

## Senate Commerce Committee Nominee Questionnaire, 117<sup>th</sup> Congress

### A. BIOGRAPHICAL INFORMATION AND QUALIFICATIONS

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

Mary T. Boyle (occasionally known by married name: Mary Dionne or Mary Boyle Dionne)

2. **Position to which nominated:**

Commissioner, U.S. Consumer Product Safety Commission

3. **Date of Nomination:** July 2, 2021

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

Place of residence: [REDACTED]  
Office Address: 4330 East West Highway, Bethesda, MD 20814

5. **Date and Place of Birth:**

March 9, 1963  
Brooklyn, 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).**

--Spouse: EJ Dionne  
Employment: Professor, Georgetown University; Senior fellow, The Brookings Institution; Op-Ed Columnist, The Washington Post; Professor, Harvard University.  
--Children:  
Eugene James Dionne, age 28  
Julia Lucy Dionne, age 26  
Margot Driscoll Dionne, age 23

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

- Bachelor of Arts, Georgetown University, 1981-85
- Juris Doctor, University of Virginia, 1988-91

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.**

## Senate Commerce Committee Nominee Questionnaire, 117<sup>th</sup> Congress

- District Office Scheduler, Office of Congressman Stephen J. Solarz (1985-86)
- Staff Assistant, Subcommittee on Asian and Pacific Affairs, House Foreign Affairs Committee (1986-88)
- Law Clerk, United Mine Workers Health and Retirement Funds, Summer 1989
- Summer Associate, Paul Hastings Law Firm, Summer 1990
- Associate, Paul Hastings Law Firm, 1991-1992
- Contract Attorney, Paul Hastings Law Firm, 2003-04.
- Grants Administrator; Affordable Housing Coordinator, City of Gaithersburg, 2005-2008
- Executive Director; Consumer Product Commission, 2018 to present. Prior to this position, I served in a variety of senior roles at CPSC since 2010 including as General Counsel and Deputy General Counsel. My role at the Commission over the course of more than a decade, in both managerial and non-managerial roles, relates directly to the position for which I am being nominated.

**9. Attach a copy of your resume.**

Attachment 1

**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.**

I hold a 5% passive investment interest as a limited partner in Be Rockaway Enterprises, an LLC that owns a commercial property in Rockaway, 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 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.**

## Senate Commerce Committee Nominee Questionnaire, 117<sup>th</sup> Congress

- Member of the Bar, Maryland (1991 to present) and the District of Columbia (1993 to present)
- Member, Many Hands Grant Making Organization (2017 to present)
- Palisades swim and tennis club (2005-2021)

**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.**

No.

**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.**

None.

**15. Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$200 or more for the past ten years.**

None.

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

- Special Act Award, CPSC, 2020, for Outstanding Leadership during pandemic
- Chairman's Award, CPSC, 2015, Leadership in Administrative Litigation
- Chairman's Award, CPSC, 2013, Leadership as Acting General Counsel
- Special Act Award, CPSC, 2012, Leadership as Acting General Counsel
- Meritorious Service Award, CPSC, 2012, Public Database Rulemaking
- Outstanding Service Award, City of Gaithersburg, 2008, Affordable Housing

**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. Also list any speeches that you have given on**

## Senate Commerce Committee Nominee Questionnaire, 117<sup>th</sup> Congress

topics relevant to the position for which you have been nominated. Do not attach copies of these publications unless otherwise instructed.

- No books, articles, columns or other publications to report
- I have given brief introductory remarks at the CPSC Day at the annual International Consumer Product Health and Safety Organization conference in 2019, 2020, and 2021 in my capacity as Executive Director.
- In July, 2016, I spoke via webinar to the Retail Industry Association's Products Safety Committee about CPSC reporting obligations, civil penalties, and effective compliance programs.
- In September 2016, I spoke to the International Bar Association Annual conference, providing an overview of CPSC functions, jurisdiction, reporting obligations, and recall authority, among other general topics related to the agency.

**18. List all 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.**

<https://twitter.com/MaryTBrooklyn> (dormant)

I have no other social media accounts, currently or in the past.

**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.**

I testified before the Subcommittee on Postsecondary Education, Committee on Labor, U.S. House of Representatives, on May 13, 1985. I was a college senior and the testimony related to the impact of education cuts.

**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 more than a decade of service at the CPSC across multiple organizational units, including as General Counsel, and currently as Executive Director, equips me with a depth of knowledge and expertise on consumer safety issues that uniquely qualifies me to serve as a Commissioner at the agency. As General Counsel, I served as chief legal officer of the agency, providing legal, policy, and

## Senate Commerce Committee Nominee Questionnaire, 117<sup>th</sup> Congress

strategic advice on complex regulatory, statutory, fiscal, litigation, and enforcement issues. Additionally, I evaluated the legal sufficiency of proposed product safety standards, rules, regulations, petition actions, and substantial product hazard determinations and, in conjunction with the Department of Justice, was responsible for all federal court litigation to which the Commission was a party.

