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Senator Mike Braun **Solutions Update**

2023

A MESSAGE FROM SENATOR BRAUN

I've spent my life building a business in my hometown, from a small company of three employees all the way to a national industry leader. That's the best job I'll ever have. My employees were like family, and creating jobs for my neighbors in my hometown is a great feeling.

I left my company to run for the U.S. Senate because I was tired of seeing our country driven into the ditch by career politicians who cared more about getting elected than they did about our kids and grandkids.

I promised Hoosiers if they sent me to Washington, they'd get more than just talk. They'd get a workhorse who wouldn't take 'no' or 'that's not the way we do things' for an answer.

I'm proud that in my five years in the Senate so far I've been named one of the Most Effective Senators by multiple rankings, with a focus on the issue areas matter so much to Hoosiers: healthcare and agriculture.

Traditionally, first term Senators are supposed to be "seen and not heard" – that wasn't going to work for me. The Center for Effective Lawmaking – a nonpartisan organization run out of Vanderbilt and the University of Virginia, which The Washington Post this year called the most-cited ranking of legislative effectiveness - recognized my office as the most effective first term senator and the 6th most effective Republican in the entire Senate: every Senator listed above me has served at least 12 years. I'm the only first-termer on the list.

Over this last year, I was proud to shepherd through a bill to declassify all COVID lab leak intelligence (which we passed unanimously in both chambers of Congress, forcing President Biden to sign it). We also passed a measure to protect your 401(k) from being politicized with “ESG” investing.

In the last few months of the year, I passed several pieces of legislation designed to help Hoosier veterans. One bill makes it easier for veterans to access their health records online, where previously they would have to go to a VA office. Another aims to address the epidemic of opioid overdoses among veterans.

I promise to run hard through the tape as I end my Senate term. My office has big things planned for Hoosiers in 2024, and I hope you will reach out if you have thoughts you’d like to share with us.

Indiana’s best days are ahead, and I hope you enjoy reading about my work for you in 2023 in this edition of the Solutions Update.

Take care,

A handwritten signature in blue ink that reads "Mike Braun". The signature is fluid and cursive, with a long horizontal flourish at the end.

MIKE BRAUN
United States Senator

ANOTHER YEAR AS ONE OF THE MOST EFFECTIVE SENATORS



Senator Braun has been recognized as one the most effective members of the United States Senate.

According to the nonpartisan The Center for Effective Lawmaking, Senator Braun made the Top Ten List for Most Effective Senate Republicans, landing at #6. The Senators ranked above him on the list have all served over 12 years in Congress, whereas Senator Braun has served four years. Senator Braun was the highest ranked Republican on the “Freshman Senators Exceeding Expectations” list. And, in individual policy areas, Senator Braun was ranked the Most Effective Republican Senator in Agriculture and Most Effective Republican Senator in Health: two policy areas that are so important to Hoosiers.

The Center for Effective Lawmaking is a nonpartisan research organization directed through a partnership between the University of Virginia and Vanderbilt University.

The Center for Effective Lawmaking made special mention of Senator Braun’s legislative effectiveness in their report: *“Also new to our top-10 list is Sen. Mike Braun of Indiana, who first entered the Senate in the previous 116th Congress. Though relatively junior, Sen. Braun introduced 80 bills, 20 of which engaged with health policy. He ultimately saw four of his bills pass the Senate, and three of them become law,”* said Craig Volden and Alan Wiseman, Co-Directors, The Center for Effective Lawmaking

Top Ten List- Senate Republicans (117th Congress)

<u>Name</u>	<u>Seniority</u>
1- John Cornyn (TX)	10 Congresses
2- Marco Rubio (FL)	6 Congresses
3- Rob Portman (OH)	6 Congresses
4- Chuck Grassley (IA)	21 Congresses
5- Lisa Murkowski (AK)	10 Congresses
6- Mike Braun (IN)	2 Congresses
7- Roger Wicker (MS)	8 Congresses
8- Mike Lee (UT)	6 Congresses
9- Mike Rounds (SD)	4 Congresses
10- Jerry Moran (KS)	6 Congresses

Highest Ranked Republican Freshman Senator “Exceeding Expectations”

1- Catherine Cortez Masto	D-NV
2- Jacky Rosen	D-NV
3- Margaret Hassan	D-NH
4- Mike Braun (IN)	R-IN

The Center for Effective Lawmaking

Ranked Most Effective Republican Senator in Agriculture, Health, and Welfare

<u>Policy Area</u>	<u>Top Democrat</u>	<u>Top Republican</u>
<u>Agriculture</u>	Jeanne Shaheen (NH)	Mike Braun (IN)
<u>Health</u>	Tim Kaine (VA)	Mike Braun (IN)
<u>Welfare</u>	Robert Casey (PA)	Mike Braun (IN)

The Center for Effective Lawmaking

Scripps News also reported on Senator Mike Braun as being one of the most active and effective Republican senators legislatively in 2023, using data from GovTrack.us.

This follows on the heels of the non-partisan Center for Effective Lawmaking naming Senator Braun the most effective first-term Republican Senator in the last two year period, as well as the most effective Republican in the categories of Health and Agriculture.

In the segment, it was noted Senator Braun’s accomplishment of defining a portfolio that effectively represents the issues his constituents care about, including his appointment as Ranking Member of the Aging Committee.



Senator Braun speaks on the Special Committee on Aging

**Senator Braun made this statement on his ranking:
“When I was elected, I promised Hoosiers that I would
come to Washington to fight for them and get results.
I’m proud to be named the most active and effective
Republican Senator and to represent Hoosier work ethic
here in Washington.”
– Senator Braun**

Braun Bills Enacted to Law, 2023

The COVID-19 Origins Act (Public Law 118-2)

The American people deserve more than spin about the origins of the COVID-19 pandemic—they deserve the facts.

On March 20, 2023, President Joe Biden signed into law the *COVID-19 Origin Act of 2023*, legislation introduced by Senator Braun and Senator Josh Hawley of Missouri. This legislation requires the Biden administration to declassify intelligence related to any links between the Wuhan Institute of Virology (WIV) and the origins of the COVID-19 pandemic.

The *COVID-19 Origin Act* passed the Senate unanimously in the 117th Congress, but no action was taken on the bill in the Democrat-controlled U.S. House of Representatives. In the 118th Congress, the Senate again unanimously passed the bill in May 2021. On March 20, 2023, the House passed the bill by a 419-0 vote and the legislation was sent to President Biden for his signature and enactment.

Despite the unanimous and bipartisan mandate from Congress, the Biden Administration gave lip service to Americans by failing to comply with both the spirit and the letter of the law. Instead, the Administration provided—after the statutory deadline—a few inconsequential pages to the public, pretending to be in compliance.

Senators Braun and Hawley sent a letter to Director of National Intelligence Avril Haines to point out the Administration did not comply with the letter or spirit of the law. The Senators demanded that Director Haines provide a new, complete report including any and all information pertaining to the origins of COVID-19, within seven days—which Director Haines also failed to do.

Hoosiers and all Americans deserve more transparency concerning federal actions during the early days of the pandemic. For this reason, during a hearing of the Senate Committee on Health, Education, Labor and Pensions in October 2023, Senator Mike Braun questioned Dr. Monica Bertagnolli, a then-nominee to lead the National Institutes of Health, on whether she would comply with the House Oversight investigation into COVID's origins and NIH officials like Dr. Fauci's attempts to cast doubt on a lab leak at the Wuhan Institute of Virology. This question was prompted by revelations concerning Dr. David Morens—a top official at the NIH and advisor to Dr. Fauci at NIAID. Dr. Morens was subpoenaed by the House committee on October 13 after messages revealed he had been using a private email to avoid the Freedom of Information Act. Senator Braun asked Dr. Bertagnolli if she will commit to transparency and not thwart attempts to hold the government accountable.

Reforming Benefits for Children of Vietnam Veterans with Spina Bifida (Public Law 118-8)

Persistence pays off when it is in the best interests of Hoosiers.

In 2019, Sen. Braun's office gets complaints from Hoosiers about poor program administration, leading him to ask the Office of the Inspector General of the Veterans Affairs Department (VA OIG) to examine the program management.

In July 2019, the Braun office asked for more formal evaluations of what was happening in the program. On February 23, 2021, the VA OIG issued its report affirming problems in program administration. The VA OIG found that: "VBA and VHA did not adequately communicate or share data, contributing to improper payments being sent to beneficiaries after their deaths and delays in new beneficiaries being enrolled in health care. Further, because VA did not consistently and accurately reach out and communicate with eligible and enrolled beneficiaries, individuals with Spina Bifida and their caretakers did not receive needed information about Spina Bifida benefits and how to obtain them."

