

That is why, during the tax reform debate in 2017, I introduced a successful amendment that rolled back the income threshold to 7.5 percent for taxpayers to deduct their medical expenses in 2017 and 2018. My amendment expanded upon the efforts of Senators ROB PORTMAN and SHERROD BROWN, who had worked to prevent this increase from going into effect for individuals over 65. As I said, my amendment was incorporated into the new tax law, and thus, for 2017 and for 2018, the threshold for deducting these out-of-pocket medical costs was 7.5 percent of income. But at the end of last year, that expired.

The AARP and 44 other consumer groups have strongly endorsed the effort undertaken by Senator CANTWELL and me, stating that “it provides important tax relief which helps offset the costs of acute and chronic medical conditions for older Americans, children, pregnant women, disabled individuals, and other adults as well as the costs associated with long-term care and assisted living.”

This is a step we can take to reinstate an expired tax deduction that will make a real difference to people who are struggling with high out-of-pocket medical costs.

I urge my colleagues to support our legislation that will help our families cope with high medical costs by making sure that this important deduction remains available for future tax years.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter from AARP dated January 15, 2019, endorsing the Collins-Cantwell legislation.

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

AARP,

Washington, January 15, 2019.

Hon. SUSAN COLLINS,

U.S. Senate, Washington, DC.

Hon. MARIA CANTWELL,

U.S. Senate, Washington, DC.

DEAR SENATORS COLLINS AND CANTWELL: On behalf of our members and all Americans age 50 and older, AARP is writing to thank you for introducing the Medical Expense Savings Act (S. 110), legislation to permanently extend the 7.5 percent income threshold for the medical expense deduction AARP, with its more than 38 million members in all 50 states, the District of Columbia, and the U.S. territories, represents individuals seeking financial stability while managing their health care and every effort should be made to keep the threshold for the deduction as low as possible to help protect those with high medical costs.

The medical expense deduction provides important tax relief that helps offset the cost of acute and chronic medical conditions for older Americans, children, and individuals with disabilities. For many, the medical expense deduction can help offset high out-of-pocket expenses—expenses that qualify include money paid for diagnosis, treatment, equipment, long-term care services, and long-term care insurance premiums.

The tax filers who claim the medical expense deduction have historically been age 50 or older and living with a chronic condition or illness. The average Medicare beneficiary spends about \$5,680 out of pocket on medical

care. The medical expense deduction makes health care more affordable for people with significant out-of-pocket expenses.

Furthermore, older Americans often face high costs for long-term services and supports—which are generally not covered by Medicare—as well as hospitalizations and prescription drugs. The median cost for a private room in a nursing home is over \$97,000 annually, while the median cost for even more cost-effective home-based care is still over \$30,000 per year (for 20 hours of care a week). In 2013, roughly 25.8 million beneficiaries in traditional Medicare spent at least 10 percent of their income on out-of-pocket health care expenses. Tax relief in this area can provide needed resources, especially important to middle income seniors with high long-term care and medical costs.

The medical expense deduction is a critical tool in managing health care cost for Americans with high out-of-pocket expenses. For these reasons, we are pleased to endorse this legislation and look forward to working on a bipartisan basis with you to enact this legislation into law. If you have any questions or need additional information, please feel free to contact me or Jasmine Vasquez.

Sincerely,

JOYCE A. ROGERS,
Senior Vice President,
Government Affairs.

Ms. COLLINS. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

EXPRESSING THE SENSE OF THE SENATE THAT DISQUALIFYING A NOMINEE TO FEDERAL OFFICE ON THE BASIS OF MEMBERSHIP IN THE KNIGHTS OF COLUMBUS VIOLATES THE CONSTITUTION OF THE UNITED STATES

Mr. SASSE. Mr. President, I rise today to offer a very basic resolution. I want Senators to unanimously reaffirm our oath of office to a Constitution that explicitly rejects religious bigotry.

It is useful to regularly remind ourselves that Americans are First Amendment people. Each of the five freedoms in the First Amendment—speech, press, religion, assembly, and protest—defines who we are. In America, we talk, we read, we argue, and we march and worship without fear. Because of this fundamental celebration of human dignity and human freedom, America is big enough to welcome a whole bunch of meaty and messy fights on everything from whom you vote for to whom you call God.

