

He fought for a \$15 minimum wage and paid leave policies to help ensure women, workers of color, and workers with disabilities can succeed in the workforce and get the pay they deserve.

During this pandemic, Mayor Walsh has continued to show a deep commitment to his frontline workers who have kept this country running by providing funding for emergency childcare and other resources his essential workers needed to weather the pandemic.

And he would bring an important perspective as the first union leader to head the Department in decades.

His unwavering commitment to put workers first was plain to see during our confirmation hearing. In his testimony Mayor Walsh spoke powerfully about the importance of protecting frontline workers who do so much to keep our communities and our country running and rooting out the inequities that have done so much damage to communities of color. Mayor Walsh made clear he will work with Congress to help ensure every worker has a fair, livable wage; a safe workplace; paid family, sick, and medical leave; access to quality, affordable childcare; a secure retirement; and the right to join a union and collectively organize.

I was impressed by his answers during our hearing, and I wasn't the only one. Mayor Walsh's nomination passed out of our HELP Committee with strong bipartisan support in an 18-to-4 vote, and I hope he will now be confirmed with similar, overwhelming, bipartisan support because even before this pandemic and even before President Trump's 4-year crusade against workers, we had a long road ahead to build a truly fair, inclusive economy that works for working families. But, now, not only is the road longer, the clock is ticking.

Workers who are the backbone of our economy have been pushed to the brink. They need us to confirm Mayor Marty Walsh so we have a Secretary of Labor who will take quick action to address the urgent challenges we face and be a valuable partner in helping our economy come back stronger and fairer for all workers.

While we made important progress in the American Rescue Plan to extend unemployment benefits and provide much needed tax relief for those benefits, provide direct payments for families, and protect the pensions millions of workers and retirees depend on and while President Biden is taking important steps to reverse Trump-era rules that undermined workers' rights, this road to recovery is long, and there are still many steps we need to take, including raising the Federal minimum wage to one fair wage of \$15 an hour, passing the PRO Act into law to strengthen workers' right to join a union, and passing the BE HEARD in the Workplace Act to protect people from harassment, assault, and discrimination.

We have a lot to do and no time to waste. I urge all of my colleagues to

prove to families back home they understand we need a Secretary of Labor we can trust to stand up for workers and not huge corporations. I urge my colleagues to join me in voting to confirm Mayor Walsh.

Thank you.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT REQUEST—S. 842

Mr. CRUZ. Mr. President, in a moment, I am going to propound a unanimous consent request, but before I do so, I want to make some brief remarks.

As my colleagues know and as several fact checkers have confirmed over the past week, the Democrats' partisan reconciliation bill that became law last week will provide many illegal aliens with \$1,400 rebate checks paid for by the American taxpayer. By several estimates, millions of illegal immigrants will get these rebates.

I offered an amendment 2 weeks ago to the Democrats' bill to close this loophole. During debate on my amendment, one Democratic Senator spoke against my amendment, saying that no illegal aliens have Social Security numbers, and therefore the premise of my amendment and my speech was, he said, "not true." In fact, here are the Senator's full remarks from the floor 2 weeks ago:

Mr. President, the statement from the Senator from Texas is just plain false. Let me be clear. Undocumented immigrants do not have Social Security numbers, and they do not qualify for stimulus relief checks, period.

And just in case you didn't notice, they didn't qualify in December when 92 of us voted for that measure, and they don't qualify under the American Rescue Plan. Nothing has changed.

And for you to stand up there and say the opposite is just to rile people up over something that is not true.

It is not true, and we know what is going on [here]. They want to be able to give speeches and say the checks go to undocumented people. In the circumstance where there is a parent receiving—

At that point, the Senator's time expired.

Following that debate, the Senator in question took to Twitter to double down. So it was not, after an all-night of no sleep, a moment of erroneous comment, but, rather, on Twitter that same Senator tweeted:

Sen. Cruz's claim is only meant to rile people up over something that's not true. You cannot receive a stimulus check without a Social Security #. That's a fact. Instead of discriminating against mixed-status families, let's prioritize getting more relief to those families.

