



Senator Mike Braun

# Solutions Update

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# A MESSAGE FROM SENATOR BRAUN

Dear Hoosiers,

All too often, Members of Congress vote for legislation they have not read, and do not fully understand. Since taking office, I have consistently voted against “too-big-to-fail” bills that are rushed through the legislative process and loaded up with costly pet projects for career politicians. I take my oath to uphold the Constitution seriously and I go to work each day working to protect the freedoms and liberties afforded to the American people under our founding documents; to deter career politicians from spending taxpayer’s money with reckless abandon; to create environments where entrepreneurs and small businesses can thrive in America; and to focus on fixing commonsense problems for the American people.

In the 117th Congress (2021-2022), I remained committed to pursuing federal legislation in “regular order,” that is, moving bills through processes that allow the public to fully consider legislation before such bills become law and binding upon them—this includes working through committee hearings, committee mark ups and being active in Senate floor proceedings. As such, I was among the top ten Senators in terms of production of stand-alone Senate bills that were signed into public law. I have also worked closely and consistently with colleagues across the aisle to enact into law numerous commonsense bills for which I was the lead partner. This guidebook provides an update on legislative activity undertaken in the 117th Congress.

God bless,

A handwritten signature in blue ink that reads "Mike Braun". The signature is written in a cursive, flowing style.

MIKE BRAUN  
United States Senator

# SEN. BRAUN BILLS ENACTED INTO LAW, 117TH CONGRESS



Senator Mike Braun topped the list of most bills passed by a lawmaker in 2021 according to a report by Axios.

Senator Braun has led a number of bipartisan legislative efforts to address issues facing Hoosiers that were signed into law, from creating a program to actively hire veterans and transitioning servicemembers, to fixing a broken grant program burdening teachers with unfair loans, to helping ALS patients access their Social Security benefits.

*In the 117th  
Congress,  
Senator Braun  
led 19 bills that  
became law*

### **Hire Veteran Health Heroes Act of 2021 (Public Law 117-67)**

Our nation's service members deserve access to resources that help them succeed at transitioning to civilian life. For this reason, Senator Braun led a bipartisan effort with Senator Hassan of New Hampshire to actively hire veterans and transitioning service members who have the skills critically needed in federal health care departments. More specifically, the Hire Veteran Health Heroes Act of 2021 (S. 894) directs the Department of Veterans Affairs to actively recruit medical personnel who are within one year of completing their military service, and to encourage them to remain in federal health care in departments like Veterans Affairs. The Senate Committee Veterans Affairs held a hearing to consider this bill on April 29, 2021; the Committee then favorably reported this bill on June 24, 2021; the U.S. Senate then unanimously passed the Hire Veteran Health Heroes Act of 2021 on July 21, 2021, followed by passage in the U.S. House of Representatives on November 15, 2021.

President Biden signed Senator Braun's bill into law on November 20, 2021. Now that this legislation has been signed into law, the country is one step closer to fulfilling our obligation to those who have served get the best health services possible.

### **A bill to properly implement the ALS Disability Insurance Access Act (Public Law 117-3)**

Too often, career politicians create new federal programs to great fanfare, but then fail to oversee the implementation of such programming to ensure the American people are well-served in practice. Senator Braun has demonstrated his commitment to ensuring effective implementation of the programs he has helped to create. Most recently, Senator Braun held the Social Security Administration (SSA) accountable for its implementation of a bill designed to give critical disability benefits to individuals with Amyotrophic Lateral Sclerosis, commonly known as ALS or Lou Gehrig's disease. ALS is a neurodegenerative disease affecting the ability of the brain to control muscle movements. Individuals with ALS progressively lose the ability to speak, walk, and breathe. There is severely limited access to treatment options for individuals diagnosed with the disease, no known cause, and—currently—no cure. At the end of the 116th Congress, the ALS Disability Insurance Access Act was signed into law. Importantly, this long overdue law eliminated a mandatory five-month waiting period for patients with medically-determined ALS. Simply put, individuals that are given a fatal diagnosis of ALS should not have to wait to access the benefits that they earned and are entitled to possess. Passage of this change was a priority for the Senate ALS Caucus, which Senator Braun co-chairs with Senator Chris Coons of Delaware. However, it soon became apparent that the SSA was not going to implement the bill as intended. SSA indicated that it did not plan to grant these key benefits to people diagnosed with ALS that were already in their five-month waiting period prior to the date of the new law's enactment. As a result, Senator Braun quickly drafted yet more legislation (S. 579) in the 117th Congress to force SSA to implement the law as Congress intended—and now all individuals with ALS are to be given their federal entitlements. Since this set of bills became law, 5,154 ALS patients have been able to gain immediate access to their Social Security Disability benefits. This figure represents ten percent of all the ALS patients ever allowed SSDI benefits.

### **The Consider Teachers Act (Public Law No: 117-49)**

The TEACH Grant program incentivizes teachers to serve in high need, often neglected communities. However, often due to basic clerical mistakes, thousands of teachers had their TEACH grants converted into student loans that must be paid back with interest. To correct this problem of failed program administration, Senator Braun drafted the Consider Teachers Act (S. 848) with Senator Kyrsten Sinema of Arizona. This legislation fixes this broken system permanently, and provides extra time for teachers to complete service requirements due to the coronavirus pandemic. This bill was approved unanimously by the U.S. Senate on April 27, 2021, followed by passage in the U.S. House of Representatives on September 28, 2021. President Biden signed Senator Braun's bill into law on October 13, 2021.

