

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):

Derek Tai-Ching Kan

2. Position to which nominated :

Under Secretary of Transportation for Policy, U.S. Department of Transportation

3. Date of Nomination:

May , 2017

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

Residence:

[REDACTED]

Office:

[REDACTED]

[REDACTED]

[REDACTED]

5. Date and Place of Birth:

August 15, 1978

Los Angeles, 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).

Spouse: Connie Kan

Children: [REDACTED]

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

University of Southern California, B.S. Business Administration, 1999
London School of Economics, Diploma in Economics, 2001
London School of Economics, M.Sc. Economic History, 2004
Stanford Graduate School of Business, MBA, 2012

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.

- White House Office of Management and Budget, Program Examiner (2004-06)
- U.S. Senate Republican Policy Committee, Chief Economist / Policy Advisor (2006-07)
- U.S. Senate, Office of the Republican Leader (2008-10)
- Bain & Company, Consultant (2012-14)
- GenapSys Inc., Director of Strategy (2014-15)
- Story and Heart, Advisor (2015-16)
- GLG Research, Consultant (2016-17)
- Amtrak, Board Member (2015-Present)
- Lyft, General Manager-Southern California (2015-Present)

9. Attach a copy of your resume.

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.

Board Member, Amtrak (2015-Present)
General Manager, Lyft (2015-Present)
Consultant, GLG Research (2016-17)
Advisory Board Member, Los Angeles County Auto Show (2016-17)
Advisor, Story and Heart (2015-16)
Director of Strategy, GenapSys (2014-15)
Board Member, Environmental Defense Action Fund (2013-14)

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.

Advisory Board Member, Los Angeles County Auto Show, 2016-2017
Member, Pacific Council on International Policy, 2010-Present
Board Member, Environmental Defense Action Fund, 2013-2014
Board Member, Great Commission Community Church, 2007-2010

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. 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.

None

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

Arjay Miller Scholar, Stanford Graduate School of Business, June 2012
Harvey Fellowship, September 2011

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.

TARP Without Strings, American Enterprise Institute

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.

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?

I wish to serve because I believe I have both a passion for public service and background to help the Department of Transportation. My previous background includes time at OMB where I worked with agencies to develop strategic plans and budgets as well as time as a Senate staffer working on budget, appropriations, and other economic matters. More recently, I spent much of my time at Bain and Amtrak driving financial and operational excellence. One exciting developing in the transportation space includes the emergence of new technologies and services. I believe my time at Lyft positions me well to help develop policies that continue to encourage safety while not stifling innovation.

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 mission of the Department of Transportation is to serve the United States by ensuring a fast, safe, efficient, accessible and convenient transportation system that meets our vital national interests and enhances the quality of life of the American people, today and into the future. As set by statute, the responsibilities of the Under Secretary is to provide leadership in the development of policy for the Department, supervise the policy activities of Assistant Secretaries with primary responsibility for aviation, international, and other transportation policy development and carry out other powers and duties prescribed by the Secretary. I have experience in managing a large organization starting from my time at OMB and more recently at Bain, Amtrak, and Lyft.

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

- **Maintaining a high level of safety and safety regulation:** One of the critical components of DOT's is to regulate safety. Policies and programs must be developed so as to ensure all forms of transportation in this country as operated at a safe and efficient level.
- **Effectively using taxpayer resources:** The Federal government has faced persistent deficits. As a result, the Department of Transportation, like all other agencies, must ensure that each taxpayer dollar is spent wisely. Moreover, DOT must eliminate waste, fraud, and abuse to ensure good stewardship of Federal resources.
- **Refreshing and modernizing our transportation infrastructure:** Across the country, we have aging infrastructure where bridges, roads, and other key infrastructure have not been sufficiently maintained or upgraded. Without a massive refresh, our infrastructure will impair economic productivity.

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 currently receive a salary from Lyft for my position as General Manager. As part of my compensation package with Lyft, I also own restricted stock units in Lyft, and I will receive a severance payment from Lyft. I also currently receive board fees from Amtrak for my position as a Board member, as well as occasional fees from GLG Research for my position as a Consultant. If confirmed, I will resign from these positions.

I hold vested stock options with GenapSys, my former employer; I received these as part of my compensation package when I was employed there as Director of Strategy. If confirmed, I will retain these stock options. I also have a 401(k) plan retirement from my former employer, Bain & Company, which is housed with Vanguard and invested in a diversified mutual fund; neither I nor Bain makes any further contributions to the plan. If confirmed, I will retain my 401(k) plan from Bain. I have a TSP account from my previous government service; if confirmed, I will retain my TSP account.

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.

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Transportation's Designated Ethics Official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved with the terms of an ethics agreement that I have entered into with DOT's designated Agency Ethics Official 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.

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Transportation's Designated Ethics Official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved with the terms of an ethics agreement that I have entered into with DOT's designated

Agency Ethics Official and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

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.

As a Congressional staffer, I influenced the legislative process by advising Senators, drafting amendments, and negotiating legislation.

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

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Transportation's Designated Ethics Official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved with the terms of an ethics agreement that I have entered into with DOT's designated Agency Ethics Official and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

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.