Just as the First Amendment prohibits the government from dictating anyone's religious beliefs, so, too, the Constitution explicitly rejects religious tests for Federal office. Our Constitution explicitly rejects religious tests for Federal office. This isn't a Republican belief; this isn't a Democratic belief; this is an American belief. But, tragically, over the last couple of years, some strange things have been happening in this body, and we seem to be forgetting some of those basic 101 American civics truths.

I want to tell you a story. Brian Buescher from my State was recently

nominated by the President to be a Federal judge for the District of Nebraska. This is an honor for him and his family, a celebration of his brain, work ethic, and his integrity. By the way, Brian is also Catholic and an active member of the Knights of Columbus.

The Knights of Columbus, for those of you who don't know, is the largest Catholic fraternal service organization in the world. The Knights' 1.6 million members of the organization raise millions of dollars for charity every year, and they contribute millions of hours of volunteer service.

Like a lot of guys back in Nebraska, Brian joined the Knights of Columbus to give back and to also be involved in a bunch of fish fries. This is not the stuff of headlines, but it is the stuff of basic neighborliness.

This is where the story gets weird because at Brian's confirmation hearing before the Senate Judiciary Committee a few weeks ago, one of my colleagues on the Judiciary Committee called the Knights of Columbus “an extremist organization.” Huh? It got worse. Brian then got a letter from a Member of this body asking him if he would resign his membership in the Knights of Columbus if he were confirmed to the Federal bench to “avoid the appearance of bias.”

This is nuts. We are talking about the largest Catholic fraternal organization in the world being called an extremist organization and a nominee for the Federal bench being asked to resign from this organization so that he can serve without the appearance of bias. The clear implication here was that Brian's religious beliefs and his religious affiliations—in this case, an affiliation with a Catholic organization that invests countless hours and millions of dollars annually serving special needs kids—Brian was supposedly therefore potentially unfit for Federal service. This is the same kind of garbage that was thrown at a Member of this body, John F. Kennedy, 60 years ago when he was campaigning for the Presidency.

So today I have introduced a resolution—a 101-level, basic resolution—that simply reaffirms the belief of this body in American religious liberty. The resolution simply says that it is the sense of the Senate that disqualifying a nominee for the Federal bench or any Federal office on the basis of his Catholic beliefs or membership in the Knights of Columbus violates the no religious test clause of the Constitution. It seems obvious on its face.

In this resolution, we are simply reaffirming with President Kennedy and with countless other Americans across 230 years—Protestant, Catholic, Jew, Muslim, Hindu, Buddhist, Agnostic, Atheist and others—we are simply reaffirming the idea that America is big enough for disagreements. Stated differently, we are saying that we believe the U.S. Government is not in the business of trying to resolve debates about

Heaven and Hell; rather, the business of the U.S. Government is to preserve peace and order so that you and your neighbors can precisely wrestle about things such as Heaven and Hell or sports loyalties or dietary preferences. America can handle principled pluralism and honest, serious debate.

This resolution ought to have the support of every single Member of this body. After all, each of us took an oath to defend this very idea when we first came here. This is what America is actually about.

The text of the resolution before us states:

Expressing the sense of the Senate that disqualifying a nominee to Federal office on the basis of membership in the Knights of Columbus violates the Constitution of the United States.

Whereas, throughout the history of the United States, the religious liberty protected by both the First Amendment and the No Religious Test Clause of the Constitution of the United States has been at the heart of the American experiment;

Whereas, in 1960, the presidential candidacy of John F. Kennedy was met with significant anti-Catholic bigotry;

Whereas, then-Senator Kennedy responded to the bigotry with these timeless words: “For while this year it may be a Catholic against whom the finger of suspicion is pointed, in other years it has been, and may someday be again, a Jew or a Quaker or a Unitarian or a Baptist. . . . Today I may be the victim, but tomorrow it may be you, until the whole fabric of our harmonious society is ripped at a time of great national peril.”;

Whereas the Knights of Columbus (in this preamble referred to as the “Knights”) constitute the largest Catholic fraternal service organization in the world;

Whereas the Knights have a proud tradition of standing against the forces of prejudice and oppression, such as the Ku Klux Klan and Nazi Germany;

Whereas the Knights are founded on the principles of charity, unity, fraternity, and patriotism; and

Whereas, in 2017, the Knights made more than \$185,000,000 in charitable contributions and volunteered more than 75,600,000 service hours: Now, therefore, be it

Resolved, That it is the sense of the Senate that disqualifying a nominee to Federal office on the basis of membership in the Knights of Columbus violates clause 3 of article VI of the Constitution of the United States, which establishes that Senators “shall be bound by Oath or Affirmation, to support the Constitution” and “no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.”

