

pursuant to law, a report relative to a vacancy for the position of Administrator, Federal Highway Administration, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1375. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Administrator, Federal Transit Administration, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1376. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Administrator, Federal Motor Carrier Safety Administration, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1377. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Assistant Secretary for Research and Technology, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1378. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Assistant Secretary for Governmental Affairs, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1379. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Chief Financial Officer, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1380. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of General Counsel, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1381. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Assistant Secretary for Aviation and International Affairs, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1382. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Assistant Secretary

for Transportation Policy, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1383. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Assistant Secretary of Transportation for Policy, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1384. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Deputy Secretary, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1385. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Secretary of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

#### PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-16. A concurrent resolution adopted by the Legislature of the State of North Dakota urging the United States Congress, under Article V of the United States Constitution, to call for a constitutional convention limited to proposing amendments to the United States Constitution, which impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress; to the Committee on the Judiciary.

#### HOUSE CONCURRENT RESOLUTION NO. 3006

Whereas, the founders of the United States Constitution empowered state legislators to be guardians of liberty against excessive use of power by the federal government; and

Whereas, the federal government has created a crushing national debt through improper and imprudent spending; and

Whereas, the federal government has ceased to operate under a proper interpretation of the United States Constitution; and

Whereas, the federal government has invaded the legitimate roles of the states through the manipulative process of federal mandates, most of which are unfunded to a great extent; and

Whereas, it is the solemn duty of the states to protect the liberty of our people, particularly for the generations to come, by proposing amendments to the United States Constitution through a convention of the states under Article V for the purpose of restraining these and related abuses of power: Now, therefore, be it

*Resolved by the House of Representatives of North Dakota, the Senate concurring therein:*

That the Sixty-fifth Legislative Assembly urges the Congress, under the provisions of Article V of the United States Constitution, to call a convention of the states limited to

proposing amendments to the United States Constitution which impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress; and be it further

*Resolved*, that this application constitutes a continuing application in accordance with Article V of the United States Constitution until the legislatures of at least two-thirds of the several states have made applications on the same subject; and be it further

*Resolved*, that the Legislative Assembly adopts this application expressly subject to the following reservations, understandings, and declarations:

1. An application to the Congress of the United States to call an amendment convention of the states pursuant to Article V of the United States Constitution confers no power to Congress other than the power to call such a convention. The power of Congress to exercise this ministerial duty consists solely of the authority to name a reasonable time and place for the initial meeting of a convention;

2. Congress shall perform its ministerial duty of calling an amendment convention of the states only upon the receipt of applications for an amendment convention for the substantially same purpose as this application from two-thirds of the legislatures of the several states;

3. Congress does not have the power or authority to determine any rules for the governing of a convention for proposing amendments called pursuant to Article V of the United States Constitution. Congress does not have the power to set the number of delegates to be sent by any state to such a convention, nor does it have the power to name delegates to such a convention. The power to name delegates remains exclusively within the authority of the legislatures of the several states;

4. By definition, an amendment convention of the states means that states shall vote on the basis of one state, one vote;

5. A convention for proposing amendments convened pursuant to this application must be limited to consideration of the topics specified herein and no other. This application is made with the express understanding that an amendment that in any way seeks to amend, modify, or repeal any provision of the Bill of Rights is not authorized for consideration at any stage. This application is void ab initio if ever used at any stage to consider any change to any provision of the Bill of Rights;

6. Pursuant to Article V of the United States Constitution, Congress may determine whether proposed amendments must be ratified by the legislatures of the several states or by special state ratification conventions. The Legislative Assembly recommends Congress select ratification by the legislatures of the several states; and

7. The Legislative Assembly may provide further instructions to its delegates and may recall its delegates at any time for a breach of a duty or a violation of the instructions provided; and be it further

*Resolved*, that the Secretary of State forward copies of this resolution to the President and Secretary of the Senate and the Speaker and Clerk of the House of Representatives of the Congress, each member of the United States Congressional Delegation from North Dakota, and the presiding officers of each house of the legislatures of the several states, requesting their cooperation.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HATCH, from the Committee on Finance, without amendment:

S.J. Res. 41. An original joint resolution providing for an exception to the limitation on the appointment of certain persons as the United States Trade Representative.

### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. MCCAIN for the Committee on Armed Services.

Navy nominations beginning with Rear Adm. (lh) Richard A. Brown and ending with Rear Adm. (lh) John W. Tammen, Jr., which nominations were received by the Senate and appeared in the Congressional Record on March 21, 2017.

Navy nominations beginning with Capt. Kevin M. Jones and ending with Capt. Thomas J. Moreau, which nominations were received by the Senate and appeared in the Congressional Record on March 21, 2017.

Marine Corps nominations beginning with Brig. Gen. David G. Bellon and ending with Brig. Gen. Patrick J. Hermesmann, which nominations were received by the Senate and appeared in the Congressional Record on March 21, 2017.

Marine Corps nominations beginning with Brig. Gen. Edward D. Banta and ending with Brig. Gen. Eric M. Smith, which nominations were received by the Senate and appeared in the Congressional Record on March 21, 2017.

Marine Corps nomination of Col. Michael S. Martin, to be Brigadier General.

Marine Corps nominations beginning with Col. James H. Adams III and ending with Col. Christian F. Wortman, which nominations were received by the Senate and appeared in the Congressional Record on March 21, 2017.

Army nomination of Maj. Gen. Bryan P. Fenton, to be Lieutenant General.