On May 5, 2020, in the 116th Congress, Senator Mike Braun and Senator Marco Rubio (R-Florida) introduced legislation to address program shortcomings. On December 9, 2021, in the 117th Congress it was re-introduced by Senator Braun, along with Senators Rubio, Hassan and Booker. On November 13, 2022, the Senate Veterans Affairs Committee held a legislative hearing on the bill. On January 26, 2023, in the 118th Congress, Senator Braun re-introduced as [S.112](#) with Senators Rubio, Hassan, Booker, Rick Scott, Cornyn, Warnock, Young and Hirono. On February 16, 2023, the Senate Veterans Affairs Committee considered and reported the measure without amendment. The full Senate then approved the bill unanimously on July 13, 2023, followed by unanimous passage in the U.S. House of Representatives (422-0) on September 19, 2023.

President Biden signed this bill into law on October 6, 2023. Upon enactment, Senator Braun noted: "This law will ensure that the children of Vietnam veterans born with Spina Bifida due to a parent's exposure to Agent Orange will get the care and benefits they deserve for the rest of their lives. I'm proud to have led this valuable bipartisan bill into law and look forward to helping these veterans' kids."

Senator Braun's legislation was endorsed by the Vietnam Veterans of America, the American Legion, and the Fleet Reserve Association.

President Biden signs Indiana Sen. Mike Braun's bill to strengthen VA spina bifida program **IndyStar.**
PART OF THE USA TODAY NETWORK

The Wounded Warrior Access Act (Public Law 118-21)

The Veterans Benefits claims process should be simple. That is why Senator Braun introduced the *Wounded Warrior Access Act* (S. 2803/H.R. 1226) with Senator Alex Padilla of California to require the Department of Veterans Affairs (VA) to create an online tool for Veterans to access their claim files electronically.

Currently, Veterans must either travel to a regional VA location, or wait for a physical copy to come in the mail to access their claims information. When a veteran submits a claim for benefits to the VA, a claims file (C-File) is created. C-Files contain a veteran's service records, results of VA exams, additional information submitted by the veteran, and any material the VA deems necessary to decide the claim. Veterans must travel to a regional VA location or mail in a form to request a paper copy of their C-Files, slowing down the process for individuals.

Improving efficiency in the veterans claims process will make getting decisions swifter and more transparent. American veterans represent the absolute best our country has to offer—and they deserve the absolute best when they return home. Veterans should not have to jump through hoops just to gain access to benefits for which they are entitled.

President Biden signed this reform into law on November 13, 2023.



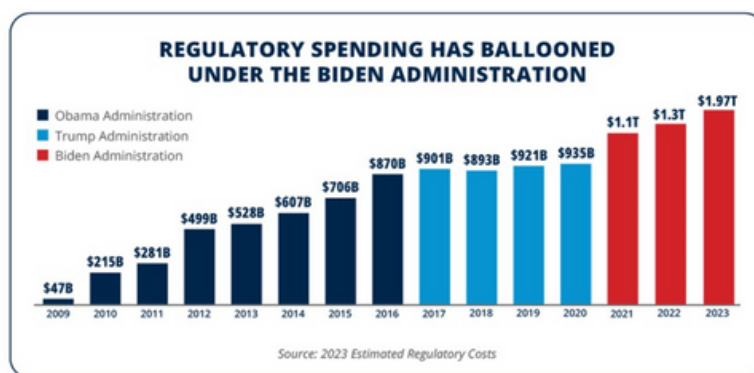
The Administrative Pay-As-You-Go Act (included in Public Law 118-5)

Federal agencies often carry out discretionary actions that lead to increased taxpayer costs. To help combat runaway costs, and to increase transparency for the American public concerning federal agency actions, Senator Braun introduced the *Administrative Pay-As-You-Go Act of 2023* (S. 1052) with Senators Manchin (D-WV), Lummis (R-WY), and Daines (R-MT).

The bill requires federal agencies to offset increased mandatory spending when such agency makes administrative decisions that lead to increased cost. In May 2005, President George W. Bush announced that the Office of Management and Budget (OMB) would involve itself in how agencies execute laws related to mandatory spending (often called “autopilot” spending).

President Barack Obama continued this process by issuing an OMB memorandum. Under OMB requirements, agencies taking actions that increase mandatory spending would also be required to provide OMB with proposed actions that would reduce mandatory spending by the same amount. Such actions might include regulatory reforms, demonstration program notices, and other forms of program guidance.

President Trump then issued an Executive Order to effectuate Administrative PayGo in practice. Senator Braun’s *Administrative Pay-As-You-Go Act of 2023* codifies President Trump’s Executive Order from October 10, 2019 and provides a framework to reign in mandatory spending. The Administrative Pay-As-You-Go Act was enacted as part of Public Law 118-5.



This Act is sorely needed as runaway spending has reached new heights under President Biden. The Foundation for Government Accountability notes, “Without Administrative PAYGO or another policy to limit how new regulations can increase spending on mandatory programs, the Biden administration has a blank check to keep spending taxpayer dollars through regulatory schemes. The Administrative PAYGO policy included in the Fiscal Responsibility Act is a step in the right direction, and in theory, should require the Biden administration to offset new taxpayer spending.”

The Korean American VALOR Act (Public Law 118-20)

Senator Braun introduced the *Korean American VALOR Act* (S. 2648/H.R. 366) with Senator Mazie Hirono of Hawaii to allow Republic of Korea Vietnam Veterans who fought alongside the U.S. military during the Vietnam War, and who have since become naturalized U.S. citizens, access to medical services at the Department of Veterans Affairs (VA).

Speaking to the need for this legislation, Senator Braun remarked, “This legislation guarantees that the men and women who bravely fought alongside U.S. troops and have become American citizens will have access to the care and benefits they deserve, paid for by the South Korean government.”

The bill requires the VA to enter into a reciprocal financial agreement with the Korea so the United States will be reimbursed for any expenses the Vietnam Veterans of the Korean Armed Forces incur at the VA. There are approximately 2,800 Korean Vietnam Veterans residing in the U.S. today, and they have experienced the same exposure to toxic chemicals as their American counterparts. This bill ensures they receive the same level of care as all other Vietnam Veterans. Korea will reimburse the U.S. for healthcare services VA furnishes to Korean American veterans. In exchange, the U.S. will reimburse Korea for the healthcare it provides to veterans of the U.S. armed forces residing in Korea. The U.S. has established reciprocal agreements with the United Kingdom, Australia, New Zealand, Canada, and South Africa. Veterans from these nations do not need to be U.S. citizens to be eligible for care, and VA has the authority to treat veterans of any combat era.

President Biden signed this reform into law on November 13, 2023.



The Department of Defense Overdose Data (DOD) Act (Public Law 118-31)

Senator Mike Braun led fellow bill sponsors Senator Edward J. Markey (D-MA), the chair of the Health, Education, Labor and Pensions Subcommittee on Primary Health and Retirement Security, Senator Elizabeth Warren (D-Mass.) and Senator Lisa Murkowski (R-Alaska) in introducing and passing into law the *Department of Defense Overdose Data (DOD) Act* (S. 1766) as part of the *National Defense Authorization Act* (NDAA).

The bill is designed to address the impacts of the opioid epidemic among members of the U.S. military and their family. It requires the Department of Defense to keep a collect an array of data needed to track and address the problem of military overdoses and require that drugs to reverse opioid overdose like naloxone are available on all military installations and operational environments.

In celebrating passage of this legislation, the coalition of Senators remarked: “The federal government has a responsibility to protect the lives of service members, many of whom are impacted by the overdose crisis that has reached every corner of our country. Over the last five years, we’ve lost hundreds of members of the military to overdose. This is a preventable crisis, and failing to act is immoral and a betrayal of the commitment we made to our servicemembers. By requiring the Department of Defense to track and report on overdose data and distribute overdose reversal medication to service members, we will help ensure no one else loses a loved one in uniform to a drug overdose. We look forward to this essential legislation being signed into law and the lives it will save in communities all across our country.”

Specifically, the DOD Act as passed by Congress requires the Department of Defense to report, annually, on overdoses among members of the Army, Navy, Air Force, Marine Corps, or Space Force and related data, including demographic data, substances involved, number of intentional overdoses, number of members prescribed or provided naloxone prior to overdose, previous prescriptions, co-morbid mental health diagnoses, referral to treatment, history of positive drug tests, analysis of discernible patterns in overdoses, existing and anticipated response efforts, access to treatment, and available treatment programs. The DOD Act also ensures that naloxone and any other medication to reverse opioid overdose is available on all military installations and in each operational environment.

Cosponsors in the Senate include Senators Chris Van Hollen (D-MD), Angus King (I-ME), Tammy Baldwin (D-WI), Shelley Moore Capito (R-WV), Martin Heinrich (D-NM), Ted Budd (R-NC), and John Fetterman (D-PA). The provision was included in the final National Defense Authorization Act that was signed into law on December 22, 2023.

Supporting the Provision of Veteran Survivor Benefit Plans (Public Law 118-31)



We must never take for granted the sacrifices of our nation’s veterans. Spouses, and dependent children, of deceased active-duty veterans are entitled to monthly Survivor Benefit Payments.

