

**Before the
Committee on the Judiciary
United States Senate
May 10, 2017**

**Statement of
Makan Delrahim, Nominee to be
Assistant Attorney General, Antitrust Division,
U.S. Department of Justice, Washington, D.C.**

Thank you Mr. Chairman. I want to express my gratitude to you, Chairman Grassley and Ranking Member Feinstein, and to all the members this Committee, for the privilege of appearing before you today. I also would like to extend a special thank you to Senator Hatch, for having allowed me the opportunity of a lifetime to serve him on this Committee almost 20 years ago.

I am honored and humbled, Mr. Chairman, and I profoundly thank the President and the Attorney General for their confidence in me by nominating me to this important law enforcement position which is so critical to the free markets and to consumers.

The emotions that I am experiencing cannot be reduced to words, Mr. Chairman.

For more than five years, one of the greatest privileges and highlights of my professional life was my service to this Committee, first as antitrust counsel, and later as its Chief Counsel and Staff Director. I know how dedicated the members on this committee are to the issues that matter the most in the lives of all Americans. I also know how hard the staff works and the sacrifices they make for the privilege of serving the public on this Committee. This Committee and the Senate has a special place in my heart.

I come before you as a nominee to continue in public service, just as several other alumni and former colleagues with whom I served have done. They include dear friends: Chief Judge Beryl Howell, Chief Judge Sharon Prost, former FTC Chairman Jon Leibowitz, and Justice Department officials Wan Kim and Preet Bharara, among others.

Mr. Chairman, with your permission, I also would like to recognize several of my family and friends who have travelled as far as one can in the continental United States to show their support for me, especially my beautiful wife, Michelle. I am also grateful for the support and endorsement of the numerous past Chiefs of the Antitrust Division from both parties, going back to President Ford, many of whom have been colleagues and mentors to me. And of my former fellow Antitrust Modernization Commission colleagues.

Mr. Chairman, if I am fortunate enough to be confirmed, I would be grateful for the privilege of leading the dedicated staff of the Antitrust Division in its important mission of preserving the competitive markets and protecting the American consumer. I served as Deputy Assistant Attorney General in my last tour, and I know first-hand the important work the Division engages in day in and day out: investigating conduct; litigating cases; and pursuing a robust criminal enforcement program.

I learned a great deal while at the Division, and in my over 20 years of practice in both private and the public sector, knowledge and experience that, if confirmed, I will apply to the important work of the Antitrust Division. The antitrust laws, vigorously and properly enforced are the greatest protectors of the free-market economy that we have come to enjoy in this country. Hard-nosed competition, free from inappropriate restraints, leads to lower prices and higher quality of goods and services for American consumers. It also helps encourage technological innovation.

Antitrust laws also need to be based on sound analytical foundation and be focused on anticompetitive behavior that harm consumers. I know it is no surprise to the members of this Committee that timely and vigorous enforcement of the antitrust laws also helps obviate the need for burdensome and costly government regulations.

The Supreme Court has recognized the Sherman Act as being “designed to be a comprehensive charter of economic liberty aimed at preserving free and unfettered competition as the rule of trade. It rests on the premise that the unrestrained interaction of competitive forces will yield the best allocation of our economic resources, the lowest prices, the highest quality and the greatest material progress.” For these and other reasons, I fully appreciate the importance of the job at hand.

Mr. Chairman, this committee often considers, in its oversight role, how and whether various markets are functioning properly and whether particular combinations from time to time may pose broader policy questions. If I am confirmed, I look forward to working with this committee in its great and long tradition to oversee the operations of the Division in a bipartisan manner and to cooperate in providing any technical advice you may need as we work together to continue to improve our global competition policy system for the benefit of American consumers and entrepreneurs.

Mr. Chairman, and members of the Committee, again, I am humbled by the thought of having the opportunity to lead the Division in the important work they do on behalf of the American public, and look forward to your questions.