

What other rights are at stake in this election? Incredibly important precedents under the First Amendment's establishment clause would be at risk. Of course, I am talking about Supreme Court cases allowing prayer at town-hall meetings or permitting low-income parents to receive public school vouchers to defray the cost of the child's private school, including religious schools. Of course, while yet another liberal Justice could read narrowly the First and Second Amendments that are in the Constitution, he or she could read broadly those rights that are not in the Constitution at all.

If yet another liberal is nominated to the Court, even reasonable restrictions on abortion enacted into law through the democratic process would be swept away. Just a few years ago the Court upheld the ban on partial birth abortion by a 5-to-4 vote in the case of *Carhart*. Partial birth abortion is a horrific practice that crushes an unborn baby's skull, killing it while its head is still in the womb. It is one very small step short of infanticide. If the American people elect a liberal during this Presidential election, and that President nominates another liberal to replace Justice Scalia, we can all expect a constitutional right to abortion on demand without limitation. In the words of one law professor, "At-risk precedents run from campaign finance to commerce, from race to religion, and they include some signature Scalia projects, such as the Second Amendment. . . . Some would go quickly, like *Citizens United*, and some would go slower . . . but they'll go."

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. GRASSLEY. I ask unanimous consent for 4 more minutes.

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

Mr. GRASSLEY. That leads me to a broader point. There is more at stake than the results of any particular case as important as those cases are. The American people need to consider whether they want their next Justice to decide cases based on the text of the Constitution as it was understood at the time it was adopted or whether Justices are free to update the Constitution according to their own moral and political philosophies. Should Justices apply accepted legal principles through sound reasoning of new facts or should they do legal back flips to reach their desired public policy goals?

Of course, this second approach is not law. Instead, it is what Justice Scalia called "legalistic argle-bargle" and "jiggery-pokery." Justice Scalia knew the rule of law was a law of rules. The rule of law is not a law of whatever is in the Justice's heart. When a Justice believes, as President Obama does, that any time he views the Constitution as unclear, he can apply his own life experience and empathy for his or her favorite causes. The Justice has a clear incentive to think the Constitution is

unclear, but a Justice isn't entitled to read those views into the Constitution and impose them on the American people. Our Constitution sets up a Republic, not a government by judiciary.

Unless the Constitution specifically prohibits the democratic process from reflecting the will of the people, the decisions are made by elected individuals who are accountable to the voters. The Supreme Court plays a very important role in keeping the branches of the Federal Government within constitutional powers, keeping the Federal and State governments within their constitutional sphere, and it ensures the government complies with the Bill of Rights. That is the basis for its legitimacy.

When the Court reads the Constitution in ways that reflect the Justice's personal policy views rather than the text, it does not act legitimately. Instead, it denies the people the legal right to govern themselves. Justice Scalia understood this better than anyone. The more the Court reaches out and grabs power it is not entitled to hold, the more it legislates from the bench, the more decisions it robs from the American people.

As a direct result, step-by-step and inch-by-inch, liberty is lost. As John Adams observed, "Liberty, once lost, is lost forever."

Since the days of the Warren Court, this is what liberal Justices have done. Under the guise of constitutional interpretation, they have imposed liberalism on the American people. They have done it on issues and in ways they couldn't achieve through the ballot box.

This is the decision facing the American people during this Presidential election. If the American people elect a liberal as their next President, and he or she nominates a like-minded judge to replace Justice Scalia, liberalism will be imposed on the American people to a degree this country has never before witnessed. I hope anyone who cares about these important issues will take very serious note.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska.

#### BEEF AGREEMENT WITH ISRAEL

Mrs. FISCHER. Madam President, I rise to congratulate Nebraska's beef producers for continuing to reach new areas of the world with our very high-quality American beef. Earlier this month it was announced that WR Reserve, a beef-processing plant in Hastings, NE, will have the honor of delivering the first U.S. shipments to Israel in nearly 13 years. In December 2003, Israel was one of many countries to suspend imports of U.S. beef, following a confirmed case of BSE in the United States. Because of this, America's beef producers have been unable to ship their products to this close friend and ally. However, during my visit to Israel last fall, U.S. Ambassador to Israel

Dan Shapiro asked me to begin a dialogue with the U.S. Department of Agriculture and find a way to bring Nebraska beef to Israel. The Ambassador was especially interested in serving that Nebraska beef at the Embassy's annual 4th of July celebration.