After 2020, the Department of Defense (DOD) removed the “Child Only” option for these payments. After such point, Senator Braun heard complaints from a constituent who had guardianship of her grandson. The Defense Finance and Accounting Service could not verify the mother’s ineligibility, resulting in indefinitely paused payments to the child. On July 26, 2023, Senator Braun introduced S. 2505 to help address practical challenges associated with implementation of these critical benefits.

This legislation was included in the *fiscal year (FY) 2024 National Defense Authorization Act (NDAA)* that passed the Senate in July 2023 (Braun Amdt. 498; Sec. 5632 of the FY24 NDAA). More specifically, the Senate-passed NDAA would require the Secretary of Defense to submit to Congress a report on the effects on the ground of removing the “child only” option.

The final NDAA Conference Report recognizes that the new 2020 requirements for Survivor Benefit Payments and Dependency and Indemnity Compensation payments have resulted in unintended outcomes for beneficiaries, particularly dependent children, in unusual guardianship.

Flexibility and Funding for the World Trade Center Health Program (Public Law 118-31)

The World Trade Center Health Program was created in 2011 to provide no-cost health care and monitoring for health conditions that are attributable to the terrorist attacks of September 11, 2001. The program is facing a shortfall, however, that threatens the provision of these benefits.

The World Trade Center Health Program (WTCHP) provides care for around 120,000 9/11 first responders and survivors, and the program reports that 139 Hoosiers are currently enrolled in the program. There are 450,000 eligible individuals in the WTCHP.

Senator Gillibrand introduced S. 569, the *9/11 Responder and Survivor Health Funding Correction Act of 2023*, on February 28, 2023. In July 2023, Senator Braun joined Senator Gillibrand in filing an amended version of this bill as an amendment to the fiscal year (FY) 2024 National Defense Authorization Act (NDAA).

The Gillibrand-Braun amendment will provide \$444 million to partially address the funding shortfall facing the WTCHP over the coming years. In addition, \$232 million is also provided to expand eligibility to 9/11 responders at the Pentagon and Shanksville sites who were active-duty DOD military or civilians, along with other federal employees currently excluded from the program.

This amendment, which is fully paid for with spending offsets, passed the Senate by a 94—4 margin, and the provision was included in the final NDAA conference report (Section 1851) that was signed into law on December 22, 2023.

Congress isn't done with 9/11: The World Trade Center Health Program must be fully funded. DAILY[®]NEWS

FIGHTING BIDEN'S ESG 401(K) RULE

Federal law and regulations should not push politicized investment policies that crowd out commonsense financial considerations and threaten Americans' retirement security. Nevertheless, a federal agency issued a Rule to do just that, prompting Senator Braun to lead the congressional fight to protect Americans' retirement security.

In November 2022, the U.S. Department of Labor finalized a Rule to allow retirement plan managers to weigh environmental, social, and governance (ESG) considerations when making investments. ESG seeks to advance progressive ideals to the detriment of investors. The Department's Rule ensures that ERISA plan fiduciaries consider climate change and other social factors when making investment decisions, *versus decisions based solely on financial considerations*.



Americans invest in retirement and pension plans to save for the future and live comfortably when they retire. These plans are often employer-sponsored plans that the government established safeguards for through ERISA. Under the Department's Rule, plan participants can be unknowingly be enrolled in ESG funds that contradict their political values, underperform, and carry higher fees.

Global ESG funds average a 6.3 percent return compared to 8.9 percent on the broader market, and ESG funds have 43 percent higher fees than non-ESG funds.

Senator Braun, along with Representative Andy Barr of Kentucky, led a bipartisan effort to end this rule using statutory authorities provided to Congress under the *Congressional Review Act* (S.J.Res.8/H.J.Res.30). Stopping the rule would give Americans more control over their retirement savings, and protect their retirements so that only financial returns were considered by investment investors and asset managers. On February 28, 2023, the U.S. House of Representatives passed Senator Braun and Representative Barr's resolution by a 216-204 vote, and then the U.S. Senate passed it on March 1, 2023, by a 50-46 vote.

President Biden ignored the bipartisan desire of Congress to kill this rule, vetoing the legislation. This was the first veto that President Biden carried out. President Biden's veto is especially shameful given the impact of the rule on small businesses.

President Biden chose political interests over the best interests of small businesses. As the National Federal of Independent Business (NFIB) stated upon endorsing Senator Braun's disapproval resolution, "ESG policies politicize and distort investment decisions of capital necessary for small business growth."

Hardworking Hoosiers worried about their retirements have already faced record-setting inflation and economic instability in recent years. The last thing they need is big government ideology infecting their 401(k)s. The ESG rule affects 152 million workers nationwide.



**Braun Bills
Approved By
Senate, Awaiting
House Action**

The GAO Inspector General Parity Act

A critical responsibility incumbent on all lawmakers is to support the watchdogs that work to keep government programs and operations free of waste, fraud and abuse.

The *GAO Inspector General Parity Act* (S. 1510) was introduced by Senator Braun and Senator Peters of Michigan to strengthen the independence of the Government Accountability Office Inspector General (GAO IG) and aligns IG operations with other agency Inspectors General.

Often called the “congressional watchdog,” GAO is an independent, non-partisan agency. GAO examines how taxpayer dollars are spent and provides Congress and federal agencies with objective, non-partisan, fact-based information to help the government save money and work more efficiently. But even the congressional watchdog needs their own checks and balances. As a result, GAO has an Inspector General to watch over the agency. Regrettably, the GAO IG has not had commonsense statutory updates afforded to most other Inspectors General. The GAO Inspector General Parity Act provides overdue updates to the statute governing the GAO IG. S. 1510 passed the Senate Committee on Homeland Security and Governmental Affairs on May 17, 2023. The Senate then unanimously passed the legislation on November 16, 2023, and the bill awaits further action in the U.S. House of Representatives.

Working Dog Health and Welfare Act of 2023

The *Working Dog Health and Welfare Act of 2023* (S. 2414) was introduced by Senator Braun and Senator Sinema of Arizona to increase the safe and humane treatment of federal working dogs. “Working dogs” are used for the detection of explosives, narcotics, and missing persons, as well as serving in patrol and navigation capacities. In October 2022, the Government Accountability Office (GAO) cited 18 issues pertaining to the treatment of federal working dogs including lack of programs that detect abuse and the mistreatment of these animals in a report entitled “[Working Dogs: Federal Agencies Need to Better Address Health and Welfare.](#)”

The *Working Dog Health and Welfare Act* ensures that federal agencies implement GAO’s recommendations for existing working dog programs within 180 days of enactment, requires new working dog programs to proactively implement GAO’s recommendations, and requires agencies to submit a report to Congress on the steps taken to implement GAO’s recommendations. This legislation would include programs that detect abuse and neglect of these animals, as well as ensuring emergency medical care, exercise, food and water, rest and off-duty time, and medical needs after retirement. There are nearly 5,500 working dogs served in the federal government within 64 programs at eight departments and three independent agencies. This legislation is endorsed by the American Humane, the Humane Society Legislative Fund, the American Kennel Club, and White Coat Waste.

Senator Braun Bills Approved in Committee

The FAIR Drug Pricing Act (S. 935)

Senator Braun joined Senator Tammy Baldwin (D-WI) in introducing the *Fair Accountability and Innovative Research (FAIR) Drug Pricing Act*, bipartisan legislation to require basic transparency for pharmaceutical corporations that increase drug prices. This legislation was reported favorably by the Senate Committee on Health, Education, Labor and Pensions (HELP) on June 26, 2023. The price of more than 1,200 medications increased greater than inflation from July 2021 to July 2022, the—with an average increase of almost four times the inflation rate—the median annual price of a new drug in 2022 costing more than \$222,000. Regrettably, 15 percent of patients report either delaying a refill after running out of medications or rationing medications due to cost. The *FAIR Drug Pricing Act* requires drug manufacturers to notify the U.S. Department of Health and Human Services (HHS) and submit a transparency and justification report 30 days before they increase the price of drugs that cost at least \$100 by more than ten percent over one year or 25 percent over three years. For drugs that have a list price that is higher than median family income, or \$70,784 in 2021, manufacturers will also be required to submit a transparency and justification report. This reform is supported by AARP, Campaign for Sustainable Rx Pricing, National Multiple Sclerosis Society, Patients For Affordable Drugs, American College of Physicians (ACP), American Academy of Neurology, Blue Cross Blue Shield Association, Kaiser Permanente, 340B Health, The Medicare Rights Center, Families USA, Center for Medicare Advocacy, Inc., Marshfield Clinic Health System, Security Health Plan, Alliance of Community Health Plans (ACHP), Public Citizen, National Committee to Preserve Social Security and Medicare, Alliance for Retired Americans, and Medicare Rights Center.

