

that a U.S. phone was used to contact an individual associated with this terrorist organization.

I am appreciative that the NSA was able to apprehend this individual, but it does not provide overwhelming evidence that this program is necessary. As Senator RON WYDEN from Oregon noted, the NSA could have gotten a court order to get the phone records in question.

In essence, Congress has authorized a program that invades the privacy of millions of Americans with little to show for it. The results simply do not justify this massive invasion of our privacy, and that is why I want to end bulk collection practices authorized under section 215 of the PATRIOT Act.

I joined Senator LEAHY to introduce the bipartisan, bicameral USA Freedom Act. This legislation, among other things, will rein in the dragnet collection of data by the National Security Agency. It will stop the bulk collection of Americans' communication records by ending the authorization provided by section 215 of the PATRIOT Act.

Some in this Chamber will argue this removes a massive tool for the NSA to assist the FBI. I disagree with that. All this legislation does is shut down the collection of millions of Americans' metadata by the NSA. If the FBI needs a telephone number, they can go to a FISA judge and get a warrant. The phone company can still provide that data. Chances are a major phone provider will have that data as they keep all detailed records for at least 1 year.

When talking broadly about how certain technological developments should be incorporated in our justice system, Associate Justice of the Supreme Court William Douglas once said:

The privacy and dignity of our citizens are being whittled away by sometimes imperceptible steps. Taken individually, each step may be of little consequence. But when viewed as a whole, there begins to emerge a society quite unlike any we have seen—a society in which government may intrude into the secret regions of a person's life.

Here in the Congress it is our responsibility to take great care to acknowledge each possible step that could whittle away our privacy. We must examine its necessity carefully and reasonably. In this case, I do not believe such practices are warranted.

We can continue to protect Americans from threats of terrorism without infringing on individual privacy that the Constitution protects under the Fourth Amendment. We should shut down bulk collection practices.

With that, I thank the Chair, yield the floor, and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. MARKEY). The minority leader.

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

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

OBAMACARE

Mr. MCCONNELL. Mr. President, I recently received a disturbing note from a constituent in Burlington, KY. Unfortunately, I suspect a lot of my colleagues have been receiving notes just like it.

This gentleman said that after receiving several letters from his insurer, it became clear to him that the President was being misleading when he said if you like the plan you have—if you like the plan you have—you can keep it. That is because he found out his policy, which came into effect just 2 months after the law's arbitrary cutoff date for grandfather plans, will be discontinued next year. He is not happy about this at all, especially given the fact that a plan on the ObamaCare exchanges will dramatically drive up his insurance costs, from \$400 a month to more than \$700 a month, with zero subsidies available.

Here is what he had to say:

My wife and I are 54. We don't need maternity care and we don't need ObamaCare.

He is right to be upset. This is simply not in keeping with the spirit of the President's oft repeated promise.

Perhaps the administration would like to tell him he should have just done a better job of keeping up with its regulatory dictates. But what about the millions who purchased their plans relying on the President's promise that they could keep them? What about the husbands and wives across Kentucky who suffered when two of our largest employers had to drop spousal coverage? What about the folks who lost coverage at work? What about all the smaller paychecks and lost jobs? What about the part-timeization of our economy?

This law is a mess. It is a mess. As Secretary Sebelius said herself yesterday: "The system is not functioning."

Maybe she was referring to no more than the narrow problems with healthcare.gov. But as the President keeps reminding us over and over, ObamaCare is about more than just a Web site. He is right about that. That is why, if the system is not functioning, it is just another sign that ObamaCare itself is simply not working. The President and his Washington Democratic allies understand this. That is why the White House is so eager to enroll everybody—other than themselves—into the exchanges. It is why they handed out a yearlong delay to businesses, and that is why the Washington Democrats' Big Labor allies are looking for their own special carve-outs.

What about everybody else? What about the middle class? Where is their carve-out? So far, Washington Democrats have resisted every attempt to exempt the struggling constituents whom we all represent.

The folks who rammed this partisan bill through know it is not ready for

prime time, and they seem to want no part of it themselves. But for you out there, the middle class, it seems to be tough luck—tough luck.