Over the last few months, I have worked with the USDA's Food Safety and Inspection Service and with officials at the Nebraska Department of Agriculture in a concerted effort to find a solution. I am extremely pleased to inform this body that an agreement was achieved, the ban was lifted, and Nebraska will supply the first shipments of beef to Israel in over a decade.

Ambassador Shapiro was quick to praise this breakthrough, noting:

This agreement gives Israeli consumers access to the world's highest-quality beef. At the same time, it creates and supports jobs in the great state of Nebraska.

I couldn't agree with the Ambassador more. Israel is a critical ally of the United States, and I was pleased to work with the USDA and the Israeli Government to supply the first American beef shipments to Israel in over a decade.

Nebraska's beef producers are the best in the world, and this agreement is a testament to their tireless commitment to delivering safe and high-quality beef to millions of dinner tables around the world. In Nebraska, cattle outnumber people more than 3 to 1. With nearly \$7.2 billion in annual cash receipts, our beef production is the largest sector of the State's economy, and Nebraska leads the Nation in every aspect of beef production. I would also like to note that this agreement shows that science-based trade can overcome myth and misinformation.

By ending this ban, Israel becomes one of the last countries to reopen its market to U.S. beef and abide by international trade regulations. In doing so, this agreement reinforces the progress made by the U.S. beef industry to eliminate BSE-related trade restrictions.

I also join the Nebraska Agriculture Department director, Greg Ibach, in congratulating WR Reserve. Their hard work made this agreement possible after complying with a rigorous inspection process that included regular visits from the Israeli Government.

Prior to this agreement, according to the USDA, Israel imported beef products from other nations worth \$405 million in 2014. Ninety-five percent of these imports originated in Latin America with smaller volumes coming from Australia and the European Union.

Now the United States will have the opportunity to showcase our world-famous beef to a new global market, and Nebraska is very proud to lead that charge. I was honored to work collaboratively with State, Federal, and international officials to ensure that Nebraska's beef producers achieved those necessary approvals.

I am proud to represent the people of Nebraska. Through this agreement, new markets are now open to Nebraska's producers, businesses, and to the communities that rely on them for economic progress. I will continue to work to ensure Nebraska's beef producers have the opportunity to do what they do best—feed the world.

Madam President, I yield the floor.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

Mr. CARPER. Madam 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.

#### TRIBUTE TO FEDERAL EMPLOYEES

PHIL NOWAK

Mr. CARPER. Madam President, last month I came to the floor—in fact, I come to the floor just about every month—to highlight the great work being done by the men and women of the Department of Homeland Security.

Last month I focused on the folks who work at FEMA, which is one of 22 agencies that collectively make up the Department of Homeland Security—the newest, youngest Department in the Federal Government.

Just a few days before my speech, much of the east coast was inundated, as you may recall, by one of the largest snowstorms we have had in a long time, and on that day FEMA was working around the clock to prepare for and respond to what could have been a much more devastating storm. We were hit hard, but we would have been a lot worse off if not for the preparation and the training FEMA had done in not just the days, weeks, and months, but literally years ahead leading up to the storm in order to make us better prepared.

For more than a year now, I have come to the floor and I have focused on a different agency within the Department of Homeland Security. It will take about 2 years to knock them all out, but we are making some progress, and I have done so to highlight the exemplary and important work done by more than some 200,000 people who comprise the Department of Homeland Security. They work around the country, and they work outside our country—in Mexico, Central America, South America, Europe, and all over the place in order to make us safer in this country.

These men and women perform a wide range of vitally important work, and they do it every day. They inspect the fruit and vegetables that arrive at our ports of entry, much like the Port of Wilmington in my State. It is the top banana port in the country. They patrol our borders, like the Border Patrol agents dealing with increased mi-

gration from Central America. They defend our computer networks in cyber space, responding to a new and growing 21st-century threat. They keep our Presidents and Vice Presidents and their families and former Presidents and their families, as well as candidates for those positions, along with visiting foreign dignitaries, safe from harm. They have a lot of work to do.