The Expanding Access to Low-Cost Generics Act (S.1114)

Senator Braun and Senator Tina Smith (D-MN) reintroduced legislation to address harmful schemes that prevent access to affordable prescription drugs for millions of people across the country. The *Expanding Access to Low-Cost Generics Act* addresses an anti-competitive prescription drug practice called “parking.” Parking occurs when a brand name manufacturer agrees not to sue the first company that submits an application to create a generic version of that drug—a so-called “first filer”—as long as the generic company agrees to delay bringing that generic drug to market. No other company can bring a generic version of a brand name drug to market until 180 days after the first filer has done so. These anti-competitive agreements among drug companies allow fewer lower-cost generic products to come to market and keep prices higher for consumers. Right now at least 75 percent of “first filer” generic products have delayed their market entry due to “parking” arrangements with brand-name companies. The Expanding Access to Low-Cost Generics Act takes major steps toward eliminating this practice. On May 11, 2023, the Senate HELP Committee overwhelmingly approved passage of this legislation, and on a bipartisan basis.

The RARE Act (S. 1214)

Senator Braun joined Senator Tammy Baldwin (D-WI) in introducing the *Retaining Access and Restoring Exclusivity (RARE) Act* to help preserve access to treatments for rare disease patients, especially children, by incentivizing drug manufacturers to research and develop these treatments. The *RARE Act* responds to the 2021 U.S. Court of Appeals decision in *Catalyst Pharms., Inc. v. Becerra* that weakened the Orphan Drug Act of 1983 and disincentivized development into drugs to treat rare diseases. The court ruled in favor of Catalyst Pharmaceuticals, Inc., turning a decades-long practice by the Food and Drug Administration (FDA) regarding “orphan drug exclusivity” on its head. An orphan drug is used to treat an orphan disease, a rare disease or condition that affects fewer than 200,000 people. As a result, FDA was forced to withdraw marketing approval for a drug that provides the only approved treatment option for children with a rare disease called Lambert-Eaton myasthenic syndrome, or LEMS. The bipartisan *RARE Act* would fix this issue by codifying the FDA’s longstanding interpretation of the Orphan Drug Act of 1983 to ensure that the scope of the orphan drug exclusivity is clarified to apply only to the same approved use or indication within such rare disease or condition instead of the same disease or condition. This would give FDA the necessary authority to approve the same drug from different manufacturers if they aim to serve different patient populations and combat manufacturers’ efforts to take advantage of the Court’s ruling in *Catalyst*. On May 11, 2023, the Senate HELP Committee overwhelmingly approved passage of this legislation, and on a bipartisan basis.

A bill to require the Secretary of Labor to conduct a study on the fiduciary duties of pharmacy benefit managers (S.3330)

Senator Braun and Senator Maggie Hassan (D-NH) introduced S. 3330 to require the Secretary of Labor to conduct a study on the fiduciary duties of pharmacy benefit managers (PBMs). Employers and other large group health plans have decried PBMs for requiring their customers enter into very opaque agreements. In these contracts are “spread pricing” policies and other practices that allow PBM to shield the share of rebates they take for themselves and because of this, a push emerged to clarify that PBMs have a fiduciary duty to their beneficiaries. In June 2023, this legislation was successful added as an amendment to S. 1339, the *Pharmacy Benefit Manager Reform Act*, which was reported favorably by the Senate HELP Committee.

The Naloxone Affordability Act (S. 1373)

Senator Braun and Senator Markey (D-MA) introduced the *Naloxone Affordability Act* to require the Government Accountability Office (GAO) to conduct a study on actions that may be taken to protect access to naloxone, medicine which can reverse a deadly opioid overdose, and to report on out-of-pocket costs and insurance coverage for naloxone. The legislation followed the Food and Drug Administration's (FDA) landmark decision to approve naloxone, or Narcan, for over-the-counter sales. Sens. Braun and Manchin sent a [letter](#) urging FDA's swift approval of OTC naloxone a week before FDA's decision. In June 2023, this legislation was successfully added as an amendment to S. 1339, *the Pharmacy Benefit Manager Reform Act*, which was reported favorably by the Senate HELP Committee.

The Expose Hospitals Violating Price Transparency Act (S. 3327)

Senator Braun and Senator Ted Budd (R-NC) introduced the *Expose Hospitals Violating Price Transparency Act* to require the Secretary of Health and Human Services to publish a list of hospitals found to be in noncompliance with the hospital price transparency rule. In September 2023, this legislation was successfully added as an amendment to S. 2840, the *Bipartisan Primary Care and Health Workforce Act* that was favorably reported by the Senate HELP Committee

The Health Care PRICE Transparency Act (S. 1130)

Senator Braun introduced the *Health Care Prices Revealed and Information to Consumers Explained Transparency Act*. The bill requires hospitals and health insurance plans to disclose certain information about the costs for items and services. In September 2023, this legislation was successfully added as an amendment to S. 2840, the *Bipartisan Primary Care and Health Workforce Act*. An improved version of this legislation was introduced on December 14, 2023 (S. 3548, the *Health Care PRICE Transparency Act 2.0*). The updated version, among other things, requires actual prices instead of estimates, includes clinical labs, imaging centers, and ambulatory surgery centers, and allows plan sponsors access to their claims data.

The Train More Nurses Act (S. 2853)

Senator Braun, Senator Collins (R-ME) and Senator Rosen (D-NV), introduced the *Train More Nurses Act* to require the Secretary of Health and Human Services and the Secretary of Labor to conduct a study and issue a report on grant programs to support the nursing workforce. In September 2023, this legislation was successfully added as an amendment to S. 2840, the *Bipartisan Primary Care and Health Workforce Act* that was favorably reported by the Senate HELP Committee.

The Healthy Competition for Better Care Act (S. 1451)

Senator Braun and Senator Baldwin (D-WI) introduced the *Healthy Competition for Better Care Act* to ban anticompetitive terms in facility and insurance contracts that limit access to higher quality, lower cost care. This bill enables more group health plans and health insurance issuers to enter into agreements with providers that guide enrollees to high-value providers and provide incentives to encourage enrollees to seek higher-quality, lower cost care. In September 2023, a modified version of this legislation was included in S. 2840, the *Bipartisan Primary Care and Health Workforce Act* that was favorably reported by the Senate HELP Committee.

Continuing to Fight For Commonsense Opioid Reform

In December 2023, the Senate HELP Committee approved two provisions as part of the *SUPPORT for Patients and Communities Reauthorization Act* (S. 3393), legislation that was favorably reported by the Committee. Section 114 was included in response to Sen. Braun and Sen. Hassan's requests to build on their previous work with opioid disposals. Namely, Senators Braun and Hassan previously introduced legislation to make it easier to dispose of opioids and other medications. The *Better Options for Drug Disposal Systems to Reduce Diversion Act of 2021* eliminated this burdensome requirement and allow for more broad use of safe and effective in-home disposal products, such as those which modify the chemical makeup of the drugs and make them unusable. At the September 2023 markup of the SUPORT Act, Section 114 was included to require the FDA to publish new guidance for at-home disposal of opioids that is more reflective of the flexible standards implemented by the Hassan-Braun bill mentioned above. In addition, the bill included Section 115 in response to Sen. Braun and Senator Manchin (D-WV) legislation, the *FREED of Opioids Amendment*. Section 115 directs the FDA to publish a report outlining a plan for it to review of opioid painkillers with consideration of the public health implications of such drugs, with a specific mention of enriched enrollment randomized withdrawal (EERW). This is much weaker than FREED, though a step in the right direction.

The EFFECTIVE Act (S. 607)

Senator Braun joined Senator Manchin (D-WV) and Senator Baldwin (D-WI) in introduced the *Ensuring the FDA Fully Examines Clinical Trial Impact and Vitalness before Endorsement (EFFECTIVE) Act*. The *EFFECTIVE Act*, would allow the Food and Drug Administration (FDA) to deny a new drug application for an opioid analgesic drug on the basis of the drug not being clinically superior to other commercially available drugs. In December 2023, the Senate HELP Committee included the *EFFECTIVE Act* as part of its *SUPPORT for Patients and Communities Reauthorization Act (S. 3393)*, legislation that was favorably reported by the Committee. Upon Committee passage, Senator Braun remarked, “The opioid epidemic has permeated every corner of Indiana and left communities devastated from the loss of life and opportunity. Drug overdoses are now one of the most common causes of death in Indiana. I’m proud we were able to pass this bill out of committee because it’s a much-needed bipartisan solution to slow the growth of the crisis by tightening up the FDA approval process for opioid drugs by taking efficacy into account when approving new ones.”

