



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 115<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 163

WASHINGTON, MONDAY, SEPTEMBER 18, 2017

No. 150

## Senate

The Senate met at 3 p.m. and was called to order by the Honorable TODD YOUNG, a Senator from the State of Indiana.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Holy and Gracious God, let Your light shine out of darkness into our hearts.

Today, fill our lawmakers with the knowledge of Your purposes, providing them with the insights to accomplish Your will. Inspire them to humble themselves under Your mighty hand so that You may exalt them in due time. Lord, keep them mindful of the great responsibility You have placed upon them, and may they trust Your power to do through them more than they can ask or imagine. Watch over and guard them and their loved ones in their going out and coming in.

Lord, thank You for the loving care and tender mercies that You provide us each day.

We pray in Your loving Name. Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, September 18, 2017.

*To the Senate:*

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TODD YOUNG, a Senator from the State of Indiana, to perform the duties of the Chair.

ORRIN G. HATCH,  
*President pro tempore.*

Mr. YOUNG thereupon assumed the Chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### NATIONAL DEFENSE AUTHORIZATION BILL

Mr. McCONNELL. Mr President, our Nation faces many national security threats across the globe.

The threats and challenges posed by Iran, China, Russia, North Korea, ISIL, al-Qaeda, and its affiliates represent a diverse range of conventional and asymmetric capabilities that threaten our national security and that of our allies.

We also know that the challenges we face have been compounded by everything from sequestration to the last administration's self-defeating foreign policy, with the Obama administration's focus on reducing the size of our conventional force only adding to the burden of our forward-deployed units.

We have to be smart if we are going to address these challenges effectively and do right by our men and women in uniform appropriately.

We have to provide our servicemembers with the resources and training they need. That is obvious.

We have to continue the hard work of rebuilding our military and restoring combat readiness. That is ongoing.

We have to modernize the Pentagon and root out waste within the military

bureaucracy. That is important for strengthening accountability.

We also have to prepare for the threats of both today and tomorrow by promoting defense innovation, enhancing cyber security, and—especially when you consider all the recent belligerence from North Korea—strengthening missile defense.

For these reasons and many others, like authorizing a well-deserved raise for our servicemembers, it is imperative that we join together today in passing the defense authorization legislation before us.

Mr. President, I thank the Armed Services Committee for its good work on this year's National Defense Authorization Act. The members of that committee, from both parties, came together to support this year's NDAA and send it to the Senate floor. It is yet another testament to the leadership of Senator MCCAIN, the committee's top Republican, and Senator REED, his Democratic counterpart.

So thank you, Chairman MCCAIN, thank you, Ranking Member REED, and thank you, everyone else, who worked so hard on this legislation.

Now let's pass it.

### CONFIRMATION OF RUSSELL COLEMAN

Mr. McCONNELL. Mr. President, on an entirely different matter, last week, the Senate confirmed a talented and experienced nominee with an impressive career in law enforcement to be the U.S. attorney for the Western District of Kentucky. Russell Coleman is the right person for the job.

After graduating from my alma mater, the University of Kentucky College of Law, Russell entered public service. His wide-ranging experiences at the Department of Justice, the Federal Bureau of Investigation, the Senate, and in private practice make him particularly qualified for this new role.

- This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

As the chief Federal law enforcement officer for the Western District of Kentucky, Russell will use his skills to serve the people of Kentucky and the United States very well. Having served as a special agent with the FBI, Russell understands the particular challenges facing law enforcement. In that role, he regularly collaborated with Federal, State, and local law enforcement officials on a vast array of issues, and he is well respected in the law enforcement community.

For instance, Kentucky continues to struggle with the opioid addiction epidemic that is tearing families and communities apart. Russell stands ready to collaborate with stakeholders and community leaders to combat it. He has earned the support of the Kentucky Narcotics Officers' Association, which looks forward to his leadership on drug enforcement issues.

Russell also worked in my office as legal counsel, helping me serve the people of Kentucky. With good humor and an unmatched determination, he advocated for the issues that were important to my constituents.

The president of the Kentucky Fraternal Order of Police wrote to me in support of Russell's nomination: "Russell was forever thoughtful, courteous, and a true friend to our membership."

Now Russell has the opportunity to serve once again.

I congratulate him and look forward to his service to the Commonwealth and to the country.

#### TRIBUTE TO NANCY KERVIN

Mr. McCONNELL. Mr. President, on one final matter, I would like to take a brief moment to recognize a talented member of the Senate community who will be retiring this month after 20 years of service to this body and to the Nation.

