

**A. BIOGRAPHICAL INFORMATION AND QUALIFICATIONS**

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

Answer: Nazakhtar Nikakhtar (“Nazak” for short)

2. Position to which nominated:

Answer: U.S. Department of Commerce, International Trade Administration, Industry & Analysis – Assistant Secretary

3. Date of Nomination:

Answer: October 2, 2017

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

Answer:

[REDACTED]

Office: Cassidy Levy Kent (USA) LLP, 2000 Pennsylvania Ave., NW, Ste 3000, Washington, DC 20006

5. Date and Place of Birth:

Answer:

Date of Birth: July 15, 1973

Place of Birth: Tehran, Iran. Legally immigrated to the United States in late 1979.

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).

Answer:

Spouse: Eugene (“Gene”) Degnan, Attorney (Of Counsel) at Morris Manning Martin LLP

[REDACTED]

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

**Answer:**

Bachelor of Arts: University of California, Los Angeles, B.A. French Literature, 1999

Juris Doctor: Syracuse University, College of Law, 2002

Master of Economics: Syracuse University, Maxwell School of Citizenship and Public Affairs, 2002

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.

**Answer:**

1. Research Assistant to Prof. Robin Paul Malloy at Syracuse University, 2001-2002 \*
2. Editor in Chief, Syracuse Journal of International Law and Commerce, 2001-2002 \* \*\*
3. U.S. Department of Commerce, Bureau of Industry and Security, Industrial Base Studies, Industry Analyst, 2002-2003 \*
4. U.S. Department of Commerce, International Trade Administration, Enforcement & Compliance, International Trade Analyst, 2002 – 2004 \*
5. U.S. Department of Commerce, International Trade Administration, Enforcement & Compliance, Special Assistant to Senior Enforcement Coordinator of Non-Market Economy Unit, 2004 – 2007 \* \*\*
6. Law Offices of Stewart and Stewart, Attorney (Associate), 2007-2011 \*
7. Georgetown University Law Center, Adjunct Professor, 2009-2011 \* \*\*
8. Akin Gump Strauss Hauer & Feld, LLP (Associate), 20011-2013 \*
9. Akin Gump Strauss Hauer & Feld, LLP (Of Counsel), 2013-2015 \* \*\*
10. Cassidy Levy Kent (USA) LLP, Partner, 2015 – Present \* \*\*
11. Degnan & Degnan, LLC, Principal, 2013 – Present \*\*

\* Jobs that relate to position for which I have been nominated.

\*\* Management-level jobs

9. Attach a copy of your resume.

**Answer:** 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.

**Answer:** 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.

**Answer:**

Cassidy Levy Kent (USA) LLP, Partner, 2015 – Present

Degnan & Degnan, LLC, Principal, 2013 – Present

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.

**Answer:** Members of:

Maryland State Bar (inactive), 2006 – Present

District of Columbia Bar (active), 2010 – Present

Court of International Trade (active), approx. 2008 – Present

Court of Appeals for the Federal Circuit (active), approx. 2015 – Present

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.

**Answer:** No.

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.

**Answer:** None.

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

**Answer:**

U.S. Department of Commerce Medal, Silver (2003)  
U.S. Department of Commerce Medal, Silver (2004)  
U.S. Department of Commerce Medal, Bronze (2005)

Super Lawyer, International Trade, Rising Star's List, 2014  
Super Lawyer, International Trade, Rising Star's List, 2015  
Super Lawyer, International Trade, Rising Star's List, 2016

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.

**Answer:**

Speaker, U.S. Court of International Trade, Judicial Conference, Inspection of Customs and Commerce (2016)

Author, U.S. Department of Commerce Announces Final Tariffs on Chinese and Taiwanese Solar Products (2014)

Author, U.S. Department of Commerce Imposes Preliminary Antidumping Duties on Chinese Solar Products (2014)

Author, U.S. Department of Commerce Imposes Preliminary Countervailing Duties on Chinese Solar Products (2014)

Author, U.S. Subsidiary of SolarWorld Files New AD/CVD Petitions on Chinese-Origin Solar Cells (2014)

Withdrawal of Tolling Regulations in Antidumping Proceedings (2008)

Acknowledgement for legal and economic research in: Robin Paul Malloy, *Law in A Market Context: An Introduction to Market Concepts in Legal Reasoning* (Cambridge University Press, 2004)

Acknowledgement for legal and economic research in: Robin Paul Malloy, *Framing the Market: Representations of Meaning and Value in Law, Markets, and Culture*, 51 *Buff. L. Rev.* 1 (2003)

Contributor: U.S. Department of Commerce, *A Survey of the Use of Biotechnology in U.S. Industry*, available at [http://www.technology.gov/reports/Biotechnology/CD120a\\_0310.pdf](http://www.technology.gov/reports/Biotechnology/CD120a_0310.pdf) (October 2003)

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.

**Answer:** None.

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?