The Modernizing Opioid Treatment Access Act (MOTAA) (S. 1451)

Senator Braun, Senator Rand Paul (R-KY), and Senator Ed Markey (D-MA) introduced the *Modernizing Opioid Treatment Access Act (MOTAA)* to allow board certified addiction medicine and addiction psychiatry doctors registered with the Drug Enforcement Administration (DEA) to prescribe methadone that patients could pick up at a pharmacy. In December 2023, the Senate HELP Committee included MOTAA as part of its *SUPPORT for Patients and Communities Reauthorization Act (S. 3393)*, legislation that was favorably reported by the Committee.

The PEER Support Act (S.2733)

Senator Braun and Senator Kaine (D-VA) introduced the *PEER Support Act* to address the behavioral health workforce shortages through support for peer support specialists. More specifically, this legislation would codify the Office of Recovery at the Substance Abuse and Mental Health Services Administration (SAMHSA) and help peer support specialists serving individuals recovering from a mental health condition or substance use disorder by removing barriers to certification and practice. In December 2023, the Senate HELP Committee included the *PEER Support Act* as part of its *SUPPORT for Patients and Communities Reauthorization Act (S. 3393)*, legislation that was favorably reported by the Committee.

Sec. 902 Senate-Passed NDAA (S. 2226): Reinstatement of position of Chief Management Officer of Department of Defense.

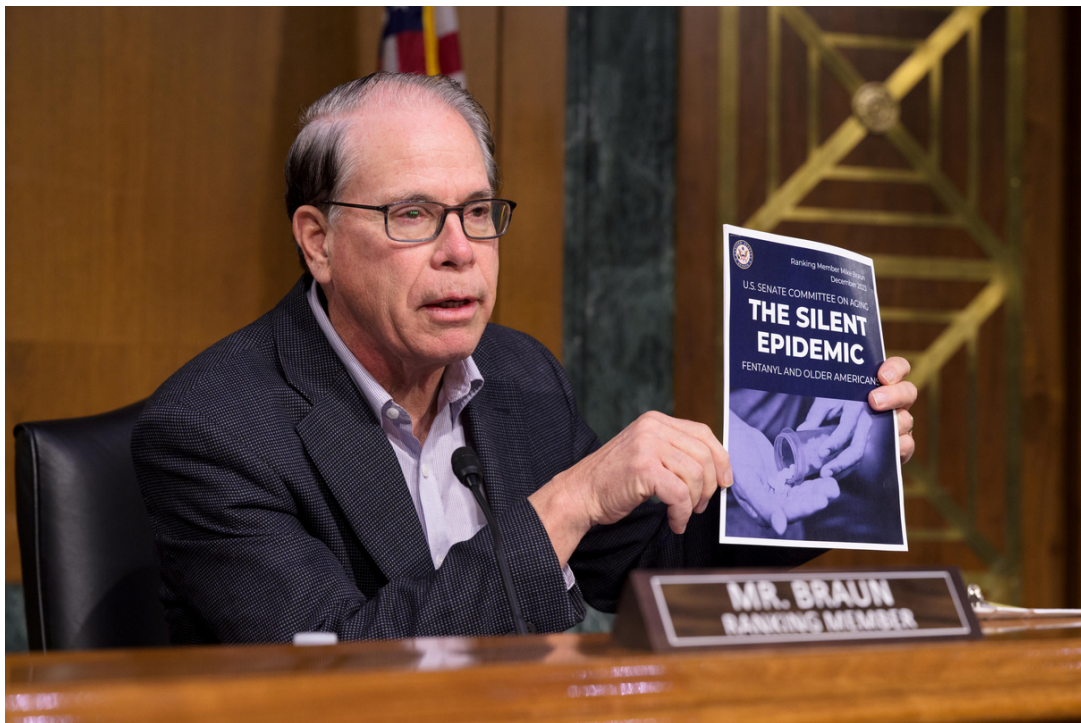
The FY21 NDAA terminated the position of Department of Defense (DOD) Chief Management Officer (CMO), and reassigned those duties to the Deputy Secretary of Defense (DSD) which were immediately reassigned to another civilian with less authority.

Elimination of the CMO has resulted in exactly what was predicted, cost savings measures have been pawned off on a position with no authority in the Department and ignored. In response, Senators Braun and Manchin secured a provision in the Senate-passed NDAA to reinstate the position of CMO as the third in seniority within the Department of Defense, require the Secretary of Defense to issue a Charter, and include modernized responsibilities informed by the last Chief Management Officer. The Senate-passed provision was removed during conference.

The Senate amendment contained a provision (sec. 902) that would reinstate the position of the Department of Defense Chief Management Officer in chapter 4 of title 10, United States Code. The House bill contained no similar provision. The Senate receded to the House, and unfortunately the provision was not included in the final FY24 NDAA.

Senator Braun Committee Work

Senator Braun sits on four committees in the United States Senate in the 118th Congress:



Senator Braun speaks on the Special Committee on Aging

1. Special Committee on Aging (Ranking Member)
2. Agriculture Committee
3. Budget Committee
4. Health, Education, Labor and Pensions (HELP)

SENATE SPECIAL COMMITTEE ON AGING WORK

In the 118th Congress, Senator Braun was chosen to serve as Ranking Member of the Special Committee on Aging. The Committee conducts oversight and provides recommendations for legislation on a range of issues that impact older Americans. As Ranking Member, he has prioritized policies that sustain programs that are essential to our nation's seniors and most vulnerable populations, protect older Americans' retirement funds, increase affordable housing, prevent frauds and scams, lower healthcare costs through competition and transparency, and safeguard safety net programs for future generations.

Senator Braun led 10 hearings in Washington this past year examining these issues and developing solutions. As a part of these hearings, he brought Hoosier voices to Washington, securing four witnesses from Indiana to testify before Congress. As a direct result of these testimonies, Senator Braun introduced the following:

- The *Guardianship Grant Flexibility Act* (S.1126) to remove barriers for states by making federal guardianship grants more flexible.
- The *SEE Care Compare Act* (S.2112) to improve Care Compare's visibility and use so that consumers, their families, and caregivers can compare nursing homes more easily.
- The *Middle Class Borrower Protection Act* (S.2296) and *Homeowner Energy Freedom Act* (S.2806) to reverse two harmful Biden administration provisions that increase mortgage rates for middle class Americans and the upfront costs of homes by more than \$20,000.
- The *Medicare Transaction Fraud Prevention Act* (S.3630) to help with the sustainability of Medicare by utilizing machine learning to notify beneficiaries in real time with suspicious purchase alerts and fight the \$60 billion in Medicare fraud and improper payments that happens each year.

Senator Braun also released the following reports as a part of these hearings:

- "What's Working for Older Workers," examining the challenges that older workers are facing and providing solutions for Congress and the Administration to support older workers, protect their retirement security, and strengthen their workforce participation.
- "Fighting Fraud: Top Scams in 2022," examining scam trends in order to raise awareness and provide tips to prevent fraud. The report included a focus on the rising use of AI in scams.
- "The Silent Epidemic: Fentanyl and Older Americans," detailing the rise in fentanyl overdoses among older Americans. The report makes three recommendations to reverse this crisis: reduce the supply of synthetic drugs from China and Mexico, raise awareness among seniors, and improve data on drug use by seniors.

Additionally, in August, Senator Braun held a field hearing in Indianapolis where he heard from four Hoosiers about economic challenges and opportunities for older Americans. Vice President Toby Deaton of the Indiana Fraternal Order of Police testified about how the Windfall Elimination Provision (WEP) and Government Pension Offset (GPO) provisions can reduce public service workers' Social Security benefits. Mr. Tom McKinney with McKinney Farms highlighted how Environmental, Social, and Governance (ESG) standards being pushed by the Biden administration are hurting family farms, resulting in a decline in new farmers. Mr. Wes Synder, a franchise owner, talked about his own experiences hiring older workers and how President's Biden joint employer rule will limit opportunities for older Americans seeking work. Finally, Ms. Valerie Jones, an older worker at St. Vincent de Paul, described her own struggles with returning to work and inflation.

Following this field hearing, Senator Braun:

- Cosponsored the *Social Security Fairness Act (S.597)* to ensure that public service workers, such as teachers and law enforcement, receive their full share of Social Security benefits.
- Introduced a disapproval resolution (S.J.Res.49) to prevent Biden's job killing joint employer rule from going into effect.
- Released a report entitled, "Feeding the Future," identifying challenges that older farmers are facing and solutions that would attract and retain farmers, increase agriculture innovation, streamline regulations, and protect domestic agriculture.



Promising Pathway Act

This year, Senator Braun reintroduced the bipartisan *Promising Pathway Act* to help Americans diagnosed with serious rare and progressive diseases gain quicker access to drugs that could treat or even cure their condition. More than 90 percent of rare and progressive disease lack any approved treatments or cures. Traditional FDA approval of a drug can take over a decade and billions of dollars to attain. The Promising Pathway Act would fix that: as soon as a drug begins to demonstrate adequate evidence of effectiveness, after showing substantial evidence of safety, then a drug manufacturer may make that drug provisionally available to rare and progressive disease patients that participate in a monitoring registry. Data is collected to not only support the provisionally approved drug, but to help scientists better understand the disease in question and unlock new methods of treatment. The FDA is given multiple authorities to ensure patient safety and to protect the gold standard of drug approval.