Army nomination of Maj. Gen. Darrell K. Williams, to be Lieutenant General.

Navy nomination of Rear Adm. David H. Lewis, to be Vice Admiral.

Navy nomination of Rear Adm. Mathias W. Winter, to be Vice Admiral.

Navy nomination of Rear Adm. (lh) Steven L. Parode, to be Rear Admiral.

Navy nomination of Rear Adm. (lh) John P. Polowczyk, to be Rear Admiral.

Navy nominations beginning with Rear Adm. (lh) Jon A. Hill and ending with Rear Adm. (lh) Gordon D. Peters, which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Mr. MCCAIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Air Force nomination of Raymond C. Jones III, to be Major.

Air Force nomination of Christopher E. Austin, to be Colonel.

Air Force nominations beginning with Robert D. Houghteling and ending with Carl H. Spears, Jr., which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Air Force nominations beginning with Lisa Ann Banyasz and ending with Julie L. Wible,

which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Air Force nominations beginning with Lori J. Betters and ending with Lisa S. Shear, which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Air Force nomination of James A. Crider, to be Colonel.

Air Force nominations beginning with Jose E. Barrera and ending with David H. Zonies, which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Air Force nominations beginning with Kristin L. Ader and ending with Christopher C. Vannatta, which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Air Force nominations beginning with Gregg Michael Caggianelli and ending with William Scott Wiecher, which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Air Force nominations beginning with Patrick W. Albrecht and ending with Stephen S. Yoon, which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Air Force nomination of Stephen N. Luker, to be Major.

Air Force nominations beginning with Tyler J. Banachowski and ending with Marita N. Zguri, which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Air Force nominations beginning with Joni A. Abbott and ending with Danielle C. Yuen, which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Air Force nominations beginning with Michael J. Alfaro and ending with Sara M. Wilson, which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Air Force nominations beginning with Jessica L. Abbott and ending with Heath D. Wright, which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Air Force nominations beginning with Corey R. Anderson and ending with Andrew J. Stoy, which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Air Force nominations beginning with Edward R. Anderson III and ending with Ramon Yambo Arias, which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Air Force nominations beginning with Patrick M. Albritton and ending with Ray A. Zuniga, which nominations were received by the Senate and appeared in the Congressional Record on April 4, 2017.

Air Force nominations beginning with Neil R. Copeland and ending with Olivia M. Vaughan, which nominations were received by the Senate and appeared in the Congressional Record on April 6, 2017.

Air Force nomination of Robert P. McCoy, to be Colonel.

Air Force nomination of Allen R. Henderson, Jr., to be Colonel.

Air Force nomination of George L. Burnett, to be Lieutenant Colonel.

Air Force nomination of Dion R. Dixon, to be Lieutenant Colonel.

Air Force nomination of Rebecca A. Lipe, to be Major.

Air Force nomination of Michael N. Tesfay, to be Major.

Air Force nomination of Megan G. K. Steele, to be Major.

Air Force nominations beginning with Ryan W. Abner and ending with Breanca G.

Young, which nominations were received by the Senate and appeared in the Congressional Record on April 6, 2017.

Air Force nominations beginning with Allen Seth Abrams and ending with Thomas Benjamin Williams, which nominations were received by the Senate and appeared in the Congressional Record on April 6, 2017.

Air Force nominations beginning with Chad A. Bellamy and ending with Andrew L. Thornley, which nominations were received by the Senate and appeared in the Congressional Record on April 6, 2017.

Air Force nominations beginning with Aimee L. Alviar and ending with David A. Whitehorn, which nominations were received by the Senate and appeared in the Congressional Record on April 6, 2017.

Air Force nominations beginning with Willie J. Babor and ending with Maureen Schellie Wood, which nominations were received by the Senate and appeared in the Congressional Record on April 6, 2017.

Air Force nominations beginning with Hector L. Coloncolon and ending with Kevin L. Lockett, which nominations were received by the Senate and appeared in the Congressional Record on April 6, 2017.

Air Force nominations beginning with Beth M. Baykan and ending with William T. Wilson, which nominations were received by the Senate and appeared in the Congressional Record on April 6, 2017.

Air Force nomination of Martin J. Hamilton, to be Colonel.

Air Force nominations beginning with Michael A. Blackburn and ending with Jason S. Wrachford, which nominations were received by the Senate and appeared in the Congressional Record on April 6, 2017.

Army nomination of Scott C. Apling, to be Lieutenant Colonel.

Army nomination of Patricia L. George, to be Colonel.

Army nomination of Adam J. Points, to be Lieutenant Colonel.

Army nomination of Larry G. Workman, to be Lieutenant Colonel.

Army nomination of Robert J. Dunlap, to be Lieutenant Colonel.

Army nomination of Wayne O. Dehaney, to be Colonel.

Army nomination of Johnathan T. Parchem, to be Colonel.

Army nominations beginning with Jacob P. Absalon and ending with G010445, which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Army nominations beginning with Mark P. Adams and ending with G010388, which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Army nominations beginning with Amir A. Abuakeel and ending with D013352, which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Army nominations beginning with Vanessa R. Asmus and ending with D013007, which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Army nomination of Michael C. Flynn, to be Lieutenant Colonel.

Army nomination of Steve L. Martinelli, to be Colonel.

Army nominations beginning with Kenneth Ahorrio and ending with Paul W. Ziegler III, which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Army nominations beginning with Tolulope O. Adeyemi and ending with D013595, which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.