A second tweet from the same Senator:

We simply cannot stand by and allow outright falsehoods to be propagated on the Sen-

ate floor. It's time for GOP Senators like TED CRUZ to stop trying to rile people up over misinformation.

Well, as John Adams famously said, facts are stubborn things, and it turns out the comments from the Democratic Senator were categorically false and my comments that this bill would send checks to millions of illegal aliens were categorically true.

Numerous fact checkers began looking at the claims. Newsweek initially fact-checked it, and, as is the wont with a fair number of media fact checkers, took the word of the Democrats for it, concluded my statement was mostly false.

Following that, my staff got on the phone with Newsweek and presented them with incontrovertible facts—incontrovertible facts that of the roughly 12 million estimated illegal aliens who are here, roughly 60 percent of them are visa overstays, people who came legally and then overstayed their visa, and a significant percentage of visa overstays have Social Security numbers and will receive checks.

Indeed, that is why my amendment was scored at saving the Federal Government over \$600 million, because of the checks that would not go to illegal immigrants if my amendment had been passed.

When Newsweek heard these facts, they did something really quite impressive, admirable. They admitted they were wrong. They revised their fact check, and they changed their fact check from mostly false to true. True, period. No caveats. True. I want to commend Newsweek for demonstrating journalistic integrity. Correcting that fact-check, I am sure, was not an easy decision for them to make, but it was the right decision for them to make.

So, Mr. President, I would ask unanimous consent that we enter this fact-check into the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Newsweek, Mar. 8, 2021]

FACT CHECK: WILL MILLIONS OF ILLEGAL IMMIGRANTS GET STIMULUS CHECKS, AS TED CRUZ SAYS?

(By Graham McNally)

Senator Ted Cruz (R-Texas) proposed an amendment to the American Rescue Plan that would bar illegal immigrants from access to the \$1,400 stimulus checks.

His amendment was voted down after Senator Dick Durbin (D-Ill.) criticized Cruz for trying to "rile people up over something that is not true."

THE CLAIM

Cruz claimed on Twitter that illegal immigrants would be eligible for the \$1,400 stimulus checks included in the American Rescue Plan.

On March 6, Cruz tweeted, "When the checks go out, millions of illegal immigrants WILL GET \$1400 checks."

He wrote that many people considered illegal immigrants are those who have overstayed their visas, and therefore have Social Security numbers.

Cruz argued that the possession of Social Security numbers will allow unlawfully present individuals to obtain the stimulus money.

THE FACTS

Anyone who pays taxes in the United States as a resident is eligible for a stimulus payment under the American Rescue Plan. That includes non-citizens.

For example, a citizen of Canada who is living and working full time in the U.S. would have a Social Security number and would be eligible for a stimulus payment.

The United States Department of Homeland Security website describes unauthorized immigrants as foreign-born non-citizens who live in the United States without legal residence. Individuals who overstay their visas but pay tax in the United States using a Social Security number can be eligible for stimulus payments. The most recent available data for the number of visa overstays in the United States is from 2019, released by the Department of Homeland Security. It said that 1.21 percent of visas in that year were overstayed, or 676,422 overstays. In 2019, student visas (1.52 percent) had a higher overstay rate than those from Canada and Mexico (.75 percent, 1.27 percent, respectively).

Illegal immigrants would not be eligible to receive a check if they do not have a Social Security number.

Immigrants who overstay their visas no longer are lawfully in the country but retain their Social Security numbers and therefore are eligible to receive a check.

"Technically, if they have overstayed their visa, they are here illegally," a spokeswoman for U.S. Customs and Border Protection told Newsweek. "If a visitor has not been granted an extension of status by USCIS [United States Citizenship and Immigration Services], then they are considered to be overstays and subject to deportable status under 237 of the Immigration and Nationality Act."

People who qualify as legal residents include those who have passed the green card test (permanent legal residents) or those who pass the substantial presence test. That test requires taxpayers to be physically present in the United States for 31 days of the current year and 183 days for the past three years.