### **The Growing Climate Solutions Act (Public Law 117-328)**

As a Main Street Entrepreneur and conservationist, Senator Braun knows firsthand that if we want to address our changing climate, we need to facilitate real solutions that our farmers, environmentalists and industry can collectively support. That is why Senator Braun drafted the Growing Climate Solutions Act (S. 1251) with Senator Debbie Stabenow of Michigan, legislation designed to break down barriers for farmers and foresters interested in voluntarily participating in carbon markets so they can be rewarded for climate-smart practices. The bill had widespread support, including from the American Farm Bureau Federation, National Corn Growers Association, Environmental Defense Fund, McDonald's, Microsoft, over 40 farm groups, environmental organizations, and numerous Fortune 500 companies. The Senate Agriculture Committee held a hearing on this bill on June 24, 2020 during the 116th Congress. The bill was reintroduced with improvements in the 117th Congress, wherein the Senate Agriculture formally marked up the bill on April 22, 2021. The U.S. Senate then brought Senator Braun's bill to the floor, where it was robustly considered and approved by a 92-8 margin on June 24, 2021. The U.S. House of Representatives later approved the legislation, enabling President Biden to enact its provisions on December 29, 2022.

### **The STREAM Act (Public Law 117-328)**

The Infrastructure Investment and Jobs Act (IIJA) failed to retain critical features of the Abandoned Mine Lands (AML) program that is essential in the State of Indiana. A drafting error in the IIJA meant that the AML program could not put new funds into state-run set-aside accounts for the long-term treatment of acid mine drainage in coalfield rivers and creeks. Set-aside accounts are necessary because of the perpetual nature of acid mine drainage, and the devastating effects it has on rivers, streams, ecosystems and contaminating groundwater and downstream water supplies. Abandoned mines negatively affect local economies, decreasing land values, reducing recreational opportunities and threatening the health and safety of individuals living in coalfield communities. Given this reality, Senator Braun joined Senator Casey of Pennsylvania to introduce the STREAM Act (S. 3957/H.R. 7283), legislation to provide a fix to that issue, ensuring states can use investments for the perpetual treatment that acid mine drainage. The STREAM Act passed the U.S. House of Representatives by a 391-9 margin in July 2021. On December 2022, the Senate Committee on Energy and Natural Resources held a hearing to consider the merits of the STREAM Act, which lead to improvements in the bill to also allow states greater flexibility using funds for mine fire safety and subsidence issues. The U.S. Senate then passed this legislation on December 16, 2022. President Biden subsequently signed this reform into law on December 29, 2022.

### **Small Business Establishment Registration Waiver Act (Public Law 117-328)**

In 2022, a small business medical device manufacturer based in Jeffersonville, Indiana called the Office of Senator Braun to flag a shortcoming of legislation moving in Congress. Namely, as Congress considered statutorily required updates to the FDA user fee model, there was no consideration given to the size of filing fees on small businesses. As a result of this constituent's outreach to identify the shortcoming, Senator Braun drafted legislation with Senator Maggie Hassan of New Hampshire, the Small Business Establishment Registration Waiver Act (S. 4385), to allow the FDA to waive annual establishment registration fees for small medical device manufacturers for which such fees present a financial hardship. Specifically, this bill provides authority for FDA to waive the registration fee for the smallest device manufactures, those with less than \$1,000,000 in annual revenue, if the business can demonstrate to the FDA that the registration fee represents a financial hardship to the business. It will allow companies to continue to manufacture devices that are doing good in the world with small profit. This bill was offered as an amendment during the Senate Committee consideration of S.4348, the Food and Drug Administration Safety and Landmark Advancements Act (FDASLA) of 2022 in June 2022, where it was adopted by the Committee on voice vote. President Biden subsequently signed this reform into law on December 29, 2022.

### **The Make It in America Act (Public Law 117-58)**

When passing legislation, Congress should always put the needs of Americans first. That is why Senator Braun introduced the Make It in America Act (S. 363/H.R. 3684) with Senator Debbie Stabenow of Michigan to make it harder for federal agencies to use waivers to get around Buy American requirements. The bill requires the federal government to give preference to American companies and spend taxpayer dollars on American-made products and American jobs. Ensuring that taxpayer dollars are used to support American jobs is commonsense, main-street policy, but America's Buy American laws have too many loopholes, resulting in our country sending our resources to foreign workers. This bill closes those loopholes and helps ensure that America's workers, small businesses, and families are the direct beneficiaries of federal purchasing. President Biden signed this reform into law on November 15, 2021.

### **The DUMP Opioids Act (Public Law 117-29)**

During the 116th Congress, Senator Braun was proud to author the VA Directly Returning Opioid Prescriptions ("VA DROP") Act (S. 3753/H.R. 4817) with Rep. Jim Baird in the U.S. House of Representatives. The VA DROP Act requires the Department of Veterans Affairs to ensure that each VA medical center with an on-site pharmacy (or a law enforcement officer) has a physical location where patients may safely dispose of controlled substances or medications. This legislation was signed into law as part of the Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020 (Public Law No: 116-315). There is always more work to do, however, when it comes to the fight against opioids. That is why Senator Braun joined forces with Senator John Kennedy of Louisiana in the 117th Congress to expand upon the VA DROP Act. Together, Senators Braun and Kennedy introduced the DUMP Opioids Act, legislation to allow any American—not just Veterans—to securely dispose of opioids at VA facilities. The DUMP Opioids Act was approved unanimously by the U.S. Senate on April 22, 2021, followed by passage in the U.S. House of Representatives on July 27, 2021. President Biden signed this bill into law on July 29, 2021.