Period. Full stop.

If a Senator has a problem with this resolution, they are probably in the wrong line of work because this is what America is. This is a super basic point. No religious tests. If someone has a problem with this resolution, what other parts of the Constitution are they against? Freedom of the press? Women’s right to vote? Freedom of speech?

This isn’t hard. There are no religious tests for serving on the Federal bench. We in this body should rebuke these anti-Catholic attacks.

Mr. President, I ask unanimous consent that the Senate proceed to the

consideration of S. Res. 19, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 19) expressing the sense of the Senate that disqualifying a nominee to Federal office on the basis of membership in the Knights of Columbus violates the Constitution of the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SASSE. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 19) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

Mr. SASSE. I thank the Members of this body for reaffirming basic constitutional 101 stuff today. I will report back to Brian Buescher, the nominee for the Federal Bench for the District of Nebraska, that he can ignore those questions he received about whether he would resign his membership in the Knights of Columbus before this body proceeds to vote on his confirmation.

The PRESIDING OFFICER. The majority leader.

MORNING BUSINESS

MR. McCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

REMEMBERING TOM WEISNER

MR. DURBIN. Mr. President, Aurora, IL, is blessed with a long history of visionary leadership. The first public school district in my State was founded in Aurora in 1851. Aurora was a center of abolitionist activism before the Civil War.

In 1881, Aurora, of Chicago’s northwest suburbs, became one of the first cities in America to line its streets with electric lights, and people began to call it a City of Lights—Paris on the Plains.

Sadly, last month, 2 days after Christmas, one of Aurora’s brightest lights was extinguished. Former Aurora mayor Tom Weisner died after a long, brave, and public struggle with cancer. He was 69 years old.

Tom Weisner spent his earliest years in nearby Batavia, IL. He came to Aurora in the 1960s to attend Marmion Military Academy. It was during his time at Marmion that Tom met his future wife, Marilyn Hogan, who was then a student at Marmion’s “sister school,” Aurora Madonna High School.

What a great pair. As a young couple in the 1980s, Tom and Marilyn served together in the Peace Corps, helping rainforest dwellers in the highlands of Guadalcanal in the Solomon Islands. They were married for 46 years.

After finishing their Peace Corps service in 1986, Tom and Marilyn returned to Aurora, and Tom was hired by the city’s then-mayor, David Pierce, to be Aurora’s director of emergency services. Over the next 18 years, he headed a number of city agencies, including the departments of motor vehicles, public property, and community services and organizational development.

“It was in his three terms as Aurora’s mayor, from 2005 to 2016, that Tom Weisner left his greatest mark. His keen understanding of organizational efficiency, his commitment to public service, and his passion for children, for a vibrant, sustainable economy, for the arts and environment, and many other concerns helped to make Aurora a better place to live, own a business, and raise a family.

There is one statistic that says a lot about the kind of leader Tom Weisner was: In his 11 years as mayor, Aurora rehabilitated 11 bridges. At a time when government at all levels is struggling and often failing to maintain basic public infrastructure, Aurora repaired 11 bridges in 11 years. The strengthened bridges helped spur a rebirth of Aurora’s downtown.

The Fox River is one of Aurora’s greatest economic and cultural assets. Mayor Weisner authorized the city’s first long-term plan for the river. He oversaw the removal of a dam on the Fox River, which opened up space for bike paths and new commercial ventures, and he helped organize a regional coalition of communities to improve the southern portion of the Fox River.

Tom Weisner championed new conservation and sustainability policies that made Aurora a greener city. At the same time, he supported changes that made it easier and faster to obtain city building and other permits.

He oversaw the construction of a new police headquarters, with new tools and more resources, and crime in Aurora decreased.

Children were a special concern of Mayor Weisner. Under his leadership, Aurora created a new program called SPARK to help children from birth to age 5 to prepare for kindergarten. SPARK stands for “Strong, Prepared, and Ready for Kindergarten.” It is a collaboration involving Aurora’s public schools and public library, the local United Way, and other groups. Nearly 5,500 children and their families have benefited from its services.

Next year, a new Paramount School of Performing Arts will open and offer young people a chance to study under some of the best teaching artists and professionals in the country. Tom helped raise money to make this happen.