Anyone who has a green card is considered a legal permanent resident, and would be eligible for the stimulus payment.

THE RULING

True.

Cruz's claim that millions of illegal immigrants would receive stimulus payments is true, given the amount of people who have overstayed their visas over the years. Once they overstay, they technically are considered "illegal."

Correction, March 9, 4:00 pm EST: The ruling on this story has been corrected to true. A statement from Customs and Border Patrol has been added.

Mr. CRUZ. Mr. President, it is clear and indisputable that a significant number of illegal immigrants will receive checks and are receiving checks right now. All 100 Members of this body were misinformed by the Democratic Senator that no illegal aliens would receive fact checks—would receive, rather, stimulus checks. So I want to give my colleagues a chance to adopt the amendment now, with the correct information, with the true information, with the factual information.

I would note as well, in these deeply partisan times, it is easy for Republicans to throw insults at Democrats; it is easy for Democrats to throw insults at Republicans. Far too much of that occurs.

The Senator from Illinois, who is a friend whom I served with for 9 years, is a talented Senator. I am not here suggesting that when he stood up and spoke on the Senate floor and said things that were absolutely false, that he did so knowingly and maliciously. I would certainly give the Senator from Illinois the benefit of the doubt that he was in error rather than deliberately misstating facts, but the facts are now clear.

We have a rule in this body, rule XIX, to reprimand any Senator who imputes the character or integrity of another Senator. I am not going to seek refuge in that rule, although I think there is an argument that I could. But I will say this, that once the facts have been made clear, I hope my friend from Illinois will show the same principle Newsweek showed—to apologize, to say he was wrong and he is sorry for calling me a liar on the Senate floor and then going to Twitter to do so twice. That would be the right thing to do, to acknowledge an error when it occurred. The Senator from Illinois' statement that no illegal immigrants will receive checks under this bill is categorically false.

For that reason, as if in legislative session, I ask unanimous consent that the Senate proceed to immediate consideration of S. 842, introduced earlier today. I further ask that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, the exchange which took place between myself and the junior Senator from Texas has been analyzed from many different directions. The conclusion of CNN based on what he said on the floor and I responded to is as follows:

Cruz said "every illegal alien in America" would get a \$1,400 check. Durbin responded that Cruz's statement is "just plain false" because, he said, "Undocumented immigrants do not have Social Security numbers, and they do not qualify for stimulus relief checks, period."

According to CNN:

They were both wrong. Cruz was inaccurate when he said "every" undocumented immigrant will get a \$1,400 relief check.

Then they go on to say there are people, a discrete class of people, who might have a Social Security number, be undocumented, and receive a check. And because of the clarification and my own investigation afterwards, I will concede their point. I overstated my case.

Here is what it boils down to. In this situation, people have applied for a work visa—not a tourist visa, a work visa to come to the United States. Because of that work visa, they also received a Social Security number. Then

they overstayed their visas and still could continue—could possibly continue—to be on the rolls with their Social Security number and receive a check.

I might quickly add, this was a provision that was included in both of the relief bills for COVID-19 signed into law by President Trump, one of which the Senator from Texas voted for, one of which he did not.

So I would ask, how many people are we talking about? Ten? A hundred? A thousand? Ten thousand? I can't find out. They can't give me the number because there isn't a calculation.

So here is the situation. You had to apply for a work visa, be granted the work visa and come to the United States, get a Social Security number, overstay your visa, and then continue to file income tax returns because that is the only way you could qualify for help through these relief packages.

I don't know if that group is ten or a hundred or a thousand, but I have carefully read the provisions that are offered by the Senator from Texas today, and I will tell you he basically says to the American Government, when it comes to cash payments: Stop the presses. Stop the presses. I want to know who these people are, and I don't want you to send them a check.

I don't believe that is reasonable. We have sent out 90 million checks. To stop this while we go through this debate is, I think, unfair.