**Answer:**

I have extensive professional experience representing U.S. industries in international trade disputes involving billions of dollars in trade. Through my work, I have leveled the playing field for numerous U.S. industries, helped save U.S. companies from collapse, and saved hundreds of thousands of American jobs. I have lead large teams of attorneys and economists in conducting detailed economic analyses of U.S. industries, scrutinizing unfair trade practices of foreign companies and governments, and successfully advocating for appropriate trade relief before U.S. Government agencies. My work involves strategic coordination among private sector stakeholders and U.S. Government agencies – this is critical to effective advocacy.

Previously, as an adjunct professor at Georgetown University Law Center, I designed and taught law courses on WTO Dispute Settlement and Negotiations. Before entering private practice, I served at the U.S. Department of Commerce's International Trade Administration as a Special Assistant to the Senior Enforcement Coordinator of the China/Non-Market Economy Unit. In that position, I led the agency's administration of numerous trade cases, advised on legal and regulatory matters related to the enforcement of U.S. trade laws, and participated in bilateral negotiations on trade issues between the United States and China. I also served at the U.S. Department of Commerce's Bureau of Industry and Security as an industry analyst, where I performed key statistical analyses for the U.S. Government's first official survey of the U.S. biotechnology industry. I received several award medals from the Department of Commerce for my work on behalf of U.S. industries. Additionally, I have been repeatedly recognized by Super Lawyers as a "Rising Star" in International Trade Law.

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?

**Answer:**

A leader in Government must be able to deliver tangible results to the American people with limited agency resources. Over the past 15 years in both the U.S. Government and in the private sector, I have overseen the work of hundreds of personnel and have been responsible for billions of dollars in trade. As a U.S. Government official, I have led U.S. Government teams in conducting detailed audits of large multinational corporations, and I have developed and implemented sound policies to correct trade distortions for U.S. industries – all with limited agency

resources. In private practice, I have coordinated U.S. industries, often comprised of fierce competitors, in successfully petitioning the U.S. Government for relief from unfair trade – again with limited client resources. I look forward to bringing my management experience to the Department of Commerce’s Industry & Analysis division, where I will work every day to advance the interests of U.S. industries while serving as a responsible steward of U.S. taxpayer dollars.

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

**Answer:**

1. **Revitalization of U.S. Industries** – The growth and economic success of U.S. industries are key objectives of the Department of Commerce. Comprehensive policies need to be developed to accelerate job gains, investment in industries, and growth in GDP.
2. **Global Competitiveness of U.S. Industries** – Our trading partners’ declining openness to U.S. exports is threatening the growth and prosperity of our industries. Barriers to trade must be overcome by innovative export-promotion strategies.
3. **Leveling the Playing Field for U.S. Industries** – Unfair trade practices of our trading partners are continuing to devastate U.S. industries. The Department of Commerce should continue ramping up its efforts to level the playing field for American workers and companies.

## 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.

Answer: None.

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.

Answer: None.

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.

Answer: Any potential conflict of interest will be resolved in accordance with the terms of my ethics agreement, which was developed in consultation with ethics officials at the Department of Commerce and the Office of Government Ethics. I understand that my ethics agreement has been provided to the Committee. I am not aware of any potential conflict other than those addressed by 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.

Answer: 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.

Answer:

I served on the Executive Committee, and as Co-Chair of the Lawyer's Committee, of the Committee to Support U.S. Trade Laws (CSUSTL) from October 2016 through September 2017. This is a voluntary position for which I was not compensated. CSUSTL is comprised of representatives of U.S. manufacturing and agricultural producers who engage in trade remedy cases (principally antidumping and countervailing duty proceedings) before U.S. Government agencies and the courts, including the U.S. Department of Commerce (DOC), U.S. International Trade



Commission (ITC), the U.S. Court of International Trade (CIT), and the Court of Appeals for the Federal Circuit (CAFC).

As Co-Chair of the Lawyer's Committee, in the Spring of 2017, I met with the United States Trade Representative's Office and Chief International Trade Counsel for House Ways and Means (Democrats) to propose amendments to the U.S. statute and Department of Commerce regulations aimed at improving the U.S. Government's ability to enforce its trade laws and better protect American companies from unfair trade.

I resigned from my position at CSUSTL on September 30, 2017, once President Trump issued his intent to nominate me for the position of Assistant Secretary.

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

**Answer:**

I am not aware of any potential conflict of interest. Should any potential conflicts of interest arise, they will be resolved in accordance with the terms of my Ethics Agreement, and with the advice and recommendation of ethics officials at the Department of Commerce General Counsel's Office.

### 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.

Answer: 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.

Answer: 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.

Answer: 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.

Answer: 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.

Answer: No

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

Answer: No

#### **D. RELATIONSHIP WITH COMMITTEE**

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

**Answer:** 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?

**Answer:** 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?

**Answer:** 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?

**Answer:** Yes

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

**F. Affidavit**

~~Nazar Nikakhtar~~ 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.

Nazar Nikakhtar  
Signature of Nominee

Subscribed and sworn before me this 13 day of Oct, 2017.

Barbara Ann Murnane  
Notary Public

BARBARA A. MURNANE  
NOTARY PUBLIC DISTRICT OF COLUMBIA  
My Commission Expires April 30, 2018