

Whereas the Department of Defense and the Department of Energy are planning an extensive and costly program to “modernize” the nuclear weapons of the United States;

Whereas there is substantial controversy over whether the nuclear modernization plan goes beyond assuring that the United States nuclear deterrent is safe, secure, and reliable to defend the United States and allies of the United States, and is instead a plan for the development of an even more powerful nuclear arsenal that lacks sufficient cost analysis or decisions on priorities;

Whereas the nuclear modernization plan was launched in a different budget era before the enactment of the Budget Control Act of 2011 (Public Law 112-25; 125 Stat. 240), which includes budget caps;

Whereas there is widespread agreement that the United States should retain a robust nuclear arsenal to deter a nuclear attack on the United States or allies of the United States;

Whereas, if the nuclear modernization plan is followed, the United States would face a “modernization mountain” of the heightened expenses associated with developing and procuring 12 SSBN(X) nuclear submarines, as many as 100 long-range strike bombers, a new nuclear-tipped cruise missile, and 642 intercontinental ballistic missiles and nuclear weapons all at the same time;

Whereas the total cost to develop, procure, and maintain such an enhanced nuclear arsenal over the next 3 decades has been estimated at up to \$1,000,000,000,000;

Whereas, if all those nuclear weapons programs move forward at their estimated cost, other priorities may suffer, including the fight against international terrorism, the purchase of conventional weapons, and training and maintenance of troops;

Whereas a 2014 review by the National Defense Panel, led by former Secretary of Defense William Perry and retired United States Army General John Abizaid, concluded, “Recapitalization of all three legs of the nuclear Triad with associated weapons could cost between \$600 billion and \$1 trillion over a thirty year period, the costs of which would likely come at the expense of needed improvements in conventional forces.”;

Whereas Brian McKeon, the Principal Deputy Under Secretary of Defense for Policy, noted, “We’re looking at that big bow wave and wondering how the heck we’re going to pay for it, and probably thanking our lucky stars we won’t be here to answer the question.”;

Whereas Under Secretary of Defense (Comptroller) Mike McCord expressed his concern over the costs of the nuclear refurbishment program, saying, “I don’t know of a good way for us to solve this issue.”, while noting that it will be a major challenge for the next President;

Whereas Todd Harrison of the Center for Strategic and International Studies pointed out that with a nuclear modernization bow wave facing the United States, the next President “will need to make many difficult choices to rationalize long-term defense modernization plans with the resources available”; and

Whereas former Secretary of Defense Perry stated at a July 2016 hearing, “I do not believe we should simply modernize all systems that we built during the Cold War.”; Now, therefore, be it

Resolved, That it is the sense of the Senate that the President should—

(1) take action to ensure the affordability and feasibility of the plan of the Department of Defense and the Department of Energy for modernizing the nuclear weapons of the United States by reevaluating, and modifying accordingly, proposals for programs to

modernize United States nuclear weapons and delivery systems for such weapons with the goal of ensuring that such proposals focus on refurbishment to ensure security and safety as well as efficiency of existing weapons and delivery systems; and

(2) prioritize among any programs that are planned so that the United States retains a nuclear arsenal robust enough to meet deterrence needs and so that such programs do not jeopardize other economic investments and other security expenditures appropriate to the needs of the United States in the 21st century, including responses to conventional and non-conventional threats.

SENATE RESOLUTION 634—AFFIRMING THE IMPORTANCE OF THE SECURITY AND PRIVACY OF THE PEOPLE OF THE UNITED STATES

Mr. DAINES (for himself, Mr. SCHATZ, and Mr. COONS) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 634

Whereas the highest priority of Congress should be ensuring the safety, security, and constitutional freedoms of the United States and the people of the United States;

Whereas technology has become a critical component of everyday life;

Whereas the people of the United States store the most sensitive personal information on digital devices and with cloud services;

Whereas criminals and terrorists have used digital communications to perpetrate unlawful conduct;

Whereas protecting the national security and safety of communities in the United States should not come at the cost of diminished protections under the Fourth Amendment to the Constitution of the United States;

Whereas the Fourth Amendment to the Constitution of the United States is a cornerstone of freedom for the people of the United States;

Whereas the Supreme Court of the United States and Federal laws recognize certain privacy rights and interests in the digital information and communications of the people of the United States; and

Whereas preserving privacy and security is essential for the continued growth of the digital economy: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the United States should recognize the need to protect the safety, security, and personal privacy of all people of the United States;

(2) legal and policy changes that impact the security of the United States and the civil liberties of the people of the United States should be made with the consideration of Congress, the executive branch, and the people of the United States; and

(3) in considering the changes described in paragraph (2), the United States should recognize the global and economic implications of the security and privacy policies of the United States.

Mr. DAINES. Mr. President, technology has become a critical part of our everyday lives. We use our computers and smart phones to communicate with our friends and family, conduct business, and to share information. The amount of sensitive personal information we store on our devices and in the cloud is astonishing,

from financial records to passwords to personal conversations. It is more important now than ever before to secure and protect our personal information.

Criminals also use technology to commit crimes and to hide their identities. Law enforcement faces tremendous challenges in protecting our country from domestic and international threats. They need tools and resources that allow them to face 21st century threats.

While security should be a top priority for our nation, it must not come at the cost of diminished constitutional rights. The Constitution and Congress have recognized certain privacy rights and interests in digital communications.

U.S. security and privacy policies have global economic impacts, and preserving personal security and privacy is essential for the continued growth of the economy. We must carefully balance our privacy and security interests, and changes to policies that impact our civil liberties must be made with the consideration of Congress and the American people.

That is why today I submit a resolution to affirm the importance of the security and privacy of Americans. This resolution recognizes our national security needs, our civil liberties, and the need to carefully balance the two.

SENATE RESOLUTION 635—RECOGNIZING AND COMMEMORATING THE BICENTENNIAL OF THE STATE OF INDIANA

Mr. COATS (for himself and Mr. DONNELLY) submitted the following resolution; which was considered and agreed to:

S. RES. 635

Whereas December 11, 2016, marks the 200th year of the statehood of the State of Indiana, and in honor of the momentous occasion, Hoosiers across the State of Indiana will celebrate the historic past and the prosperous future of the State of Indiana;

Whereas, on December 11, 1816, President James Madison signed the Joint Resolution entitled “Resolution for admitting the state of Indiana into the Union”, approved December 11, 1816 (3 Stat. 399), which admitted the State of Indiana as the 19th State of the United States and required that the leaders of the State of Indiana draft a State constitution;

Whereas Jonathan Jennings, who spearheaded the effort in Congress to secure Indiana statehood, together with 43 of his peers, drafted the first Indiana State Constitution beneath the shade of a giant elm tree in the city of Corydon, Indiana, during the summer of 1816;

Whereas in recognition of his role in Congress and as president of the constitutional convention of the State of Indiana, Jonathan Jennings was appointed the first Governor of the State of Indiana, the giant elm tree was later dubbed the Constitution Elm, and Corydon, Indiana, served as the first capital of the State of Indiana;

Whereas, in October 1824, a coalition of State officials commenced an 11-day trek to move the capital of the State of Indiana 130 miles north from Corydon to Indianapolis;

Whereas, in 1850, a second constitutional convention of the State of Indiana convened