Photos from the Promising Pathway Act press conference in October

As Ranking Member on the Aging Committee, Senator Braun hosted the first ever patient-focused hearing on rare and progressive diseases in October. Prior to the hearing, he held a press conference with Senator Gillibrand, Representative Quigley, and advocates from the rare and progressive disease community.

Since the hearing, there has been a lot of positive momentum for the bipartisan *Promising Pathway Act*.

Currently the cosponsors of the *Promising Pathway Act* are Senators Gillibrand, Wicker, Cramer, Murkowski, Manchin, Warnock, Vance, Schmitt, Graham, Shaheen, Padilla, Lummis, Ricketts, Daines, Capito, Tester, Welch, Fetterman, Kennedy.

OTHER COMMITTEE WORK

Within the four committees Senator Braun sits on, he was chosen to serve as Ranking Member of the Special Committee on Aging, and the Ranking Member of two subcommittees:

- Ranking Member, HELP Subcommittee on Employment and Workplace Safety
- Ranking Member, Agriculture Subcommittee on Food and Nutrition, Specialty Crops, Organics and Research

As part of these committees, Senator Braun participated in 70 hearings in 2023. As part of these hearings, Senator Braun was proud to have brought Hoosier voices to Washington, securing 12 witnesses from the State of Indiana to testify before Congress on their valuable perspectives.

Senator Braun also participated in 17 committee business meetings where legislation was actively amended. At committee markups, Senator Braun helped thirteen pieces of health care legislation that he approved pass the Committee, either as stand-alone bills, or as amendments to committee bills being considered.

AGRICULTURE

Hoosiers have been continuously represented on the Senate Committee on Agriculture, Nutrition, and Forestry since the 1977 Farm Bill. Since then, we have seen farm policy evolve and the Farm Bill expand to include nutrition and conservation policy.

Last year, the Congressional Budget Office (CBO) projected that the next Farm Bill will cost more than \$1.4 trillion over ten years. This is the first-ever Farm Bill with a price tag in excess of \$1 trillion and is 65 percent costlier than the 2018 Farm Bill. Senator Braun is seriously concerned with the financial health of the federal government, especially in the wake of unchecked partisan spending during the Biden presidency.

That is why Senator Braun is working on a bipartisan basis to inject fiscal responsibility into the Farm Bill.

One way he is doing so is through the use of public-private partnerships. Following the lead of the State of Indiana, which has incentivized skin-in-the-game for local road funding grants, Senator Braun has advocated for leveraging community partnerships and skin-in-the-game to increase program delivery for the U.S. Department of Agriculture's (USDA) broadband programs. He has also introduced the bipartisan *Increased TSP Access Act of 2023*, which will create a framework for non-federal entities to train and certify technical service providers and improve implementation of USDA's conservation programs.

In the next Farm Bill, Senator Braun will also work to ensure that American farms, ranches, and agribusinesses are well-equipped to succeed in the face of record inflation and unreliable supply chains. He worked across the aisle to introduce the *Plant Biostimulant Act of 2023*, legislation that builds on the 2018 Farm Bill and helps these next-generation products access American markets. He also introduced the *Safe American Food Exports (SAFE) Act of 2023* to encourage USDA to adopt a preemptive trading posture for livestock and animal products during an animal disease outbreak.

Finally, as an outdoorsman, Senator Braun also cares deeply about the health of America's forestland. Our private and public forests have immense potential to sequester greenhouse gas emissions. The Trillion Trees and Natural Carbon Storage Act, which Senator Braun has led since he joined the Senate, would direct USDA to tap into this potential and leverage its forestry programs to increase the net carbon stock of American forestland.

Outside of the Farm Bill process, Senator Braun is also working with bipartisan colleagues to protect American agricultural land. His bill, the *Protecting America's Agricultural Land from Foreign Harm Act of 2023*, would ensure that foreign adversaries can neither purchase American farmland nor access the USDA programs on which Hoosiers rely.

FAMILIES FIRST

Some of the legislation Senator Braun has introduced this year putting families and life first.

- *The Dignity for Aborted Children Act* requires the dignified treatment of fetal remains and establishes civil penalties for those that do not make such provision. This is modeled after Indiana's law that was upheld by the U.S. Supreme Court in 2019. The Dignity for Aborted Children Act was first introduced in 2019 after the discovery of Indiana abortionist Ulright Klopfer's heinous collection of over 2,000 fetuses in his Illinois home.
- *The Parental Notification and Intervention Act* would require parental notification and the opportunity for parental intervention for abortions conducted on un-emancipated minors. The CDC reports there were 146,973 births to mothers aged 15-19 in the United States in 2021, comprising about 4 percent of all births that year. Given the post-Dobbs realities, it is likely that we're going to see an increase in interstate travel for abortion and many of these pregnancies are often connected to criminal action. Clinicians and medical professionals are known as mandatory reporters and are required by law to report any suspected abuse or neglect of children. Sadly, there are several documented cases in which Planned Parenthood has illegally failed to report the sexual abuse of minors.

- *The No Taxpayer Funding for Health Centers Providing Abortion Act* prohibits grants that are awarded by the Health Resources and Services Administration through the Health Center Program from being used to provide an abortion unless the abortion is necessary to save the life of the mother. This legislation would close the mobile abortion clinic loophole opened by the MOBILE Health Care Act of 2022.
- *The Day of Tears Resolution*, memorializes the unborn by lowering the U.S. flag to half-staff on the 22nd day of January each year in memory of the Roe v. Wade decision issued on January 22, 1973.



PROTECTING THE 2ND AMENDMENT

The Second Amendment of the U.S. Constitution guarantees the right of the American people to keep and bear arms. Upon taking office, Senator Braun swore an oath to uphold and defend the U.S. Constitution. The constitutional right of Americans to keep and bear arms is integral to self-defense and individual gun ownership must be defended. As a lifelong hunter and fisherman, Senator Braun is committed to upholding this constitutional right of all Americans and to fighting overreaching federal executive orders that seek to do just that.

Protecting the 2nd Amendment in Public Health Emergencies:

During the 118th Congress, Senator Braun was again the lead sponsor of the *Protecting the Right to Keep and Bear Arms Act* (S. 2911). This bill prohibits the President, or the U.S. Department of Health and Human Services Secretary, from declaring emergencies or disasters for the purpose of imposing gun control. The bill specifically prevents any government official from prohibiting the manufacture, sale, or transfer of a firearm or ammunition during a disaster or emergency.

In various reports, gun control organizations are encouraging the Biden Administration to administratively restrict one's constitutional right to keep and bear arms. One such idea is to declare "gun violence" a public health emergency. The central idea is that declaring gun violence as a "public health emergency" would open "a broad set of powers to accelerate steps to prevent gun violence."

As *The New York Times* points out, with “gun violence” declared as a public health emergency, the Administration will be able “to swiftly enact executive orders that would regulate the tracking of homemade firearms, require background checks for virtually all gun sales and mandate dealers notify the F.B.I when they complete gun sales before completing a background check.” Meaning, the Administration would then potentially have the power to indefinitely hold up a gun sales.

Upon introducing this legislation, Senator Braun remarked, “Declaring a public health emergency does not give the Executive Branch the right to infringe upon the Second Amendment rights of Americans to defend themselves and their families, and Congress must make this 100% clear in law so the rights of law-abiding citizens can’t be destroyed through the bureaucratic loophole that is opened by exploiting a crisis.”

In July 20, 2023, Senator Braun offered this legislation as an amendment to S. 2333, *the Pandemic and All-Hazards Preparedness and Response Act* during a markup held by the Committee on Health, Education, Labor, and Pensions (HELP). Regrettably, the amendment failed on a party line, with all Democrats voting against the legislation.

Protecting the 2nd Amendment from Baseless Rules and Arbitrary Decision-making:

Senator Braun was also the lead sponsor this Congress of the *ATF Accountability Act* (S. 3529), legislation to provide transparency to gun owners across America concerning rules made by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).

The ATF engages in a secretive classification review process where the agency makes decisions about whether a particular firearm is regulated by the National Firearms Act. Decisions and justification for decisions are often only made available to manufacturers in private correspondence. This causes a lot of uncertainty for both gun-owning Americans and firearm manufacturers, especially in combination with the ATF’s refusal to make final public rules regarding classification.

The ATF Accountability Act creates an appeals process following a ruling by ATF with specific regular timeframes; permits gun manufacturers to appeal the legal status or classification of any product by filing with the Director of Industry Operations with jurisdiction. After which, the appeal is directed to an administrative law judge.

This bill is endorsed by the Firearms Regulatory Accountability Coalition (FRAC) and supported by the National Rifle Association.

