

As I have thought more about my Democratic colleagues' apparent laser focus on government ethics, it is clear that they have totally ignored the biggest, most obvious ethical fact pattern that requires investigation, and that is of the Biden family.

Since August 2019, Senator JOHNSON and I have investigated the Biden family's connections to foreign governments and questionable foreign nationals. We issued two reports and gave three floor speeches that made public hundreds of bank records. Our findings showed criminal activity, to include potential money laundering, with respect to members of the Biden family and their business associates and the use of public office for private gain.

Well, with respect to the Hunter Biden-related accounts, some have also been flagged for potential human trafficking. As Senator JOHNSON and I noted in our September 23, 2020, Biden family report, Treasury records show thousands of dollars in financial transactions involving Hunter Biden and Ukrainian and Russian women. These Treasury records link those women to Eastern European prostitution or human trafficking rings.

At this Judiciary Committee executive meeting that I have been speaking about, Democrats failed to consider my amendment to gather more facts on this abuse against women. Senator JOHNSON and I made public a bank record that showed Hunter Biden received \$1 million from a Chinese company that was an arm of the communist regime for representing Patrick Ho. Patrick Ho was charged and convicted for bribery and related Federal offenses. Now, guess what. Hunter Biden called Patrick Ho the spy chief for China. Based on the known facts, it appears that Hunter Biden was effectively a foreign agent of the communist regime.

The Judiciary Committee maintained jurisdiction and still maintains jurisdiction over the Foreign Agents Registration Act and the Justice Department's enforcement of it. Yet, the Democrat-led committee has ignored the law and the Biden family.

In July of this year, I obtained and publicly released what is now called the Biden family 1023. This FBI-generated document is based on information provided to a long-serving FBI confidential human source. The FBI document shows a criminal bribery scheme. The criminal scheme included Joe Biden and Hunter Biden each being paid \$5 million for Joe Biden to take a policy position in favor of a foreign national. That policy position was ultimately taken. Joe Biden even bragged about it, and you can see, fairly regularly, his voice and his face talking about this—what he did to the Ukrainian Government to get somebody fired. The 1023 used the phrase "Big Guy" to describe Joe Biden before the "Big Guy" description was publicly known months later. Different people at different times in different parts of the

world independently used the same code name to describe Joe Biden.

Do my Democratic colleagues believe that it is just a coincidence? The 1023 includes references to audio recordings with Joe Biden, text messages, and records allegedly proving bribery criminal activity, and that it was real.

What have my Democratic colleagues done to investigate that evidence? What has the Biden Justice Department done?

The Tony Bobulinski interview noted that the Biden family would receive a multimillion-dollar unsecured loan, intended to be forgivable, from the energy company in China called CEFC. That would serve as payments for actions Joe Biden took during his Vice Presidency.

This financial strategy to illegally treat income as a loan is consistent with the IRS whistleblower testimony that indicated Hunter Biden attempted the same with respect to other income. These facts and allegations indicate criminal activity, money laundering, bribery, tax evasion, and significant ethical violations.

And, by the way, the Hunter Biden tax indictment mentioned financial transactions that my and Senator JOHNSON's work exposed years ago.

Look at indictment paragraphs 10, 11, 12, 13, 14, and 100. Compare them with the other two reports from 2020 and three floor speeches last year.

My Democratic colleagues have shown zero interest in knowing, understanding, joining forces, or advancing this 4-year-old investigation. Instead, they have shown willful blindness to protect the President and family.

One of my Democratic colleagues said the right thing when we considered then-Chairman GRAHAM's subpoena authorization. Senator WHITEHOUSE brought up an amendment to "reinforce his point made at the last meeting about the selective enthusiasm of [the Judiciary] Committee for getting to the bottom of things and what appears to be a policy at the Department of Justice of refusing to answer Committee members' letters and Committee members' questions for the record."

The U.S. Congress has a constitutional mandate to conduct oversight of Republican and Democratic administrations without any political bias for either. We have a duty to ensure the Justice Department and the FBI consistently enforce the law without regard to politics.

Judiciary Committee Democrats were eager to engage in the FBI's Trump-Russia investigation before it was totally debunked. However, they were very eager to falsely attack my and Senator JOHNSON's Biden family investigation as Russian disinformation. Sadly, I haven't seen the same enthusiasm from the other side now that a Democratic political family is under the microscope.