No. My current and former employers have been involved in litigation and administrative proceedings as part of their normal business dealings, but I was and am not an officer of those businesses and have not been named as a party in those actions.

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?

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

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

F. Affidavit

----- 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.

Seah Kan
Signature of Nominee

~~Subscribed and sworn before me this _ day of __, 20_.~~

~~_____~~
Notary Public

See Attached Form

California Jurat Certificate

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Los Angeles } s.s.

Subscribed and sworn to (or affirmed) before me on this 08 day of MAY,
Month

20 17, by DEREK KAN _____ and
Name of Signer (1)

_____, proved to me on the basis of
Name of Signer (2)

satisfactory evidence to be the person(s) who appeared before me.

Susan K. Malhotra
Signature of Notary Public



For other required information (Notary Name, Commission No., etc.)

Seal

OPTIONAL INFORMATION

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this jurat to an unauthorized document and may prove useful to persons relying on the attached document.

Description of Attached Document

The certificate is attached to a document titled/for the purpose of

COMMERCE COMMITTEE
NOMINATION FORM

containing 14 pages, and dated 05/08/2017

Additional Information
Method of Affiant Identification
Proved to me on the basis of satisfactory evidence: <input checked="" type="radio"/> form(s) of identification <input type="radio"/> credible witness(es)
Notarial event is detailed in notary journal on: Page # <u>56</u> Entry # <u>7</u>
Notary contact: <u>Susan K. Malhotra</u>
Other
<input checked="" type="checkbox"/> Affiant(s) Thumbprint(s) <input type="checkbox"/> Describe: _____

DEREK TAI-CHING KAN

Experience

- Lyft Inc** Los Angeles, CA
General Manager 2015-Current
- Have P&L ownership over all SoCal operations, growing region to become largest market within Lyft
 - Increased rides 5x, increased market share by 250% while reducing CPAs and moving market to profitability
 - Grew team from 0 to 50 in twelve months and created new operating model and org structure
- Amtrak** Washington, DC
Board Member Current
- Unanimously confirmed by U.S. Senate; member of Finance and Marketing Committees
 - Selected new CEO and assisted with transition to new leadership
 - Actively managed executive team to improve strategy and operational performance
- Genapsys** Redwood City, CA
Director of Strategy 2014-2015
- Developed operating model; led fundraising efforts and developed go to market strategy for product launch
- Bain & Company** Los Angeles, CA
Consultant 2012-2014
- Designed operating model, strategy, and operational improvement plan for nation's largest electrical utility
 - Developed operating model and org structure for \$1 billion consumer electronics company
 - Integrated two global sales forces and developed implementation plan for \$10 billion life sciences company
- McKinsey & Company** Los Angeles, CA
Summer Associate
- Evaluated leverage buyout opportunities and advised deal team on the competitiveness of target industry
- Elliott Management** New York, New York
Advisor 2010-2011
- Analyzed and developed financial model for a \$50 million hedged long/short equity investment
 - Advised portfolio managers on implementation of financial regulatory reform and tax changes
- U.S. Senate Office of the Republican Leader** Washington, DC
Policy Advisor 2008-2010
- Advised Senators on all economic-related matters, including Highway Trust Fund solvency, new funding mechanisms for DOT, budget process reform, appropriations, and capital markets legislation
 - Helped negotiate Emergency Economic Stabilization Act of 2008 (TARP) and Economic Stimulus Act of 2008
 - Analyzed financial regulatory system and negotiated comprehensive financial regulatory reform (Dodd-Frank)
 - Negotiated and developed communications strategy for 2008 auto bailout proposal
- U.S. Senate Republican Policy Committee** Washington, DC
Chief Economist 2006-2007
- Published policy papers on capital markets competitiveness, private equity industry, subprime mortgage market, credit rating industry reform, Highway Trust Funds, and Federal budget process reform
 - Advised Senators on legislation, regulatory developments and general trends related to the U.S. economy, Federal budget, banking, housing, and pension issues
- White House Office of Management and Budget** Washington, DC
Presidential Management Fellow 2004-2006
- Assisted the President and his executive team with management, policy development, and budget execution
 - Worked with agencies to implement the President's Management Agenda
 - Managed and reorganized VA's \$2.1 billion information technology portfolio
- Eli Lilly & Company** Los Angeles, CA
Sales Specialist 2002-2003
- Awarded highest sales achievement honor for performance in the top 1% of entire company

KPMG, Structured Finance Group

Los Angeles, CA

Associate

2001

- Developed financial models to project cash flow and develop sensitivity analysis of asset-backed securities

Education

Stanford Graduate School of Business

Stanford, CA

Master of Business Administration

2010-2012

Arjay Miller Scholar (Top 10%)

London School of Economics and Political Science

London, United Kingdom

Masters of Science, Economic History with Merit

2003-2004

Graduate Diploma, Economics

1999-2001

University of Southern California

Los Angeles, CA

Bachelor of Science, Business Administration

1996-1999

Memberships

Los Angeles Auto Show, Advisory Board Board, 2015-2017

Pacific Council on International Relations, Member, 2011-2015

Great Commission Community Church, Board Member, 2007-2010

Environmental Defense Action Fund, 2013-2014