In my current capacity as Executive Director, I serve as the Chief Operating Officer of the agency and am responsible for executing its programmatic, operational, and administrative functions, including development of the budget and management of the agency regulatory portfolio, hazard identification and reduction, laboratory sciences, regulatory compliance, nation-wide field operations, import surveillance, human resources management, information technology, outreach to small businesses and consumer organizations, and administration of facilities services. In addition to being steeped in the substantive issues central to the agency mission, from rulemaking to enforcement, I am well versed in agency operations, processes, and procedures and that knowledge enhances my ability to effectively accomplish objectives within that environment.

I wish to serve in this position because I have a deep belief in the agency mission as evidenced by my more than ten years of service at CPSC. I am committed to continuing to advance that mission and believe my work to date will provide an invaluable foundation for fulfilling Commissioner responsibilities.

**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?**

If confirmed, I believe my responsibility would be to ensure that the agency implemented proper management and internal controls through evaluation of agency programs, their implementation, and metrics of their success. In addition, my responsibility would extend to ensuring that deficiencies identified through agency self-audits or through IG reviews are addressed and remediated. As the Executive Director of the CPSC, in which I serve as the Chief Operating Officer of the agency, I have well developed experience managing a large organization.

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

- A. Imports and E-Commerce: Improving the agency's ability to detect and prevent entry of dangerous products into the United States stands as a continuing challenge for the agency. In particular, the agency needs to continue addressing the challenges created by online shopping, a growing pre-pandemic trend that took solid root across the country when consumers turned in droves to online

## Senate Commerce Committee Nominee Questionnaire, 117<sup>th</sup> Congress

- shopping during the pandemic. As a result, a large volume of low-value, potentially noncompliant or hazardous shipments of foreign-manufactured products are being shipped directly to consumers in the United States. Enforcement of the sale and distribution of goods on eCommerce platforms is one of the biggest challenges facing the agency and will require a multi-pronged approach to ensure consumer safety.
- B. **Strengthening Compliance and Enforcement:** In conjunction with efforts to stop the introduction of noncompliant products at the ports and eCommerce hubs (efforts that focus on regulatory violations), CPSC faces an equally important challenge in ensuring that it executes a robust compliance and enforcement program to ensure defective products not subject to regulation are removed through recalls or other corrective actions.
- C. **Improving Data Analysis and Hazard Identification:** The voluminous amount of data that CPSC receives each year presents a significant challenge to the agency's crucial hazard identification function. The collection and analysis of data to identify hazards and hazard patterns, particularly new and emerging hazards, is central to CPSC's mission to protect consumers from unreasonable risks of injury or death associated with consumer products. High quality data must inform agency decision-making and the agency faces the challenge of keeping pace with technology advances.

## Senate Commerce Committee Nominee Questionnaire, 117<sup>th</sup> Congress

### 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 receive a salary from the federal government and hold a federal TSP account.

I hold a 5% passive investment interest as a limited partner in Be Rockaway Enterprises, an LLC that owns a commercial property in Rockaway, NY. I do not have any role in the operations of the building.

I do not have any other financial arrangements, deferred compensation agreements, or other continuing dealings with business associates, clients, or customers.

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.**

I plan to maintain the 5% interest as a limited partner described above in response to question number B1.

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 the CPSC's DAEO to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of the ethics agreement I have entered into with CPSC's DAEO and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

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.**

In connection with the nomination process, I have consulted with the Office of Government Ethics and the CPSC's DAEO to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the

## Senate Commerce Committee Nominee Questionnaire, 117<sup>th</sup> Congress

terms of the ethics agreement I have entered into with CPSC's DAEO and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

**5. Identify any other potential conflicts of interest, and 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 the CPSC's DAEO to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of the ethics agreement I have entered into with CPSC's DAEO and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

**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.



## Senate Commerce Committee Nominee Questionnaire, 117<sup>th</sup> Congress

### 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:** N/A

- 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? 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.**

No.

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.**

I have no additional information to provide.

## Senate Commerce Committee Nominee Questionnaire, 117<sup>th</sup> Congress

### 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.

**Senate Commerce Committee Nominee Questionnaire, 117<sup>th</sup> Congress**

## MARY T. BOYLE



### EXECUTIVE PROFILE

Accomplished senior government executive with proven record leading independent federal health and safety agency. Achieves outstanding results through excellent interpersonal skills, persuasive oral communication, effective problem solving, and skilled writing ability.