If it is criminal and ethical questions my Democratic colleagues are inter-

ested in, then the Judiciary Committee should, in a bipartisan fashion, bring the family members for interviews and obtain records from them. No, the Democrat majority wants to investigate Supreme Court Justices and, of all nine of the Justices, only the conservative ones. So I can only conclude the Democrats' brand of oversight is more about politics than fact finding.

WHISTLEBLOWERS

On another subject, Mr. President, I come to the floor to bring attention to three brave Department of Homeland Security whistleblowers: Mark Jones, Mike Taylor, and Fred Wynn.

These three whistleblowers came to my office to report retaliation and government misconduct. People like this, I say they ought to be considered heroes, instead of like skunk at a picnic, as sometimes whistleblowers are treated by our bureaucracy. The retaliation that they told me about has been extensive and long enduring.

In 2018, these whistleblowers made legally protected disclosures to the Office of Special Counsel and Customs and Border Protection. They legally disclosed information about delays and the failure to collect DNA from detained illegal immigrants based on the DNA Fingerprint Act of 2005 and subsequent regulations.

An August 21, 2019, letter from the Office of Special Counsel to the President substantiated these whistleblowers' disclosures, stating:

The agency's noncompliance with the law has allowed subjects subsequently accused of violent crimes, including homicide and sexual assault, to elude detection even when detained multiple times by [Customs and Border Protection] or Immigration and Customs Enforcement. . . . This is an unacceptable dereliction of the agency's law enforcement mandate.

I don't know how you can get a stronger statement from a nonpolitical division of our government about information not being properly used to stop wrongdoing.

After making their protected disclosures, all three whistleblowers were retaliated against. That gets back to my "skunk at a picnic" of how whistleblowers are treated by the bureaucracy. They aren't treated as the patriots they ought to be treated as. All they want the government to do is what the government is supposed to be doing, what the law requires, and how the money should be spent.

From February 2018 to the present, Customs and Border Protection officials subjected these whistleblowers to significant changes in duties, responsibilities, and working conditions. That is how you get treated if you are a whistleblower.

After harsh retaliation, Fred Wynn left Customs and Border Protection's Office of Intelligence to work for the U.S. Border Patrol doing management and program analysis work.

Mr. Jones and Mr. Taylor didn't receive a performance award any year after their disclosures, for the first

time in all of their employment at Customs and Border Protection. They had an overall reduction in pay and have been removed from their supervisory positions, negatively impacting promotional opportunities—once again, like a skunk at a picnic.

The Office of Special Counsel also identified an intentional nonpromotion for Mr. Jones. Additionally, Customs and Border Protection removed credentials, law enforcement authorities, firearms, and law enforcement retirement coverage for Mr. Taylor and Mr. Jones. The removal of one's firearm and one's credentials is the ultimate act of personal and career retaliation against Federal employees.

I have been told that Mr. Jones and Mr. Taylor discovered that one senior official who was aware of their ongoing retaliation refused to commandeer their firearms and credentials without a letter from senior officials—another person retaliated against.

Customs and Border Protection officials refused to provide the letter. The senior official who refused to participate in this retaliatory scheme then was involuntarily transferred out of his law enforcement position and stripped of premium pay in July of this year. So another person was retaliated against.

The Office of Special Counsel said its investigation supports a conclusion that government action against these three whistleblowers constituted a prohibited personnel practice. To put it plainly, the government violated Federal law and retaliated against these three brave whistleblowers.

On August 18 of this year, I sent a letter to Secretary Mayorkas and the current head of the Customs and Border Protection, Troy Miller. I asked what they have done to correct the retaliatory actions and take disciplinary action against the retaliators. As you might expect, both have failed to respond, which is not uncommon, after telling Congress—when these people come up for confirmation, we always ask them: Will you answer our letters, answer our phone calls? Will you come and testify before Congress? They always say yes. In the end, I tell them: Maybe to be honest, you ought to say maybe.

But instead of responding to Congress, Mr. Miller's Customs and Border Protection provided a public comment to the New York Post on August 22. It said this:

The Office of Special Counsel . . . terminated its investigation into these claims without issuing a Prohibited Personnel Practice Report or seeking corrective action.

