *U.S. Industrial Outlook*. Many of these analyses now take place in Bureau of Economic Analysis (BEA). We used Census Bureau data, inflation data and GDP statistics along with private sector sources to produce and analyze key information about the economy.

As Deputy Assistant Secretary, I led quarterly International Trade Advisory Committee meetings of industry experts to consult with the private sector on economic issues and sectoral developments including trade and tariffs. I am very familiar with how the Commerce Department works not only on a data and statistical basis, but also through synergistic interaction with other parts of the government such as the Council of Economic Advisors, with which the Under Secretary interfaces. I established and led an interagency group to communicate and coordinate trade and economic policies regarding the auto sector (USTR, Treasury, State, Labor and Agriculture). Interagency coordination is an integral part of this Under Secretary position.

My responsibility for heading U.S. delegations negotiating auto parts (the MOSS Talks) and vehicle trade issues with the government of Japan provided an extensive and relevant understanding of international trade, an important data area of BEA. I have observed the Commerce Department activities since I was a DAS, so would hit the ground running.

My Stanford University degree in Economics (with Honors) and my Harvard University MBA gave me relevant economic, management and data skills to lead this area. At Stanford I studied under Michael Spence, recipient of the Nobel Prize in Economics, whose specialty was information flows and market development. The appropriate data and information flows in BEA and for the Census Bureau must be constantly improved to best serve our country, while taking appropriate measures to maintain the accuracy, security and integrity of the data.

As Deputy Treasurer of the State of California, I was responsible for the State's treasury management, banking, cash management and investments. This required extensive knowledge of fiscal and monetary policy, national and state macroeconomic policy and forecasts, inflationary trends and regulatory issues, which is also necessary to oversee and lead BEA. Working with state data agencies provided experience directly relevant to BEA. The Treasurer's office used the data produced by BEA and the Census Bureau on a regular basis, as the

State and localities made key decisions based on its statistics. In any treasury function, the accuracy of numbers is paramount.

I represented the State Treasurer on the boards of the State's two public pension funds: the California Public Employees' Retirement System (CalPERS) and the State Teacher's Retirement System (CalSTRS) which had combined pension assets of $150 billion and over two million beneficiaries. This deep experience with pension funds will be useful as the Under Secretary represents the Commerce Secretary on the U.S. Pension Benefit Guarantee Corporation.

BEA is also involved with government policy development, which I have performed as a DAS, Deputy Treasurer, and as a member of a Presidential transition team focusing on the Export-Import Bank of the United States and the Overseas Private Investment Corporation (OPIC). Moreover, as a Commissioner and Chair of the Los Angeles Industrial Development Authority, I focused on economic policies that would create jobs with an emphasis on underserved urban areas.

Having spent roughly half of my career in the private sector, I have been an extensive user of BEA and Census Bureau data and statistics. At Procter & Gamble, I analyzed and applied these statistics daily, with many strategies driven by Census demographic data. I planned million-dollar marketing plans and chose test markets based on Census data. We relied fully on the accuracy of this data, so I clearly understand how BEA and Census data drives industry growth and jobs.

Strategic planning was my specialty at Bain & Company, where every day we used data produced by BEA and the Census Bureau (overall economic information, sector specific data, demographic data) to prepare long term forecasts for company and industry growth strategies. Sectors included high tech (silicon chip manufacturers, LED producers and other electronics), chemicals, financial service and mining.

I wish to serve in this position because I believe deeply in this country and our Constitution. Conducting an accurate decennial census is a vital constitutional responsibility, and it would be a great honor to help fulfill these duties that strengthen our democracy, recognize and enhance economic and job growth and help society as a whole.

This country has given me unparalleled opportunities to experience firsthand the blessings of liberty and achievement. I want to do my part to keep our country strong through economic growth and strength so that more and more people can prosper and achieve their potential.

21. 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?

As Deputy Treasurer of the State of California, I managed and oversaw nearly $200 billion of pension and other assets, which required strong and effective measures to identify and eliminate risks quickly. I have a successful track record of proper management and improving accounting controls in large organizations. Having direct responsibility for banking for the state required working closely with staff in the Treasurer's Office as well as those in the banking sector to reduce risks. I made significant improvements in accounting controls. My responsibilities included representing the State Treasurer on the boards of the CalPERS and CalSTRS pension funds, which provided retirement and other benefits for over two million state employees and retirees. These roles presented extremely large management issues regarding people and funds, and reviews of hundreds of contracts each month. I did not approve any without improved scrutiny, due diligence and proper assurances. I provided educational opportunities for other board members and staff to learn about proper and effective accounting controls so that my improvements could be enhanced and sustained.

My training at Harvard Business School (MBA) in advanced accounting has served taxpayers well in discovering problems and finding solutions. My extensive people management skills and experience are also critical to achieving this mission.