### **Better ODDS to Reduce Diversion Act of 2021 (Public Law 117-328)**

The opioid crisis ravaging the country of its full potential demands a multi-faceted approach. To help strengthen the disposal process for dangerous opioids, Senator Braun joined Senator Maggie Hassan of New Hampshire in introducing the Better ODDS to Reduce Diversion Act of 2021 (S. 2628). This bill authorizes the U.S. Food and Drug Administration (FDA) to direct safe disposal requirements as a part of a Risk Evaluation and Mitigation Strategy (REMS) for a drug, including prescription opioids. Currently, the FDA is only able to recommend the use of mail-in drug disposal products for prescription drugs, such as opioids. This legislation eliminates this burdensome requirement and allows for a broader use of safe and effective at-home, in-home disposal products. This includes products that modify the chemical makeup of the prescription drug to make the drug unusable, or unable to be diverted into a different substance. At a Senate HELP Committee markup held in June 2022, the Better ODDS Act was incorporated into the base text of a bigger legislative package to reauthorize the FDA user fee model (S. 4348, the Food and Drug Administration Safety and Landmark Advancements Act). President Biden subsequently signed this key reform into law on December 29, 2022.

### **FREED of Opioids Act (Public Law 117-328)**

To better inform next steps in the war against the opioid crisis, Senator Braun joined Senator Joe Manchin of West Virginia in drafting legislation about drug study designs that are used in the approval of new prescription opioids for chronic pain. More specifically, the FDA has approved new drug applications for opioids following completion of clinical trials using enriched enrollment, randomized, withdrawal (EERW) designs. The FREED Opioids Act (S. 1634) directs the FDA to conduct a study to review EERW study designs, and to encourage the FDA to consider expanding the scope of information requested on requiring fixed quantity blister packaging for certain opioids. President Biden subsequently signed this reform into law on December 29, 2022.

### **The Access for Veterans to Records Act (Public Law 117-328)**

Senator Braun's father was a B-17 tail gunner during World War II, and he has never forgotten the lesson taught him: to honor every American who has served our country with dignity and respect. Serving those that serve the American people by defending the nation's security and way of life is not only an honor, but a responsibility. That is why Senator Braun joined Senator Ossoff of Georgia in introducing legislation to help eliminate the current backlog of veterans' record requests at the National Personnel Records Center (S. 4816, the Access for Veterans to Records Act of 2022). The bipartisan legislation will help more veterans and their families obtain their military records, which are often required to access critical care and benefits veterans earn through their service to the nation. The Senate Committee on Homeland Security and Governmental Affairs (HSGAC) considered this legislation at a Committee markup in September 2022, with amendment. President Biden subsequently signed this reform into law on December 29, 2022.

### **Women Who Worked on the Home Front World War II Memorial Act (Public Law 117-328)**

As a member of the U.S. Senate, Senator Braun has the great honor to recognize the contributions of those that served our country. During the 117th Congress, Senator Braun had the opportunity to help honor the estimated 18 million women who helped keep our nation's economy and society running during World War II by working as pilots, engineers, taxi drivers, letter carriers, code breakers and more has passed out of the U.S. Senate Energy and Natural Resources Committee. Senator Braun joined Senator Tammy Duckworth of Illinois in introducing S. 1814, the Women Who Worked on the Home Front World War II Memorial Act. The Senate Committee on Energy and Natural Resources (ENR) held a hearing in May 2022 on this matter, allowing it to be later signed into law in December 2022.

### **Apply the Science Act 2.0 (Public Law 117-328)**

The COVID-19 pandemic resulted in numerous things that need to be better understood—including the role of natural immunity in fighting spread of the disease when compared to vaccinations. Senator Braun and Senator Marshall of Kansas joined forces to introduce the Apply the Science Act 2.0 (S. 3831), a bill to require the National Academies of Sciences, Engineering, and Medicine to conduct a study on COVID-19 immunity resulting from a prior infection, vaccination, or both. At a Senate HELP Committee markup held in June 2022, the Apply the Science Act was incorporated into the base text of a bigger legislative package to reauthorize the FDA user fee model (S. 4348, the Food and Drug Administration Safety and Landmark Advancements Act). President Biden subsequently signed this reform into law on December 29, 2022.