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### EXPERIENCE

#### **Consumer Product Safety Commission** (*July 2010 to Present*)

- ***Executive Director, Career Senior Executive Service, October 2018 to Present:*** Chief Operating Officer of 500+ employee federal health and safety agency responsible for executing the programmatic, operational, and administrative functions of the agency, including development of the approximately \$135 million budget and management of the agency regulatory portfolio. Oversee agency efforts on hazard identification and reduction, laboratory sciences, recalls, regulatory compliance, nation-wide field operations and import surveillance, human resources management, information technology, outreach to small businesses and consumer organizations, and administration of facilities services. Provide key policy and strategic advice to agency Chairman and Commissioners on mission critical issues, regulation development, enforcement actions, import surveillance, and legislative proposals. Responsible for development and execution of agency plans and ongoing operations during the Covid-19 pandemic.
- ***Senior Counselor for Policy and Planning, Office of the Executive Director, October 2017 to October 2018.*** Provided legal and policy advice to Executive Director, Chairman, Commissioners, and staff on critical product safety issues, rulemaking, enforcement, administration of operational functions, resource allocation, budget, personnel, and overall implementation of agency mission.
- ***General Counsel, April 2016 to October 2017.*** Provided daily legal, policy, and strategic advice to Chairman and Commission on complex regulatory, statutory, fiscal, litigation, enforcement, budget, Congressional relations, and media issues related to consumer product safety affecting national and international stakeholders. Reviewed proposed product safety standards, rules, regulations, petition actions, and substantial product hazard determinations. Responsible, in conjunction with the Department of Justice, for all federal court litigation to which the Commission was a party. Provided legal advice on dozens of compliance enforcement actions, including high profile recalls related to millions of consumer products. Oversaw robust civil penalty enforcement program.

Supervised development and legal sufficiency reviews of numerous rulemaking activities, including providing key legal and policy advice on a highly complex final rule prohibiting certain chemicals in children's toys and childcare articles and helped develop multiple rulemakings on infant and toddler products. Served as agency chief ethics officer and ensured adherence to federal ethics guidelines, including gift requirements, outside employment, post-employment restrictions, conflicts of interest, and financial disclosure requirements.

- ***Deputy General Counsel, CPSC, July 2012 to April 2016.*** Oversaw day-to-day operations of agency legal unit and Office of the Secretary. Provided legal and policy advice to General Counsel on regulatory and enforcement issues related to consumer product safety. Developed vigorous administrative litigation program, including acquisition of key technology assets. Provided expert guidance on strategy, discovery, and overall litigation direction, achieving successful resolution of multiple enforcement actions. Briefed Congressional staff on agency activities, including rulemaking, enforcement, and agency response to Inspector General audits and reports. Served as Acting General Counsel.
- ***Special Assistant to the General Counsel, CPSC, July 2010 to July 2012.*** Provided strategic, organizational, and management advice to the General Counsel.

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#### **OTHER RELEVANT EXPERIENCE**

##### **Office of the City Manager, City of Gaithersburg, Maryland (2005-2008)**

- ***Affordable Housing Coordinator, 2006-2008*** Designed, developed, and helped secure adoption of moderately priced housing program. Worked with industry stakeholders to satisfy requirements of the law. Developed housing stipend program for City employees.
- ***Grants Administrator, 2005-2006.*** Wrote grant proposals to support City projects and programs. Monitored Congressional appropriation activity related to City interests. Collaborated with City Manager and senior leaders on funding priorities.

##### **Paul Hastings Law Firm**

- ***Contract Attorney, Employment Law Department, 2003-2004.*** Provided advice on non-discrimination and affirmative action obligations required of federal contractors. Wrote legal memoranda and motions in complex class action litigation involving equal employment issues.
- ***Associate Attorney, (1991-1993).*** Provided legal support and advice on issues involving numerous federal regulatory agencies. Provided legal support for class action employment litigation. Member of firm-wide Appellate writing team.

**Primary Caregiver, 1993-2003** Primary caregiver for my three children.

**Office of Congressman Stephen J. Solarz (D-NY)**

- **Staff Assistant, Subcommittee on Asian and Pacific Affairs, 1986-1988.** Prepared briefing materials for hearings and mark-ups. Reviewed and edited for accuracy subcommittee hearing transcripts. Staffed overseas Congressional delegations, including Arms Control Study mission to Europe and a mission to the Philippines to mark inaugural session of the Philippine Congress in the post-Marcos era. Primary liaison to White House, State Department, Defense Department, and Defense Intelligence Agency on POW/MIA issues related to conflicts in Asia.
- **Scheduler, District Office, 1985-1986.** Coordinated and directed all aspects of Congressman’s district schedule. Represented Congressman at community events. Planned, organized, and executed district events, including large Town Hall gatherings and community meetings.
- **Intern, Washington DC Office, 1981-1985.** Provided office support and assisted with constituent services and congressional correspondence.

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**EDUCATION**

**Bachelor of Arts, English, cum laude,** Georgetown University (1985)

**Juris Doctor,** University of Virginia School of Law (1991)

**Member,** Editorial Board, *Journal of Law and Politics*, University of Virginia

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**AWARDS**

- Special Act, CPSC, 2020, for Outstanding Leadership during pandemic
- Chairman’s Award, CPSC, 2015, Leadership in Administrative Litigation
- Chairman’s Award, CPSC, 2013, Leadership as Acting General Counsel
- Special Act, CPSC, 2012, Leadership as Acting General Counsel
- Meritorious Service Award, CPSC, 2012, Public Database Rulemaking
- Outstanding Service Award, City of Gaithersburg, 2008, Affordable Housing

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**PROFESSIONAL AFFILIATIONS**

- Member of the Bar, State of Maryland; District of Columbia

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**REFERENCES**

*Available upon request*