Nancy Kervin is a reference librarian in the Senate Library, and for years, whenever my office needed assistance with a seemingly impossible research question, she was always ready to lend a helping hand. I could not let her depart without giving her the recognition that she so richly deserves.

Nancy came to the Senate following a wide-ranging career in publishing and in research, and through her work here, Nancy has made a lasting mark.

To members of my staff and to numerous others around the Senate, Nancy has been the first person to call when facing a difficult research question. Nancy's signature combination of intellectual rigor and unyielding perseverance has enabled her to skillfully complete countless research projects on numerous subjects throughout her time in the Senate, and, of course, she is widely known for her kindness and her good humor.

My office has worked closely with Nancy on a number of different projects over the years, but there is one project—a project of particular personal importance to me—that I would like to mention today.

A number of years ago, I began a series of lectures at Kentucky colleges and universities focusing on the lives and legacies of prominent U.S. Senators from the Commonwealth. Since the project's inception, my staff has regularly looked to Nancy for help. She has been an indispensable resource for each historical speech in Kentucky that I have delivered. Her work in gathering sources and putting the information in its proper context has helped me to pay tribute to many distinguished Kentuckians. Therefore, it is fitting that she holds the highest honor that my State can bestow upon a civilian, that of a Kentucky colonel.

After her years of dedicated service, Nancy deserves a relaxing retirement. Along with her husband, Stephen—an other stalwart member of the Senate family who will be retiring from the Senate Historical Office—Nancy plans to spend time traveling and working in her garden. She will be sorely missed here.

On behalf of the entire Senate family, I congratulate Nancy and Stephen on their successful careers in promoting the history and the legacy of this Chamber and those who have served in it. I wish them both happy retirements.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

#### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2018

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 2810, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2810) to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Pending:

McCain/Reed modified amendment No. 1003, in the nature of a substitute.

McConnell (for MCCAIN) amendment No. 545 (to amendment No. 1003), of a perfecting nature.

The ACTING PRESIDENT pro tempore. The Senator from Utah.

#### NOMINATION OF MAKAN DELRAHIM

Mr. LEE. Mr. President, I rise to speak in support of the nomination of Makan Delrahim as the Assistant Attorney General for the Antitrust Division of the U.S. Department of Justice.

Mr. Delrahim is someone I have known for over 15 years. He is eminently qualified, and I have no doubt that he will make an outstanding Assistant Attorney General.

Mr. Delrahim has a long and distinguished career within the antitrust world. His service in this area includes service as senior staffer for the Senate Judiciary Committee of the Antitrust Modernization Commission and previously at the U.S. Department of Justice.

I could go on and on regarding Mr. Delrahim's accomplishments, regarding his character and his aptitude as a lawyer, generally, and as an antitrust lawyer, in particular. But instead of taking my word for it, allow me to read just a little bit of the wide-ranging support Mr. Delrahim's nomination has from both sides of the aisle. People within the Senate and outside the Senate on both sides of the aisle have been supportive of this nomination.

A bipartisan group of former Assistant Attorneys General for the Antitrust Division at the Department of Justice—including AAGs for Antitrust under President Obama, President Clinton, and President Carter—submitted a letter expressing strong support for Mr. Delrahim's nomination. They explained that "Mr. Delrahim has the experience, intelligence, judgment, and leadership skills necessary to serve as an excellent Assistant Attorney General."

Similarly, a bipartisan group of former Commissioners of the Antitrust Modernization Commission, a group of well-respected, seasoned anti-trust officials, submitted a letter supporting Mr. Delrahim's nomination. The letter said that Delrahim will "serve with high distinction and be an outstanding Assistant Attorney General for antitrust." The authors of this letter also "strongly urge[d] the Committee to look favorably upon his nomination, with the hope that the Senate can confirm him as soon as possible."

Because Mr. Delrahim is so well respected, his nomination is one that has enjoyed broad bipartisan support, including broad bipartisan support within the Senate Judiciary Committee, on which I serve. He was voted out of the committee by a vote of 19 to 1. That is not all that common these days. Ranking Member FEINSTEIN went out of her way to explain that Mr. Delrahim "will fully and fairly enforce our antitrust laws."

Despite this strong bipartisan support, Mr. Delrahim's nomination has languished on the floor. In fact, the wait to confirm Makan Delrahim is the longest for someone appointed to this