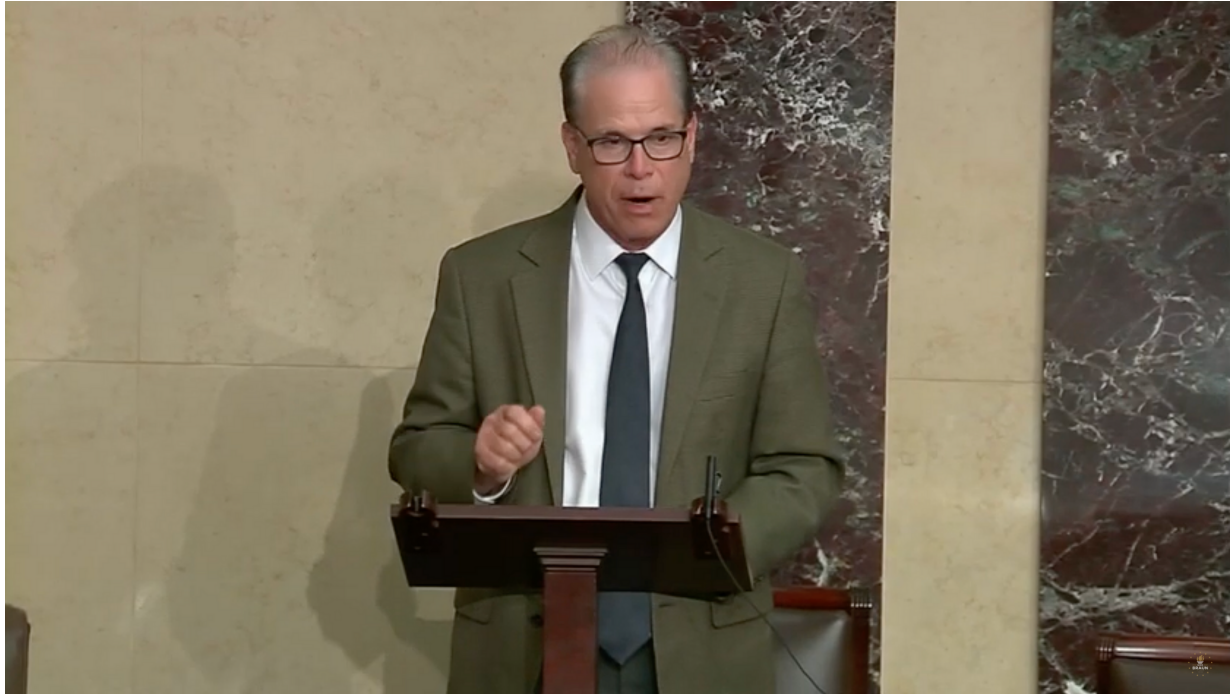
### **The Emergency Use Transparency Act (Public Law 117-328)**

The approval of a COVID-19 vaccine as a means of fighting the global pandemic associated with the novel coronavirus sparked a healthy and warranted debate about the role of government in approving and requiring vaccines to be taken. In order to improve upon the information that is provided to the American public concerning vaccines, Senator Braun joined Senator Maggie Hassan of New Hampshire in drafting S. 3394, the Emergency Use Transparency Act. This legislation expands existing FDA authority to publish notices of authorizations, terminations, or revocations of an Emergency Use Authorization (EUA) for medical products. Specifically, this bill requires FDA to publish such notices on its website, and allows the FDA's disclosure to include a summary of data or information from additional types of submissions. By enabling the FDA to disclose more information when granting a EUA for a new drug application while it is still pending, this bill improves public confidence in a COVID-19 vaccine by increasing the transparency of the process. At a Senate HELP Committee markup held in June 2022, this bill was incorporated into the base text of a bigger legislative package to reauthorize the FDA user fee model (S. 4348, the Food and Drug Administration Safety and Landmark Advancements Act). President Biden later signed this reform into law on December 29, 2022.



### **The Recovery Startup Assistance Act (Public Law 117-328)**

Small business owners who opened their shop up during the pandemic faced unique challenges. Senator Braun joined with Senator Maggie Hassan of New Hampshire to better support new businesses hire and retain employees with payroll and healthcare expense assistance through their Recovery Startup Assistance Act (S. 551). Specifically, through 2021, the bill provides new small businesses with a tailored version of the Employee Retention Tax Credit—a credit that helps businesses hire and retain employees by providing advance payments covering payroll and health care expenses. President Biden signed this reform into law on March 11, 2021.



**Sen. Braun applauds the passage of his bill for ALS patients to access disability benefits on the Senate Floor**

### **Promoting Access to Critical Countermeasures by Ensuring Specimen Samples (ACCESS) to Diagnostics Act (Public Law 117-328)**

The outbreak of COVID-19 in the United States forced Congress to identify and address shortcomings in our nation’s ability to detect and track public health threats, maintain public health preparedness and response capabilities, and support U.S. based manufacturing and domestic supply chains for medical and pharmaceutical supplies. As a member of the Senate HELP Committee, Senator Braun reflected on the lessons learned during the pandemic to create regulatory solutions that provide our government, private-public partnerships, and Americans with the tools necessary to prevent and respond to future pandemics or public health emergencies. Senator Braun drafted legislation with Senator Kaine of Virginia (S. 3496, the Promoting Access to Critical Countermeasures by Ensuring Specimen Samples Act) to support quicker research and development of medical countermeasures, including diagnostics, vaccines, and therapeutics, in response to emerging infectious diseases. The bill requires HHS to issue timely guidance for public and private sector entities’ quick access to specimen samples to ensure a greater supply of diagnostics and other countermeasures. It also encourages HHS to contract with public and private sector entities to efficiently develop and disseminate diagnostic tests to ensure the protection of Americans in their day-to-day activities. At a Senate HELP Committee markup held in March 2022, this bill was incorporated into the base text of a bigger legislative package, S. 3799, the Prepare for and Respond to Existing Viruses, Emerging New Threats (PREVENT) Pandemics Act. President Biden subsequently signed this reform into law on December 29, 2022.

### **Predetermined Change Control Plan Act (Public Law 117-328)**

As part of his position on the Senate HELP Committee, Senator Braun is responsible for working with the Committee to update key federal programs as statute requires. One such program is the FDA user fee model that governs prescription drugs and medical devices in the country. As part of the statutorily required process for updating this model, Senator Braun drafted legislation with Senator Hickenlooper of Colorado (S. 4386, the Predetermined Change Control Plan Act) to authorize the FDA to approve predetermined change control plans for approved medical devices. More specifically, this bill would allow changes to be made to FDA approved medical devices without the need for medical device manufacturers to submit supplemental applications or premarket notifications, if the changes are made in accordance with the predetermined change control plan and to the extent the device remains safe and effective. Medical device sponsors would be eligible to submit a predetermined change protocol plan at the same time they submit an application for full approval for their medical device. This bill was offered as an amendment during the Senate Committee consideration of S.4348, the Food and Drug Administration Safety and Landmark Advancements Act (FDASLA) of 2022 in June 2022, where it was adopted by the Committee on voice vote. President Biden subsequently signed this reform into law on December 29, 2022.