We have even seen some of the same folks try to stamp out innovations that would help folks get out from under some of ObamaCare's more crushing burdens. That is why they have launched a crusade against small businesses that dare to experiment with self-insurance and other pioneering ideas. Maybe the administration does not like self-insurance because it represents a free market alternative to ObamaCare. But the fact is nearly 100 million Americans are already availing themselves of it. I am sure most of them like the greater flexibility and affordability it provides.

So it is time these folks spent their energy working with us to look after the middle class and to bring about the kind of reforms that will actually lower costs and that our constituents want, because they should not have to wake up to news such as this: "Florida Blue is dropping 300,000 customers."

"Hundreds of thousands of New Jerseyans opened the mail last week to find their health insurance plan would no longer exist in 2014"—out of existence.

"Half of the roughly 600,000 people in [my State of] Kentucky's private insurance market will have their current insurance plans discontinued."

Mr. President, 300,000 Kentuckians will have their current insurance plans discontinued.

This is not fair. It is not what Americans were promised, and Republicans intend to keep fighting for middle-class families suffering under this law. I hope more of our Democratic colleagues will join us in this battle in the future.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. COONS). Without objection, it is so ordered.

TRIBUTE TO BRIGADIER GENERAL JONATHAN FARNHAM

Mr. LEAHY. Mr. President, I would like to take a moment to pay tribute to retired BG Jonathan Farnham, who is retiring after having honorably served his community, State and country for 34 years in the Vermont National Guard.

Jon was commissioned in 1981 through the Reserve Officer Training Corps at the University of Vermont where he earned a Bachelor of Science in economics. Prior to receiving his commission, he served as an enlisted member of the 1st Battalion, 86th Field Artillery of the Vermont Army National Guard.

From his first assignment with the 86th Field Artillery, to his role as Director of the Afghan National Security Forces Development Assistance Bureau, to his nearly 3 years as a civilian employee serving as the Vice Director of the Guard's Joint Staff, Jon has served under 6 Governors and 4 Adjutant Generals. As each of them undoubtedly would agree, his wealth of experience and knowledge has been invaluable to the State and Nation as he has risen through the ranks, serving at nearly every level of command in the Army Guard.

He also served as a fellow in the office of Senator Jim Jeffords, and I have personally benefitted from Jon's legacy, having had the privilege of employing his daughter Lily in my Burlington office during the summer of 2010.

Jon will be remembered for his keen sense of humor, dedication to duty, and deep love and appreciation for the State of Vermont.

I am grateful that the Vermont National Guard was able to benefit from Jon's lifetime of service, and Marcelle and I send our best wishes to him in the retirement he has certainly earned.

HAITI AND ARMENIA REFORESTATION ACT

Mr. DURBIN. Mr. President, it is an unfortunate reality—perhaps bordering on negligence—that Congress has been unable to do something about climate change.

How will our grandchildren look back at our inaction when they inherit a changed planet—one that we found too politically inconvenient to help avoid?

Thankfully, this President has shown leadership on this issue, but we must do more.

Recently, I offered a simple piece of legislation—one that has traditionally been very bipartisan—that can help take another common sense step and at the same time improve the lives of millions overseas.

The bill helps two friends of the United States overcome the devastating impacts of deforestation: Haiti and Armenia.

Our forests provide resources for almost two-thirds of all species on the planet, offering shelter, food, fresh water, and medicines. Forests help with biodiversity, water conservation, soil enrichment, and climate regulation.

Forests cover 30 percent of the world's land area, but we still lose swaths the size of entire countries—about 12–15 million hectares—each year.

In fact, approximately 76 percent of our world's original primary forests have been destroyed or degraded. And deforestation alone accounts for up to 20 percent of the global greenhouse gas emissions that contribute to global warming.

That is because forests take carbon out of the air, and in turn, replenish

the atmosphere with oxygen. Forests help settle out or trap dust, ash, smoke, and other harmful pollutants. They offer water through an evaporation process and shade to hundreds of thousands of species.

If deforestation continues at this staggering level, we lose one of the planet's most important weapons in stabilizing the global climate.