I don't want these checks to go to people who do not qualify for them any more than he does, but I am not going to stop the issuance of checks to people living in Texas or Illinois in the meantime. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. CRUZ. Mr. President.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. I would note several things. No. 1, the Senator from Illinois said he didn't know if the number of illegal immigrants getting checks from the Democrats' stimulus bill was in the tens or the hundreds or the thousands. With all due respect, he does know that. It is not in the tens. It is not in the hundreds. It is not in the thousands. JCT, the Joint Committee on Taxation, which is a nonpartisan organization that reports to this Senate and this Congress, scored my amendment as roughly 482,000 illegal immigrants are getting checks under the Democrats' proposal. Two outside organizations have scored it as millions of illegal immigrants.

I would note what Newsweek said, when they corrected their fact-check, and I am going to read a quote:

The Ruling. True. Cruz's claim that millions of illegal immigrants would receive stimulus payments is true, given the amount of people who have overstayed their visas over the years. Once they overstay, they technically are considered "illegal."

Nowhere in the Senator from Illinois' remarks was a word of apology for

falsely calling me a liar on the floor of this Senate and on Twitter. That is unfortunate.

What the Senator said right now is also incorrect. The Senator from Illinois said this amendment would halt the payments that are going out. This amendment doesn't do anything of the sort. This amendment restricts sending payments to people who are here illegally. When the Senator from Illinois said he would love to do that, with all due respect, that doesn't withstand even the slightest bit of scrutiny because if he would love to do that, all he had to do was not object, and the American citizens, the people who are here legally, would all get their \$1,400 checks, would get them on the exact same timeframe, but those here illegally would not.

Today's Democratic Party supports sending checks to millions of illegal immigrants. They have justified it, as the Senator from Illinois did, by falsely claiming none of them are getting checks. Those are not the facts, as the Newsweek fact-check makes clear.

I would note that a bill that Democratic Senators are trying to push, denominated H.R. 1, what many are calling the corrupt politicians act, would compound that by allowing millions of illegal immigrants to be registered to vote and, no doubt, to cast votes.

This is a political decision that is far outside the mainstream. It is unfortunate, but sadly it reflects where today's Democratic Party is.

I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 17, Martin Joseph Walsh, of Massachusetts, to be Secretary of Labor.

Charles E. Schumer, Patty Murray, Richard Blumenthal, Christopher A. Coons, Sheldon Whitehouse, Jeff Merkley, Brian Schatz, Amy Klobuchar, Benjamin L. Cardin, Cory A. Booker, Edward J. Markey, Angus S. King, Jr., Robert P. Casey, Jr., Chris Van Hollen, Sherrod Brown, Kirsten E. Gillibrand, Tim Kaine, Tammy Baldwin.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that the nomination of Martin Joseph Walsh, of Massachusetts, to be Secretary of Labor, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Hawaii (Ms. HIRONO) is necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Louisiana (Mr. KENNEDY).

The yeas and nays resulted—yeas 68, nays 30, as follows:

[Rollcall Vote No. 126 Ex.]

YEAS—68

Baldwin	Graham	Peters
Bennet	Grassley	Portman
Blumenthal	Hassan	Reed
Blunt	Heinrich	Romney
Booker	Hickenlooper	Rosen
Brown	Hoeven	Sanders
Burr	Kaine	Schatz
Cantwell	Kelly	Schumer
Capito	King	Shaheen
Cardin	Klobuchar	Sinema
Carper	Leahy	Smith
Casey	Lee	Stabenow
Cassidy	Lujan	Sullivan
Collins	Manchin	Tester
Coons	Markey	Tillis
Cornyn	Marshall	Tuberville
Cortez Masto	Menendez	Van Hollen
Cramer	Merkley	Warner
Duckworth	Murkowski	Warnock
Durbin	Murphy	Warren
Feinstein	Murray	Whitehouse
Fischer	Ossoff	Wyden
Gillibrand	Padilla	

NAYS—30

Barrasso	Hawley	Rounds
Blackburn	Hyde-Smith	Rubio
Boozman	Inhofe	Sasse
Braun	Johnson	Scott (FL)
Cotton	Lankford	Scott (SC)
Crapo	Lummis	Shelby
Cruz	McConnell	Thune
Daines	Moran	Toomey
Ernst	Paul	Wicker
Hagerty	Risch	Young

NOT VOTING—2

Hirono
Kennedy

The PRESIDING OFFICER (Mr. VAN HOLLEN). On this vote, the yeas are 68, the nays are 30.