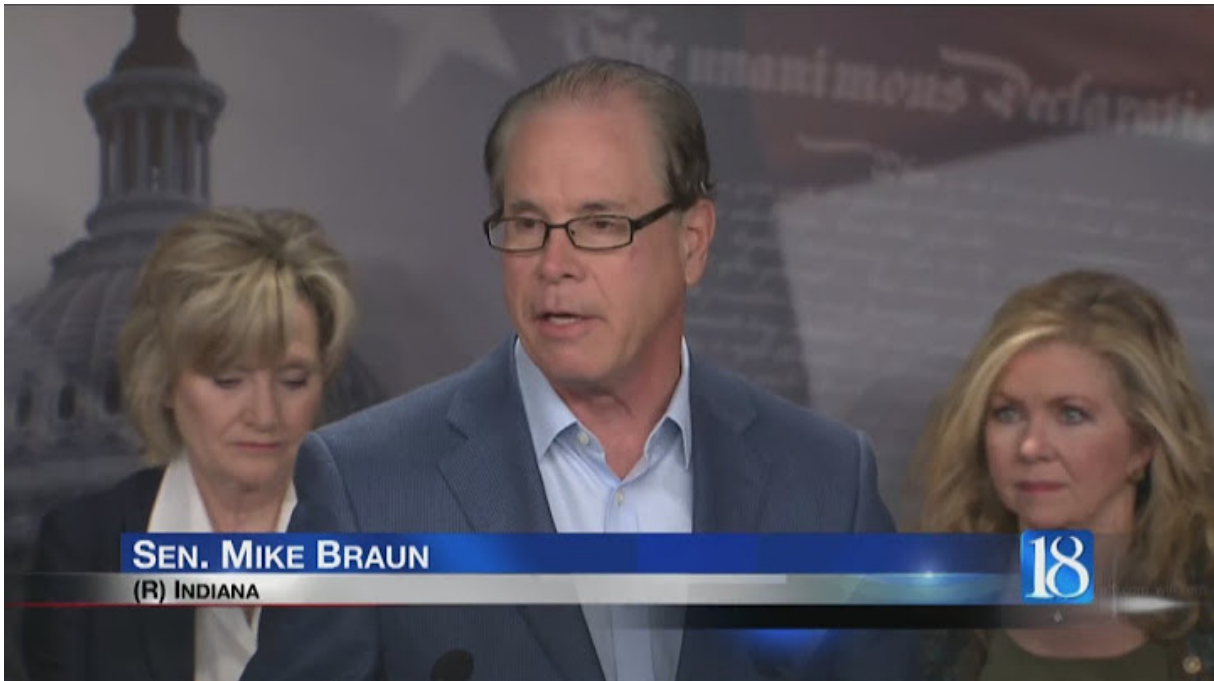
### **Protecting Patients from Counterfeit Medical Devices Act (Public Law 117-328)**

The COVID-19 pandemic emphasized the importance of providing quick access to safe and effective medical supplies. As part of his position on the Senate HELP Committee, Senator Braun is responsible for working with the Committee to propose legislation to hold federal agencies and pharmaceutical and medical supply companies accountable for operating with transparency, and for manufacturing and distributing safe and effective medical supplies to Americans, especially during public health emergencies. Senator Braun worked with Senator Murphy of Connecticut to draft legislation (S. 3416, the Protecting Patients from Counterfeit Medical Devices Act) designed to deter counterfeit medical devices from harming Americans. More specifically, the bill raises the statutory cap for counterfeiting conduct from three (3) years to 10 years, and raises the cap on sentencing from 36 months to 120 months to deter bad actors from counterfeiting medical devices. Additionally, this bill expands eligibility requirements for admissible evidence presented by FDA to prosecute counterfeit cases. It also removes a requirement for an interstate commerce violation to clarify that mere possession of a counterfeit device with intent to sell qualifies as a criminal act under the Federal Food, Drug, and Cosmetic Act. At a Senate HELP Committee markup held in March 2022, this bill was incorporated into the base text of a bigger legislative package, S. 3799, the Prepare for and Respond to Existing Viruses, Emerging New Threats (PREVENT) Pandemics Act. President Biden subsequently signed this reform into law on December 29, 2022.

### **The PLUM Act (Public Law 117-328)**

It is imperative for the American people to have transparency about the people who serve them in positions of trust, and whose public roles are financed by the American taxpayer. To strengthen such transparency, Senator Braun joined Senator Carper of Delaware to introduce S. 3650, the Periodically Listing Updates to Management Act of 2022 (the "PLUM Act of 2022"). Currently, the federal government publishes a comprehensive list of positions appointed by the President once every four years called the "Plum Book." The PLUM Act of 2022 would modernize the Plum Book by requiring the Office of Personnel Management (OPM) to establish and maintain a current, publicly available directory of senior government leaders online. This good governance bill will increase transparency and help make the federal government more accessible and accountable to the American people. During the 116th Congress, the Senate Committee on Homeland Security and Governmental Affairs (HSGAC) considered and approved this legislation at a Committee markup held in July 2020. The legislation was favorably reported, with amendment, on voice vote. The legislation was reintroduced in the 117th Congress, where the Senate HSGAC Committee again considered the bill, and favorably reported it with further edits. President Biden subsequently signed this reform into law on December 29, 2022.