As a Deputy Assistant Secretary of the U.S. Department of Commerce as well as in my service on a presidential transition team, my management skills were applied to the federal government to recommend ways to reduce risks and apply cost-effective strategies. I sought to ensure that the country would receive optimal benefits from our budgets and the taxpayers would be proud of our work. Regarding staff, my approach was to work with those around me to motivate and empower them to prioritize proper management and accounting controls for the present and future.

My experience in the private sector, such as with Procter & Gamble, trained me well in the very best of management and accounting skills. Accuracy, timeliness, integrity and good planning are hallmarks of the culture of Procter & Gamble. My budgeting and expenditure responsibilities in numerous industries and government entities have given me a broad base of judgment to carry out effectively these responsibilities.

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

The top three challenges are:

(1) To conduct a full, fair, accurate and efficient decennial census, with subsequent accurate analyses of the data to fulfill essential functions including reapportionment of representation in the Congress and states in a timely and transparent manner. Supporting the hardworking staff is critical.

(2) To provide accurate and relevant data to support economic activity in the United States and disseminate it clearly to all potential users. There are always ways to improve the timeliness, accuracy and relevance of data, its analyses and forecasting so that job creation can be enhanced through policy development. As the U.S. economy evolves, new and more modern ways of structuring the architecture of U.S. economic data and analyses must be considered, developed, implemented and communicated. It is important to increase consultations with the private sector on new sectoral developments and to be responsive to Congress and users of the information.

(3) To continue actively supporting the hardworking staff in the Bureau of Economic Analysis as we constantly seek to assist growth and job creation in the U.S. economy. The workload is heavy and their invaluable efforts to monitor and analyze an evolving and innovative economy must be facilitated.

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.

457(b) Plan with the State of California. I have not received any distributions from this Plan to date.

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? **No.** If so, please explain.

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. Explain how you will resolve each potential conflict of interest.

   In connection with the nomination process, I have consulted with the Office of Government Ethics and Department of Commerce agency ethics officials to identify any potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of my ethics agreement. I understand that my ethics agreement has been provided to the Committee. I am not aware of any potential conflict of interest other than those that are the subject of my ethics agreement.

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. Explain how you will resolve each potential conflict of interest. **None.**

5. Identify any other potential conflicts of interest, and explain how you will resolve each potential conflict of interest.

Any potential conflicts of interest will be resolved in accordance with the terms of my ethics agreement. I understand that my ethics agreement has been provided to the Committee.

6. Describe any activity during the past ten years, including the names of clients represented, 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. **None.**

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? **No.** 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.

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? **No.** If so, please explain.

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? **No.** If so, please explain.

4. Have you ever been convicted (including pleas of guilty or *nolo contendere*) of any criminal violation other than a minor traffic offense? **No.** If so, please explain.

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? **No.** If so, please explain.

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, and that your department/agency endeavors to timely comply with requests for information from individual Members of Congress, including requests from members in the minority? **Yes.**

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.**

MARY A. TOMAN

Education and Degrees

1979 - 1981 **HARVARD GRADUATE SCHOOL OF BUSINESS ADMINISTRATION**
Awarded Master of Business Administration (MBA).

1972 - 1976 **STANFORD UNIVERSITY**
Awarded Bachelor of Arts degree, in Economics, with honors. Studied under Michael Spence, recipient of Nobel Prize in Economics, 2001 (information flows and market development).

Government/Political Experience

1989 - 1992 **UNITED STATES DEPARTMENT OF COMMERCE** **WASHINGTON, D.C.**
Deputy Assistant Secretary of Commerce, International Trade Administration, Trade Development, Automotive Affairs and Consumer Goods
Headed U.S. delegations negotiating auto parts (the MOSS Talks) and vehicle trade issues with the Government of Japan. Achieved significant increases in U.S. industry exports through trade negotiations and intensive compliance monitoring. Portfolio included responsibility for export expansion, trade policies and economic forecasts for 120 industries. Developed strategies to open global market access for U.S. companies small and large. Established and led interagency coordination on auto parts with White House and State, USTR, Treasury and Labor. Successfully resolved numerous trade disputes. Administrative achievements included budget reductions. Led quarterly International Trade Advisory Committee meetings of industry experts to consult with private sector on economic issues, sectoral developments and tariffs. Trade missions to increase exports to Asia (Japan, Korea), Europe and the Middle East. Produced and analyzed international and domestic economic data and statistics for Commerce Department publications, including the *U.S. Industrial Outlook*. Handled national security oceanic border dispute as well as sensitive agricultural and fishing issues.