The work of these DHS personnel deployed at the frontlines is made possible in part because of the dedicated work of the men and women behind the scenes at the Department of Homeland Security's Management Directorate. As my colleagues have often heard me say, management really does matter. I will say it again: Management really does matter. And there are few places where that is more true than at the Department of Homeland Security.

The Management Directorate works to support the missions and employees of all 22 component agencies which together comprise the Department of Homeland Security. They rent field offices, they buy essential equipment and vehicles, and they help to ensure that Department employees receive the paychecks and benefits they have worked for and earned. Within the Management Directorate, the Office of the Chief Human Capital Officer works to ensure that the Department is doing what is best for its employees, while providing the Department managers with the guidance and resources they need to help DHS take care of their own.

One member of the Management Directorate is an especially committed fellow whose name is Phil Nowak. He is committed to DHS employees—his fellow colleagues. He is the Chief of Staff in the Office of the Chief Human Capital Officer.

Phil grew up not in Iowa or Delaware, he grew up in San Francisco, not far from where I served in the Navy for a while. He joined the U.S. Coast Guard right after college. After serving in the Coast Guard for 20 years, he retired as a commander. I was once a commander—my favorite rank. Both of us served and exchange salutes all the time, Madam President. But Phil retired as a commander in 2007 and joined the Federal Emergency Management Agency to help coordinate disaster response. In 2010 Phil moved to the Office of the Chief Human Capital Officer, and in 2013 he took over as Chief of Staff.

As Chief of Staff, Phil supports the work of the Chief Human Capital Officer in managing the workforce of the third largest Cabinet agency in our Federal Government—the third largest. With 22 component agencies and DHS employees stationed literally around the world, Phil and his team of 200 men and women certainly have their work cut out for them. Supporting the Department employees and providing them with the resources they need to excel and grow in their work is critical to maintaining a motivated, effective, and capable Department.

With some notable exceptions, we know many of the components of this relatively young Department have struggled with employee morale almost from its inception. Each year the Partnership for Public Service releases its “Best Places to Work in the Federal Government” survey, and each year the Department of Homeland Security ranks at or near the bottom of all the agencies when it comes to overall employee morale.

With Congress imposing shortsighted budget cuts across government, imposing pay freezes, and just last week threatening a shutdown of the Department of Homeland Security in the middle of our fight against ISIS, it is no wonder that sometimes DHS employees feel unappreciated. We probably would too. Despite these setbacks, leaders such as Phil Nowak are working every day and every night to right the ship and improve morale at DHS. And a bunch of us here in the Senate, Democrats and Republicans, are trying to be helpful in that regard.

In providing leadership and direction for human capital management for the Department, Phil Nowak makes sure that the Department's efforts to improve morale translate to each of the 22 different component agencies of the Department of Homeland Security and are felt by each of its 240,000 employees. To help do this, Secretary Jeh Johnson has created what he calls a Unity of Effort Initiative to bring the Department of Homeland Security components together and make the Department greater than the sum of its parts. Phil leads one of the Unity of Effort Initiatives. It is called the Human Capital Leadership Council, which brings together human resources managers from across the Department. Through this coordination and other Unity of Effort Initiatives, Phil's team works hard to better ensure that the Department's 240,000 employees feel like part of a larger DHS family.

In such a large agency, with so many people with diverse talents and backgrounds spread around the world, it is easy to focus on the broader mission and lose sight of the individuals who help the Department achieve its many missions, but Phil, I am happy to say, hasn't lost sight of them. Phil and his team do yeomen's work, and they focus on the value that each and every employee adds to the Department's mission. It is fitting, then, that Phil's colleagues describe him as caring deeply for them and for other employees throughout the Department. His commitment to them is clear, it is welcome, and it is unwavering.

In his own life, Phil values professional resilience, and in a job that is sometimes overlooked, yet incredibly important, I think that is a necessary trait. It is also a fitting quality for a runner, and Phil is an avid runner. I like to run, but this man, Madam President is the real deal. He has completed both the Marine Corps Marathon and the JFK 50 Mile ultra-marathon