# STANDING FOR HOOSIER VALUES IN WASHINGTON



Sen. Braun led a press conference on his measure to end Biden's unconstitutional vaccine mandate

## Putting a Stop to Biden's Job Killing, Unconstitutional Vaccine Mandate

On November 5, 2021, the Occupational Safety and Health Administration (OSHA) published a final rule—a new emergency temporary standard (ETS)—requiring private sector employers to develop, implement, and enforce a mandatory COVID-19 vaccination policy, or undergo mandatory onerous weekly COVID-19 testing.

Believing that government had no authority to issue vaccine mandates for employees of private businesses, Senator Braun fought implementation of this federal overreach from day one. It was clear this rule would exacerbate the nation's labor shortage, further disrupt supply chains, burden small businesses with onerous compliance and significant fines, and ultimately drive Americans out of their jobs. Based on estimates from the Senate Committee on Small Business Majority, the OSHA mandate put 45 million American jobs at risk.

Senator Braun joined Representative Fred Keller in introducing legislation to disapprove and overturn the OSHA vaccine mandate (S.J.Res. 29). On December 8, 2021, the U.S. Senate voted on Senator Braun's measure, approving it 52-48 and on a bipartisan basis.

On Thursday, January 13, 2022, and by a 6-3 vote, the U.S. Supreme Court prevented the implementation of the OSHA mandate. Senator Braun's disapproval resolution was noted in the Supreme Court's majority decision to be the most noteworthy action Congress had made regarding the mandate:

Biden's vaccine mandate was unconstitutional and wrong, and OSHA being forced to withdraw the rule is a huge win for the liberties and livelihoods of millions of Americans.

Cite as: 595 U. S. \_\_\_\_ (2022) 3

GORSUCH, J., concurring

available for more than a year. Over that span, Congress has adopted several major pieces of legislation aimed at combating COVID-19. *E.g.*, American Rescue Plan Act of 2021, Pub. L. 117-2, 135 Stat. 4. But Congress has chosen not to afford OSHA—or any federal agency—the authority to issue a vaccine mandate. **Indeed, a majority of the Senate even voted to disapprove OSHA's regulation.** See S.J. Res. 29, 117th Cong., 1st Sess. (2021). It seems, too, that the agency pursued its regulatory initiative only as a legislative “work-around.” *BST Holdings, L.L.C. v. OSHA*, 17 F. 4th 604, 612 (CA5 2021). Far less consequential agency rules have run afoul of the major questions doctrine. *E.g.*, *MCI Telecommunications Corp. v. American Telephone & Telegraph Co.*, 512 U. S. 218, 231 (1994) (eliminating rate-filing requirement). It is hard to see how this one does not.

8 NATIONAL FEDERATION OF INDEPENDENT BUSINESS *v.*  
OSHA  
Per Curiam

signed into law on March 11, 2021, of course said nothing about OSHA's vaccine mandate, which was not announced until six months later. **In fact, the most noteworthy action concerning the vaccine mandate by either House of Congress has been a majority vote of the Senate disapproving the regulation on December 8, 2021. S. J. Res. 29, 117th Cong., 1st Sess. (2021).**

The Supreme Court cited Sen. Braun's disapproval resolution in their decision to halt the vaccine mandate for businesses



**Working to Reform Washington's Budget Dysfunction and Spending Addiction**

In fiscal year 2023, the Senate Budget Committee failed to report a budget for the upcoming spending cycle. When basic fiscal discipline is lost, it is no surprise that the result is a nation drowning in over \$31 trillion in debt. Despite record revenues being brought into the government, the United States spent a total of \$475 billion on debt service in FY2022—that's billions in interest charges on the nation's credit card. This credit card bill is 72 percent of our entire defense budget.

Given this stark reality, Senator Braun was not content to sit idly by and watch Washington continue to plunder the futures of the nation's children and grandchildren. He constructed his own comprehensive spending plan (S.Con.Res.43) to set forth a congressional budget for the next ten years.

The Braun Budget would keep in place the tax cuts ushered in by former President Trump, protect Social Security and Medicare, provide for a robust national defense, and it would do so while also aligning topline spending and revenues over the ten-year timeframe and saving \$4.5 trillion in spending.

Regrettably the appeal of spending now and kicking the can down the road was too strong for Washington's career politicians, and Senator Braun's Budget failed by a 34-63 margin on the Senate floor on July 20, 2022.

Senator Braun has also consistently gone to the floor to attempt to amend moving legislation to instill greater fiscal discipline into the body:

- Braun Amendment 4990 to H.R. 2471, an amendment to strike pork barrel spending projects for career politicians from an omnibus spending bill; Not agreed to in Senate by a 35–64 margin.
- Braun Amendment 4930 to H.R. 6617, an amendment to force career politicians to adhere to legal requirements pay matters as they go (“Statutory PAYGO”), and to require balanced budgets in concurrent resolutions on the budget; Not agreed to by a 47–45.
- Braun Amendment 3832 to H.R. 5305, an amendment to deny Members of Congress pay after October 1 of any fiscal year in which Congress has not approved a concurrent resolution on the budget and passed the regular appropriations bills (“No Budget, No Pay”); Not agreed to by a 53–47.
- “Point of Orders” are tools to enforce budgetary rules, and are meant to protect fiscal discipline. In July 2021, Senator Braun went to the floor to activate a Point of Order to the emergency supplemental bill that had not been activated since 1997. The 302c Point or Order that he activated specifically prohibits consideration of legislation from an Appropriations Committee that provides new budget authority if the Committee has not yet filed its subcommittee allocations—meaning, you should not approve new spending without knowing how much you can spend. Regrettably, the Senate chose to waive this Point of Order by a 72-26 margin.
- In July 2022, Senator Braun went to the Senate floor to ask for unanimous consent for his bill, S.Res.687, to pass the Senate. This bill would close a loophole whereby members of the U.S. Senate requesting earmarks—pork barrel spending projects—are required to disclose their requests. More specifically, Senate Standing Rule XLIV 44 requires disclosures, but some Senators were evading this requirement if the bill originated in the House and not in the Senate. Senator Braun’s bill closes this loophole, but his effort was blocked on the Senate floor by a staunch earmark defender.



**Senator Mike Braun** @SenatorBraun · Jul 19, 2022  
Today I'm officially introducing my own balanced **budget**. Americans are tired of paying for D.C.'s dysfunction. I have a solution.

Read the guide to The **Braun Budget**: [bit.ly/3PfiAku](https://bit.ly/3PfiAku)

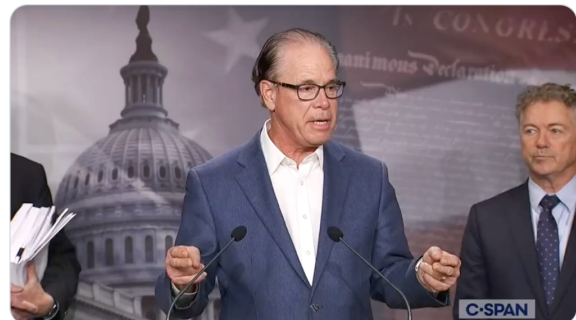


A PLAN TO DEFUSE AMERICA'S INFLATION BOMB AND UNLEASH PROSPERITY



**Senator Mike Braun** @SenatorBraun · Dec 20, 2022  
The only people coming out on the short end here are the people we say we're trying to serve.

Borrowing money from your kids and grandkids without putting any forethought into what you're **spending** is a terrible business plan.



**Senator Mike Braun** @SenatorBraun  
Earmarks are a corrupt tool used to buy votes for big spending bills with the American people's money.

11:53 AM · Dec 22, 2022 · 19.5K Views

## Calling for a Convention of the States to add term limits, balanced budget Constitutional amendments

Observing that Washington’s political class lacks the backbone to put the nation back on a sound fiscal path, Senator Braun began working in the 117th Congress to support for a Convention of the States to amend the Constitution.

Article V of the Constitution lays out the two processes for amending the Constitution: through Congress, or through a Convention of States where amendments would need to be ratified by three-quarters of all states.

This Constitutional threshold for a Convention has been met twice before, most recently in 2021, but Congress ignored this mark, failing to call a Convention.

In September 2022, as Congress prepared yet again to pass a short term continuing resolution to kick the can down the road and fund the government to avert a government shutdown, Senator Braun went to the floor to call for a Convention of the States to be held to amend the U.S. Constitution with constitutional amendments that would add term limits to the House and Senate and require a balanced federal budget.

At this time, Senator Braun also introduced an amendment to make it easier for the American people to call a Convention of the States as outlined in Article V of the Constitution.

The amendment filed by Senator Braun (5765) was not given a vote on the floor, but it sought to add structure to the Article V process, make the State petition count transparent, and help hold Congress accountable to public desire for a Convention.



**Senator Braun participating on a panel at the American Legislative Exchange Counsel’s (ALEC) State and Nation Policy Summit about his Article V efforts in November 2022**

## Getting Washington Moving Again

Washington has lost its way, and has lost touch with the people it is meant to serve. Sen. Braun has joined his likeminded colleagues in trying to turn the culture in D.C. around and to put service ahead of self.

- Believing their jobs are to serve the American people and not enrich themselves, Senator Braun joined Senator Rick Scott of Florida in introducing legislation to allow Members of Congress to proactively opt out of their generous federal pensions if they so choose. While this legislation passed the U.S. Senate in the 116th Congress, the U.S. House of Representatives failed move the proposal forward. Senators Braun and Scott re-introduced the bill in the 117th Congress (S. 471, the Members of Congress Opt-Out Clarification Act). The bill was considered and approved by the Senate Committee on Homeland Security and Governmental Affairs in September 2022.
- In a similar vein, Senator Braun and Senator Rick Scott also joined to introduce the Banning Lobbying and Safeguarding Trust (BLAST) Act (S. 546), legislation to implement a permanent lobbying ban for members of the House of Representatives and the Senate. Members of Congress have the honor of serving Americans, and should not expect to financially benefit from such service on the backend.
- Senator Braun authored legislation with Senator Manchin of West Virginia, Senator Rick Scott and others in introducing No Budget, No Pay. The concept of this legislation is simple—if members of Congress do not get the annual budget and spending bills done by the start of the new federal fiscal year, they do not get paid until they do. The No Budget, No Pay legislation received a vote on the Senate floor on September 20, 2021, but regrettably the Senate did not agree to the measure (53–47).
- For similar reasons as the *No Budget, No Pay* legislation, Senators Braun and Scott also teamed up to introduce S. 55, legislation to repeal automatic adjustments of Member pay raises. Hardworking Americans understand what Washington does not—pay increases are earned, not an entitlement.
- Senator Braun is also a staunch advocate for congressional term limits, himself agreeing to serve no more than two terms upon being elected to the U.S. Senate. He is proud to have joined Senator Ted Cruz of Texas in introducing S.J.Res. 3, legislation to amend the constitution to limit senate members to two terms and house members to three terms.