The Office of Special Counsel told my staff multiple times that they did, in fact, seek corrective action with Customs and Border Protection. Customs and Border Protection's public comment is, then, a lie, or demonstrably false.

On September 11 of this year, I sent a followup letter to further address their failures to protect these whistleblowers and demand a public retraction. Sec-

retary Mayorkas and Mr. Miller failed to respond. But, again, Customs and Border Protection provided a public comment to the New York Post, saying about my letter: "This is a mischaracterization of this issue based on incomplete records, and we are unable to comment further based on open litigation regarding these cases"—something bureaucrats regularly hide behind, with a quotation like that.

On September 27 of this year, I wrote another letter to Secretary Mayorkas and Mr. Miller demanding they explain their second inaccurate public comment. Customs and Border Protection, but not the Department of Homeland Security, provided a response on October 17.

That letter said:

The Office of Special Counsel didn't issue a final report finding a prohibited personnel practice and didn't initiate corrective action litigation before the Merit Systems Protection Board . . . on the petitioners' behalf.

Did anyone catch that distinction? The public comment said "corrective action." The letter said "corrective action litigation."

Corrective action can take many forms and doesn't always include litigation—for example, negotiating with the parent Agency to put a whistleblower in a position they were in before retaliation occurred. Customs and Border Protection attempted a sleight of hand. That sleight of hand has failed. The Customs and Border Protection letter makes clear its public comments were false, and they were the ones to offer mischaracterizations to the public.

Secretary Mayorkas has failed to take action despite my oversight efforts. Mr. Jones, Mr. Wynn, and Mr. Taylor are still struggling from the many acts of retaliation that have been taken against them for speaking up to protect Americans. But this Senator won't stop fighting for them and the dozens of other whistleblowers who have come to my office. There must be accountability for what has happened to these patriotic Americans.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. CORNYN. Mr. President, this week, at long last, the Senate will vote on the National Defense Authorization Act conference report.

Each year, the Defense Authorization Act is how we demonstrate our support for the men and women in uniform—how they are paid, how they are equipped, how they are trained—and how our alliances are strengthened.

Given the incredible number of threats that exist in today's world, preserving our military readiness has never been more important. There is a war in the Middle East, a war in Europe, and growing tensions in the Indo-Pacific. I was reading this morning there are more wars and conflicts today than there have been literally at almost any time in history. We live in

a dangerous world, and maintaining our paramount strength and the deterrence that flows from that is absolutely imperative.

That is why the Defense Authorization Act is so important. Each year, it allows us to take stock of the evolving threat landscape and to take corrective actions. This year's Defense bill prioritizes long-term strategic competition with China. It will help replenish our defense stockpiles from the weapons that we have been supplying Ukraine so that they can defend themselves against unjustified Russian aggression, and it will help us maintain our own state of readiness and the deterrent effect that goes along with it. This bill will also support modernization efforts across the board, from the nuclear triad to next-generation weapons.

This year's NDAA also authorizes military construction projects across the country, including \$230 million for military construction projects in Texas alone. That includes \$48 million for a cyber operations center and \$20 million for a child development center at Joint Base San Antonio. It is really important to understand that in an All-Volunteer military, it is important not only to view this as service by just the member who wears the uniform but also the entire family. So trying to make sure that we take care of things like a child development center at Joint Base San Antonio ensures our ability to continue to recruit and retain highly qualified individuals to serve in our All-Volunteer military.

This bill also has \$20 million for barracks improvements and nearly \$6 million for tactical equipment maintenance facilities at Fort Cavazos. It has \$74 million for a new rail yard spur at Fort Bliss. This is so, should troops need to be deployed from Fort Bliss, they can almost immediately be loaded onto a rail and then sent to the port at Beaumont and other ports for disembarkation.

And this is just scratching the surface. So, simply put, the NDAA will support our troops, strengthen our military readiness, and implement a raft of reforms to strengthen our national security.

Included in this bill is the Intelligence Authorization Act, which includes the Sensible Classification Act that I introduced with Senator WARNER earlier this year. It had become apparent to me that our classification system had been overused, and too many people were able to classify documents and keep them out of public view without any real rhyme or reason.

This is particularly important given the nature of our Republic where the public has a right to know what their government is doing. Now, certainly—and this bill does protect sensitive classified information when it is important to our national security, but it is important to make sure that that classification process extends no further than is absolutely necessary and