And deforestation in Haiti and Armenia hurts far more than the global climate—deforestation is a factor in economic, agricultural, health, and environmental problems.

An already struggling country, Haiti was hit hard by the massive, January 2010 earthquake.

More than 200,000 people were killed, and an estimated 1.5 million were displaced. A staggering number of houses and buildings simply collapsed.

The subsequent cholera outbreak claimed over 8,000 lives and infected hundreds of thousands more.

While Americans and people from all over the world donated money, organized shipments of medicines and supplies, and even traveled to Haiti as emergency relief workers helped rescue and treat victims, there is an important piece of the puzzle that has been receiving little attention—the role of deforestation.

When you look at the lush green of the Dominican Republic and compare it to the stark desolation on Haiti's side of the border, it is easy to see why Haiti is so much more vulnerable to soil erosion, landslides, and flooding than its neighbor.

In 1923, Haiti's tropical forest covered 60 percent of the country. Today, less than 2 percent of those forests remain.

Deforestation induces soil erosion and landslides, making land more vulnerable to floods and mudslides. In a place such as Haiti, already scarce agricultural land is rendered all the less productive.

These issues are exacerbated by natural disasters such as the 2010 earthquake or the many tropical storms Haiti has faced in recent years.

I remember on a previous visit to Haiti that there was a strong rain during the evening in the capitol of Port au Prince. I mentioned the rain casually to our Haitian hotel host and she said that in the morning several people would be dead from the rain.

I was puzzled—from the rain?

Yes, the mountains around Port au Prince have been so deforested that a simple downpour leads to deadly mudslides.

Former Haitian Prime Minister, Michele Pierre-Louis, said it so aptly:

“The whole country is facing an ecological disaster. We cannot keep going on like this. We are going to disappear one day. There will not be 400, 500 or 1,000 deaths [from hurricanes]. There are going to be a million deaths.”

Mr. President, when I visited Armenia last year, I found a similar problem. I had the opportunity to drive through the Armenian countryside for

several hours en route from Georgia. What I saw in this otherwise proud country was devastating.

While archaeological data suggests that approximately 35 percent of Armenia was originally forested, less than 8 percent of its forests remain today.

In recent years, increasing bouts of heavy rainfall, landslides, and floods have endangered hundreds of communities in Armenia and cost millions in damages. On the other hand, record droughts have threatened more than two-thirds of the nation by desertification as natural tree cover continues to diminish.

Groups such as the Armenia Tree Project have focused on reforestation efforts in northern Armenia because it suffered a significant loss of forest cover in the early 1990s.

Mr. President, deforestation is brought on by a number of reasons—making land available for urbanization, plantation use, logging, mining—and illegal logging and mining—and others.

Poverty and economic pressures also play significant roles; 80 percent of the population of Haiti and 36 percent of the population of Armenia live below the poverty line, and wood and charcoal produced from cutting down trees accounts for a major—and relatively cheap—supply toward the energy sectors of both nations.

But the implications of deforestation are disastrous. These forests, if protected and regrown, would fight the destructive effects of soil erosion.

They would help protect freshwater sources from contaminants, would safeguard irrigable land, and would save lives during natural disasters. Helping these nations deal with their deforestation problem—one that impacts the entire planet given the rise in greenhouse gas emissions—is not only the right thing to do, it is the smart thing to go with our limited assistance dollars.

Every dollar we put into reforestation in these hard-hit countries pays itself back in economic, health, and environmental returns.

That is why Senators BROWN, CARDIN, FEINSTEIN, and WHITEHOUSE have joined me in introducing the Haiti and Armenia Reforestation Act to help address the deforestation challenge.

The bill aims to restore within 20 years the forest cover of Haiti to at least seven percent and the forest cover of Armenia to at least 12 percent, about each country's respective levels in 1990.

Within 7 years of enactment, the bill also aims to restore the social and economic conditions for the recovery of 35 percent of both countries' land surfaces and to help improve sustainable management of key watersheds.

A number of groups and organizations are already on the ground working toward these goals in Haiti, and a few in Armenia such as the Armenia Tree Project I mentioned earlier, but more needs to be done to help support