1995 - 1996 **STATE OF CALIFORNIA** **SACRAMENTO**
Deputy Treasurer of California
Responsible for the State of California's treasury management, banking, cash management, investments and pensions. California's investments totaled nearly $200 billion and included: domestic and international equity of developed and emerging economies; domestic and international fixed income (U.S. Government Treasury bonds and bills); and domestic and international real estate. Position required firm grasp of monetary and fiscal policies, national and state macroeconomic policy and forecasts, inflationary trends and regulatory issues. Represented the State Treasurer on the boards of the State's two public pension funds: the California Public Employees' Retirement System (CalPERS) and the State Teachers' Retirement System, with combined assets of $150 billion. Responsible for analyses and voting decisions on CalPERS, including investments, general administration and personnel responsibilities, long-term care insurance, mortgage programs, healthcare appellate reviews and healthcare for over 2 million CalPERS beneficiaries. Reviewed thousands of international and domestic investment proposals requiring complex statistical analyses. Dealt with contentious labor and environmental investment issues. Refused to support investing in risky derivatives and mortgage-backed securities long before such instruments were recognized as too speculative for pension funds and fiduciary institutions.

2018 - 2019 **U.S. DEPARTMENT OF TRANSPORTATION** **WASHINGTON, D.C.**
Member, Advisory Committee on Human Trafficking Subcommittee on Training and Awareness

2002 **REPUBLICAN CANDIDATE FOR CALIFORNIA STATE TREASURER**

1999 - 2003 **REPUBLICAN PARTY OF LOS ANGELES COUNTY** **LOS ANGELES**
Chairman
Elected and re-elected Chairman of the nation's largest county with approximately 10 million people and 18 Congressional seats -- larger than 42 states. Speaker at Republican National Convention 2000 in Philadelphia. To be elected Chairman, one must first run for public office (the position of County Central Committee member) and be elected by the voters in a California State Assembly district (approximately 475,000 people). Ran successfully for eight successive terms on County Central Committee.

1988 - present **BATH S. UNIVERSITY** **BATH, ENGLAND**
Fellow; Former Governor
Privatized university from government control. Board's governance includes strategic planning, financial results, academic quality, international students and exchange programs, investments, treasury and banking functions, budget, growth, policy, labor management, land use, community relations and commercial operations for 8,000 students. As a Fellow, was graduation keynote speaker.

1993 - 1995 **CITY OF LOS ANGELES** **LOS ANGELES**
Chairman and Commissioner, Industrial Development Authority
Appointed by Mayor Richard Riordan and confirmed by the City Council in a unanimous vote. Focused on job creation through infrastructure and business development with emphasis on underserved urban neighborhoods. Authorized to issue industrial development bonds. Keynote speaker at convocation of city commissioners.

1988 - 1989 **PRESIDENT-ELECT GEORGE H.W. BUSH** **WASHINGTON, D.C.**
PRESIDENTIAL TRANSITION TEAM
The Export-Import Bank of the United States
Overseas Private Investment Corporation (OPIC)
Focused on economic growth, strategic trade, trade finance, and international trade exports strategy.

1998 – 1999 **CALIFORNIA PUBLIC SERVICE BOARDS** **SACRAMENTO**
California State Jobs Training Coordinating Council, implementing the federal Workforce Investment Act of 1998 in California to increase the employment, retention and earnings of workers. Labor market policies and jobs training to increase occupational skill attainment.
1994 - 1995 **California State Economic Advisory Council**

Key Business Experience

2003 - present
1997 - 1999 **THE LONDON GROUP** **LOS ANGELES**
1992 - 1994 Created and manage successful stock and real estate portfolio.

1981 - 1984 **THE BURTON GROUP PLC** **LONDON**

Corporate and Strategic Planning Department founder, Finance Department, for an international diversified company, including manufacturing, finance, data analyses, trucking, and property management of over 1,000 key properties and 600 retail stores. Trebled stock price in three years. Achieved profitable turnaround. Worldwide supply chains from over 50 countries, with India, Turkey and Hong Kong being the largest suppliers. Complex international exchange rates, economic analyses and forecasts.

1980 **E.F. HUTTON** **NEW YORK**

Corporate Finance Department. Paid intern assigned to mergers and acquisitions including Gulfstream/Rockwell.

1977 - 1979 **THE PROCTER & GAMBLE COMPANY** **CINCINNATI**

Brand Management and Marketing. Coordinated product development, market research, statistical analyses, focus groups, economic forecasts, communications, polling, finance, sales, production and engineering. Used census and other data to plan multimillion-dollar marketing campaigns. Implemented bar coding. Improved efficiency of factory production lines for environmental improvements (chlorofluorocarbon eradication).

1976 - 1977 **BAIN & COMPANY, Strategic Planning** **BOSTON**

Research and management consulting. Prepared economic forecasts and statistical analyses to plan company growth strategies. Integrated finance, marketing, manufacturing policy and competitive analyses to identify growth opportunities for silicon chip manufacturer, chemical company, high tech companies, mining and service companies.

(Nominee is to include this signed affidavit along with answers to the above questions.)

F. AFFIDAVIT

Mary A. Toman 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.

Mary A. Toman

Signature of Nominee

Subscribed and sworn before me this 7th day of May, 2020.

Maribel Sanchez Aguilera

Notary Public

MARIBEL SANCHEZ AGUILERA
COMM. # 2315478
NOTARY PUBLIC - CALIFORNIA
SAN MATEO COUNTY
COMM. EXPIRES DEC. 13, 2023