Fighting Biden's Ban on Pistol Braces:

Unaccountable bureaucrats at the ATF overstepped the constitutional boundaries enshrined in the Second Amendment when issuing regulatory guidance intended to ban pistol braces—equipment that is largely used by individuals with disabilities or injuries that would otherwise be unable to use a pistol safely.

In 2012, the Obama-Biden ATF determined that pistol-brace attachments do not change the classification of a pistol to that of a rifle. Despite this, the Biden Administration in 2021 directed the U.S. Department of Justice (DOJ) to propose a rule that clarifies when a pistol with a brace attachment should be designated as a rifle. Then in January 2023, the DOJ announced its “stabilizing braces” final rule (RIN 1140-AA55).

Senator Braun has joined colleagues in fighting this rule during every stage of development.

- On June 24, 2021, Senator Braun joined 47 Senators in writing to ATF about its proposed rule to effectively ban pistol braces;
- On March 11, 2022, Senator Braun joined 18 colleagues in writing the ATF to demand answers from the ATF on its recent enforcement practices pertaining to homemade suppressors and certain brands of aftermarket rifle triggers;
- On March 16, 2022, Senator Braun joined 24 colleagues in writing the ATF to demand answers from ATF for its mass denial of Forms 1, which are necessary for the creation of National Firearms Act regulated items like suppressors or homemade firearms;
- On March 25, 2023, Senator Braun joined Senator John Kennedy of Louisiana and 45 of his Republican colleagues in introducing legislation to nullify the rule (S.J.Res. 20);
- June 22, 2023, Senate Democrats blocked the resolution by a vote of 49-50 (the vote occurred on the identical Senate companion, H.J.Res. 44), and despite the legislation's successful passage in the U.S. House of Representatives.

FIGHTING FOR FISCAL SANITY IN WASHINGTON

Working to Quit Playing Games with the Debt Ceiling:

In June 2023, the United States once again breached its statutory limit for borrowing money (its “debt limit”). The United States Department of the Treasury was forced to employ “extraordinary measures” while the Congress once again found itself in a protracted fight over if and how to raise the debt ceiling.

On June 22, 2023, Senator Braun introduced S. 2168, *the No Default Act*, legislation to remove the drama from debt ceiling negotiations by allowing the Treasury to continue to pay necessary obligations after an “X date” but will automatically cut 1% of discretionary spending every 30 days (not including entitlements) until Congress makes a deal, giving Congress an incentive to make a budget to avoid cuts to policy priorities from both parties.

Senator Braun offered the *No Default Act* as an amendment to a bill to raise the debt ceiling (S.Amdt.91) in June 2023. Breaches of the debt ceiling are a predictable, reoccurring problem that could be avoided. The Braun Amendment would have rescinded discretionary appropriations in the event of a debt ceiling crisis period and to honor the full faith and credit of the debts of the United States in the event of a debt ceiling crisis.

Regrettably, the Senate did not agree to the amendment, choosing instead to reinforce the pattern of dysfunction. The amendment failed by a margin of 35–62.

Senator Braun ultimately voted against the legislation to increase the debt ceiling without strong spending reforms, noting: “This deal makes our current bloated spending levels the new baseline going forward, setting us further down the path to financial ruin. We need deep spending cuts, and Congress shouldn’t get paid until we deliver a real budget that seriously addresses our massive debt. There’s more drama here than usual but sadly the play is going to end the same way: the big spenders in both parties getting together to increase the size of the federal government.”

Senator Braun has also introduced or supported the following legislation to reform budget and spending processes to avoid government shutdowns:

- S. 2041, the *End Government Shutdowns Act* (Senator Braun and others)
- S.1012, the *Keep the Watchdogs Running Act* (Senator Braun, Carper and others)
- S.2729, the *End Shutdowns Act* (Senator Kaine, Braun and others)
- S. 2835, the *Pay Our Military Act of 2023* (Sen. Sullivan, Braun and others)

Fighting Pork-Stuffed Spending Bills:

In October 2023, the United States Senate considered a minibus appropriations bill that was riddled with pork—also called “earmarks” or “congressionally-directed spending.”

The fiscal year (FY) 2024 spending bills for MilConVA, Agriculture, Transportation, and Housing and Urban Development (HUD) contained \$3.73 billion on 1,291 pet projects for politicians.

Senator Braun offered an amendment (#1182) to H.R. 4366 to prohibit all earmarks in the underlying bill. Speaking to the amendment, Senator Braun remarked, “Earmarks give representatives, give senators the incentive to be big spenders. We should cut every earmark out of this bill and ban them permanently and quit loading up our kids and grandkids with the debt to pay for all this.”

Regrettably, the amendment was defeated by a margin of 35-62. This is the second year in a row that Senator Braun has forced a vote on an amendment to strip out pork from spending bills.

Senator Braun also introduced legislation (S.Res.14) to force members of the Senate to comply with earmark disclosure rules. While Senate rules require members to disclose certain information about the earmarks they request, a loophole exists that frees Senators of this obligation if the bill originates in the U.S. House of Representatives. Senator Braun’s legislation closes this loophole.

Senate rejects Mike Braun ban on minibus earmarks

Fighting for Fiscal Management at the Pentagon:

The *FY21 National Defense Authorization Act* (NDAA) terminated the position of Department of Defense (DOD) Chief Management Officer (CMO), and reassigned those duties to the Deputy Secretary of Defense (DSD) which were immediately reassigned to another civilian with less authority.

Elimination of the CMO has resulted in exactly what was predicted, cost savings measures have been pawned off on a position with no authority in the Department and ignored. In response, the Senator Braun and Senator Manchin of West Virginia introduced legislation (S. 2266) to reinstate the position of CMO as the third in seniority within the Department of Defense, to require the Secretary of Defense to issue a Charter, and to modernize responsibilities informed by the last Chief Management Officer.

An amendment was offered at the closed door markup of the Senate Armed Services Committee, adding the legislation successfully to the FY24 NDAA that would later pass the U.S. Senate.

The Senate-passed provision, however, was removed during conference. The Senate amendment contained a provision (Section 902) that would reinstate the position of the Department of Defense Chief Management Officer in Chapter 4 of title 10, United States Code. The House bill contained no similar provision. Regrettably, the Senate receded to the House and the provisions was not included in the final FY2024 NDAA.

EMPLOYMENT & WORKFORCE TRAINING

Protecting Employees and Employers:

In response to burdensome and uncertain regulatory actions that have adversely affected small businesses over the past few years, Senator Braun has introduced legislation such as the *Tipped Employee Protection Act* (S. 781) and the *Protections for Socially Good Activities Act* (S. 1104) to provide protections for employees and employers.

- *The Tipped Employee Protection Act* (S. 781) amends the definition of “tipped employee” in the Fair Labor Standards Act of 1938 to provide greater clarity and stability for these workers and their employers. The bill would reduce regulatory uncertainty and compliance costs for businesses with tipped employees by providing clear definitions and constricting the zigzag policy changes that result from frequent executive and judicial branch reinterpretations. The bill follows the enactment of a new Dual Jobs final rule by the Department of Labor in 2021, which overturned a Trump-era rule and instituted burdensome new restrictions on employer tip credits when a tipped employee performs “non-tipped, directly supporting work” for more than 20 percent of the workweek or for any continuous period of 30 minutes.

- The *Protections for Socially Good Activities Act* (S. 1104) allows a franchisor, without risk of being deemed a joint employer, to require its franchisees to implement certain literature, policies, and trainings for socially good programs such as information about childcare and paid family leave, or the prevention of sexual harassment, human trafficking, workplace violence, discrimination, apprenticeships and scholarships, and COVID-19. The bill allows franchisors to require reports from franchisees on related incidents.

Senator Braun has also been an original cosponsor to legislative initiatives aimed at improving the American workforce, such as the *Employee Rights Act* (S. 1201, introduced with Sen. Tim Scott), which seeks to modernize our nation's labor policies to match the needs of the 21st Century worker by promoting growth and innovation, ensuring that our laws protect workers rather than union bosses, and allowing Americans to take home more of their hard-earned money.

Standing Up to Biden Administration Labor Policy

Julie Su Nomination

In March 2023, President Biden nominated Deputy Secretary of Labor Julie Su to serve as Secretary of Labor. Despite the HELP Committee holding a hearing on this nomination and reporting it out of committee on a partisan basis in April 2023, there was never a vote from the full Senate on this nomination, due to bipartisan opposition to the nominee's record of hostility to the small business community. In June 2023, Senator Braun led a letter to President Biden, cosigned by 33 Republicans including Minority Leader Mitch McConnell, calling on him to withdraw Julie Su's nomination to lead the Department of Labor, as it was clear by that point, that she did not have the votes to be successfully confirmed.