The motion is agreed to.

The Senator from West Virginia.

REMEMBERING ROBERT GUTZ THOMPSON

Mr. MANCHIN. Mr. President, I rise to honor the life of a noble veteran, a beloved husband, father, grandfather, friend, brother, uncle, and someone I had been fortunate enough to call my dear brother-in-law, Robert Gutz Thompson.

What I always admired about Bob was his unparalleled work ethic and determination to learn and serve and to inspire those around him. Bob was a graduate of the University of Wyoming, Class of 1961. He then joined the military and entered flight training in 1963, and he was designated as a naval aviator in 1964. From the day he was motivated to join the military to his military retirement in 1983, he showcased steadfast dedication and a commitment to excellence that can only be matched by his loving devotion as part of our family.

Bob proudly served our Nation for more than 20 years and leaves behind a distinguished legacy of military history, including service aboard the USS *Intrepid*, the USS *Randolph*, the USS *Lexington*, and the USS *Forrestal*. He flew thousands of flight hours throughout his distinguished career. He trained other pilots. He commanded naval units, and he was deployed multiple times, including to the North Atlantic, the Mediterranean, the Caribbean, and the Arctic Circle. He earned the Navy Achievement Medal for his perform-

ance as Landing Signal Officer during a winter deployment to the North Atlantic.

In 1967, he joined the VS-30 squadron and reported to Key West, FL, as an instructor pilot. In 1970, he was awarded the Navy Commendation Medal for recovering aircraft within the Arctic Circle. In 1972, Bob was selected for and attended the Naval War College in Rhode Island and then was assigned to the Naval Air Station Cecil Field, in Florida, to lead the squadron's relocation operations.

In 1976, he served aboard the USS *Forrestal* as operations officer. In 1979, Bob assumed command of the VS-30 squadron, where he deployed with his beloved Diamondcutters to the Mediterranean. Later that year, Bob received orders to the Pentagon to work on what is now known as GPS. His assignments were tough—squadron executive officer, squadron commander, instructor pilot, and so many more—but he was always tougher than they were. It is unbelievable the leader he was to all of those who served and served with pride.

Put simply, Bob was one of the most generous, kind, hard-working, and inspirational people I ever knew. My whole family and I adored Bob ever since he joined the family, and Bob's passing has left a deep impact on all of us. This is also an important time to celebrate Bob's life and the profound feelings of joy and pride that he brought to all of us.

While Bob wasn't born in West Virginia, he certainly was a Mountaineer, through and through, in his heart and soul and was a dedicated fan of his beloved WVU sports teams, especially football and basketball.

When visitors come to our little State, I jump at the chance to tell them we are home to the most hard-working and patriotic people in the Nation. We have fought in more wars; we have shed more blood; and lost more lives for the cause of freedom than most any other State. We have always done the heavy lifting, and no one has ever complained.

We have mined the coal, forged the steel that built the guns and ships and factories that have protected and continue to protect our country to this day.

I am so deeply proud of what West Virginians like my brother-in-law Bob Thompson have accomplished and what they will continue to accomplish to protect the freedoms that we all take for granted and hold so dear.

We have every reason to be proud and to stand tall knowing that West Virginia is the reason Americans sleep peacefully at night. It is because of all of our veterans, past and present, that we can proudly proclaim "Mountaineers Are Always Free," and we are all so very, very proud of our Bob for being a vital part of our legacy.

What is most important is that he lived a full life, surrounded by his loved ones. I extend all of our condolences to