Overtime Rule

In August 2023, the Department Labor announced plans to implement a rule affecting overtime classification for employees. As it currently stands, only salaried workers who earn \$684 a week, or \$35,600 a year, qualify for overtime pay if they work over 40+ hours a week. With the new rule, the threshold would be raised to \$1,059 per week, or \$55,000 a year. Senator Braun was the first senator to submit a formal comment letter to the Department, outlining the harmful effects this rule would have on both employees and employers, as well as the economy. Senator Braun later authored a subsequent letter to the Department requesting an extension of the comment period for this rule due to the gravity its implementation would have on small businesses.

Joint Employer Rule

Senator Braun was an original cosponsor of the *Save Local Business Act* (S. 1261, introduced with Sen. Roger Marshall), which would provide clarity on joint employer and improve businesses' ability to operate without violating federal joint employer rules. This bill was introduced in response to the Department of Labor's proposed joint employer rules, marking the third time since 2015 that joint employer standards have gone through the federal rulemaking process. The bill would codify a federal standard for joint employer and give stability to small businesses.

In October 2023, the National Labor Relations Board (NLRB) issued a long-awaited final rule expanding the standards for determining a joint employer under the *National Labor Relations Act*. Under the NLRB's final rule, a business is considered a joint employer if it has the right to exercise control over wages, benefits, hours of work, duty assignments, supervision of duties, work rules and discipline, hiring and discharge of employment, or working conditions.

The final rule is expected to have a serious adverse impact on the franchise industry and small business owners in America. In response to the NLRB's actions, Senator Braun and his colleagues introduced S.J.Res. 49, a Congressional Review Act (CRA) resolution of disapproval, which would prevent the NLRB from fundamentally overhauling small business ownership and undermining the franchise business model as a whole, with this rulemaking.

Workforce Training:

With the prevalence of workforce shortages in nearly every industry across the country, it is more important than ever that avenues be available for employers to connect with prospective employees and for those employees to find satisfying careers. Senator Braun has worked on several pieces of legislation that aim to provide options for employers seeking to fill positions and individuals seeking to enter the workforce.

- The *Jumpstart Our Businesses by Supporting Students (JOBS) Act* (S. 161, introduced with Sen. Tim Kaine) would expand Pell Grant eligibility to students enrolled in rigorous and high-quality short-term skills and job training programs that lead to industry-based credentials and ultimately employment in high-wage, high skill industry sectors or careers.
- The *Youth Apprenticeship Advancement Act* (S. 2363, introduced with Sen. John Hickenlooper) seeks to promote and expand youth apprenticeships through a competitive grant program to eligible entities.
- The *Freedom to Invest in America's Workforce* (S. 722, introduced with Sen. Amy Klobuchar) would allow 529 savings accounts to be used for workforce training, certification, and other credentialing program costs. This bill would provide valuable tax-advantaged resources for individuals pursuing alternative career pathways, mid-career changes, or career advancement.

AI in the Workplace:

On October 31, 2023, Senator Braun, in his capacity as ranking member of the HELP Subcommittee on Employment & Workplace Safety, held a bipartisan hearing to examine the role of artificial intelligence (AI) on the current and future workplace. The hearing – “AI and the Future of Work: Moving Forward Together” – featured witnesses that brought perspectives from the worlds of technology, hiring and talent recruitment, and AI law. The hearing served as an informative and educational platform for lawmakers to learn what employers and employees could reasonably expect in the coming years with respect to the incorporation of AI and what potential steps Congress may need to take in this space.

HOUSING AND BANKING

Housing unaffordability in the United States reached new highs in 2023, with increased cost of rent, elevated home prices, and higher mortgage rates. While the Biden Administration has enacted policies to push homeownership out of reach for millions of Americans, Senator Braun has fought to keep housing affordable for Hoosiers through policies that slash over-regulation and make homeownership costlier for middle-class Americans.

Senator Braun introduced S.2296, *Middle Class Borrower Protection Act* that would reverse a harmful Biden administration provision that increases mortgage rates for many middle-class Americans. The Biden rule punished responsible home buyers with good credit to subsidize those with bad credit and effectively raised rates for those with credit scores above 680.

Senator Braun also fought against provisions that add increased costs to building and buying new homes. For example, the *Inflation Reduction Act* authorized billions of borrowed dollars to upgrade so-called energy efficiency standards across the nation. These provisions increase the upfront cost of homes by more than \$20,000 in many communities. Senator Braun S.2806 - *Homeowner Energy Freedom Act* to nullify misguided provisions from the Inflation Reduction Act that increase the upfront cost of homes and impact what appliances Americans have in their homes.

Senator Braun also co-led S. 3216, *Build More Housing Near Transit Act* with Senator Schatz to encourage local governments to build more high-density housing near transit-oriented urban spaces. Specifically, the legislation directs the Secretary of Transportation to provide a scoring boost to the competitive grant application of public transit projects that include housing planning and development near new stations.

2023 was an eventful year in the banking sector with some of the largest bank failures in our country's history. Amid the turmoil, Senator Braun fought to protect Indiana's community banks, hold bad actors accountable, and ensure that the Regulators do their job.

Senator Braun co-led Senator Hawley's S.825 - *Protecting Consumers from Bailouts Act* that would prohibit FDIC from imposing a special assessment on community banks. Senator Braun was also a co-lead on Senator Warren's S.1790 - *Failed Bank Executives Clawback Act* that would hold executives responsible for the failure of a bank accountable by clawing back their compensation.

Senator Braun also co-led Senator Manchin's S. 3012 *Deposit Security Act*, which would establish a program for deposit insurance for noninterest-bearing transaction accounts (NIBTAs), which are accounts that are primarily used by businesses for payroll and other operating expenses. This bill would level the playing field for community banks and promote confidence that in the face of a bank failure, businesses will have access to their hard-earned deposited funds to pay their employees.

Last year also saw a major effort to change banking regulations through the so called "Basel III Endgame" proposal. Senator Braun has been a vocal critic of these requirements that would increase the amount of capital that banks must hold – thus reducing credit to businesses and consumers. These regulations stemmed from recommendations from the Basel Committee on Banking Supervision (BSBC), an international non-governmental organization. In response, Senator Braun introduced S.3446 the *Banking Regulator International Reporting Act* that would set up reporting requirements for US banking regulators who engage in critical policy-making discussions at international NGO's like the BSBC. This bill aims to bring transparency and Congressional oversight to closed-door discussions that have significant implications on the US economy and financial sector.

SEN. BRAUN CONSTITUENT SERVICES, 2023

The Office of Senator Mike Braun provides federal agency assistance to all citizens in Indiana. Acting as a liaison between Hoosiers and the federal government, Senator Braun's office can often help you answer questions, find resources or resolve problems.

Senator Braun has visited all

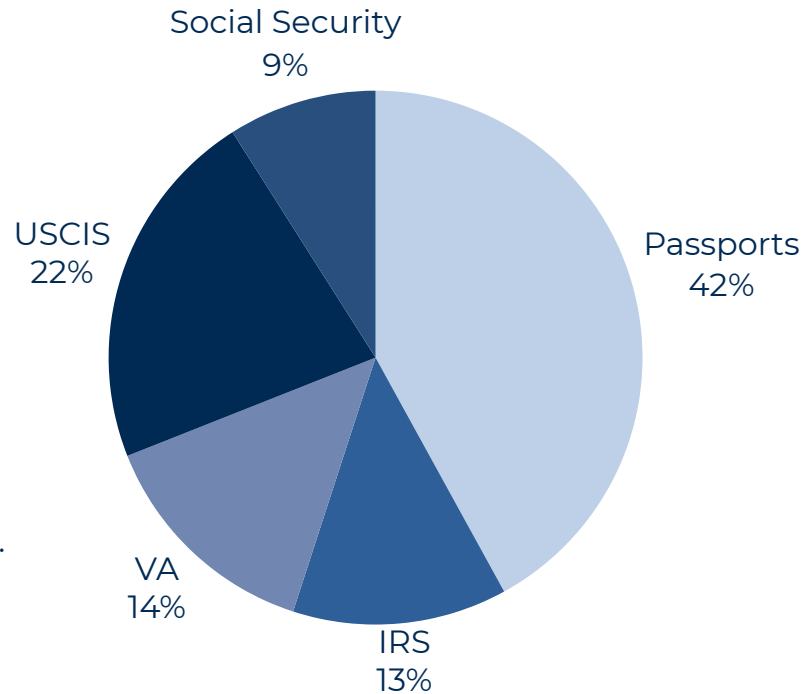
92 counties

in Indiana every year he has been in office

It's Senator Braun's goal to help you work through a problem you may have with a federal agency.

As a Main Street entrepreneur, Senator Braun understands customer service is vital.

For this reason, Senator Mike Braun's Indiana staff holds regular Staff Mobile Office Hours to hear from Hoosiers across the state.



Top Five Agencies for Casework in 2023



The Office of Senator Mike Braun returned
\$11,411,292.29
to Hoosiers in 2023

The Office of Senator Braun responded to
337,005 messages
from constituents in 2023

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