### Braun-McConnell bill would protect Americans from IRS surveillance

THE HILL

#### Protecting You from the Heavy Hand of the Internal Revenue Service (IRS)

At the onset of the 117th Congress, congressional Democrats unveiled signature legislation H.R. 1/S.1, the For the People Act. This legislation included language to permit the IRS to investigate and consider the political and policy positions of nonprofit organizations before granting tax-exempt status, thus enabling IRS officials to target organizations engaging in First Amendment activity with disfavored views.

It is not fantasy to believe the IRS would use its full force and weight against entities the Washington bureaucracy disfavors. For twenty-seven months, from February 2010 until May 2012, the IRS systematically targeted tax-exempt applicants, primarily conservative applications, for scrutiny and delay.

H.R. 1, as passed by the House on March 3, 2020, repealed the IRS's final rule, promulgated by the Trump Administration in May 2020, that deterred the targeting activity. H.R. 1 also repealed a traditional appropriations provision ("a rider") to ensure the IRS upholds related guidance.

To combat a framework that enables the targeting of American citizens, and to retain important protection that were in place, Senator Braun introduced legislation—that 48 of his colleagues joined in introducing—S.1777, the Don't Weaponize the IRS Act.

Senator Braun also requested that the Appropriations Committee include language to prohibit the IRS from targeting citizens for exercising their First Amendment constitutional rights. This language was ultimately included in the FY2023 omnibus funding bill. This directive attached to spending legislation is more important than ever. Congressional Democrats, using a partisan tool known as budget reconciliation, rammed through legislation to provide \$80 billion to the IRS.

### Senator Braun's The Simplify, Don't Amplify the IRS Act

President Biden's regressive tax policies are hurting working-class Americans by turbo-charging the IRS's enforcement arm, without including necessary reforms to ensure the IRS serves the best interest of the American people. For example, the partisan Inflation Reduction Act provides \$80 billion in mandatory funding over the next 10 years for heavy-handed enforcement measures. The IRS has a terrible track record when it comes to being good stewards of taxpayer money, protecting highly sensitive personal information, and going after conservative organizations.

That is why Senator Braun introduced the Simplify, Don't Amplify the IRS Act of 2022 (S. 4046), legislation that combines multiple transparency, efficiency and commonsense bills authored by Senator Braun to ensure the IRS delivers more value for the American taxpayer. The bill contains the following reforms:

- S. 70, Let States Cut Taxes Act. Removes provision from American Rescue Plan Act of 2021 that prohibits states from cutting taxes should states take supplemental funding from the federal government.
- S. 1777, Don't Weaponize the IRS Act. Codifies the Trump administration rule that protects groups regardless of their political ideology or beliefs and prevents the IRS from doxing donors to these groups.
- S. 2132, IRS Customer Service Improvement Act. Prohibits agency employees from engaging in taxpayer-funded union time during tax filing season—meaning, IRS employees must do the jobs taxpayers hired them to do during tax filing season.
- S. 2222, Protect Taxpayers Privacy Act. Increases the penalty for releasing private taxpayer information and makes it easier for the IRS to terminate employees found responsible.
- S. 2721, Tax Gap Reform and IRS Enforcement Act. Requires tax gap estimates from the Joint Committee on Taxation (JCT), prohibits IRS targeting of audits and establish of new bank reporting requirements and creates an IRS enforcement fellowship pilot program to assist with the agency's most complex audits and case selection decisions.
- S. 3221, IRS Improper Payments Act. Codifies a 2009 administration rule to increase federal agencies' accountability for reducing billions in improper payments via tax credits while continuing to ensure that Federal programs serve and provide access to intended beneficiaries.



Regrettably, Congress frequently seeks to undermine the constitutional rights of states. Senator Braun has consistently fought to protect these rights. Here are some examples.



### **No. 01 – Let States Lower Taxes**

The partisan and hastily approved American Rescue Plan Act (ARPA) contained an onerous provision that would prohibit states receiving funds under the legislation from lowering taxes. The provision was unconstitutional and coercive. Believing the federal government should never punish a state for putting the taxpayer first, Sen. Braun introduced legislation (S. 730) to repeal this prohibition on states. This bill had the support of over 25 groups including the American Legislative Exchange Council, Americans for Prosperity, Americans for Tax Reform, Citizens Against Government Waste, The Club for Growth, FreedomWorks, Heritage Action for America, Independent Women's Forum and the National Taxpayers Union. Sen. Braun later forced a vote on this issue (Amendment 3114 to S.Con.Res.14), which was agreed to by a 86–13 margin.



### **No. 02 – The Pregnancy Workers Fairness Act**

Congress passed the 11th Amendment to the U.S. Constitution in 1794, and it was ratified a year later. In its simplest terms, the 11th Amendment prohibits federal courts from hearing certain lawsuits against states. A state can waive immunity if it wants, and states often do, but the Congress should not repeal constitutional rights in statute. The Pregnancy Workers Fairness Act, however, included language to nullify the 11th Amendment, and by consequence, open public sector entities in states to more federal compliance issues and lawsuits. The Braun Amendment (6569) to this bill sought to protect the State of Indiana, and other states, from having their constitutional rights eroded. Regrettably, his amendment failed by a 40–57 margin.



### **No. 03 – The Child Abuse Prevention & Treatment Act**

In 2021, the Senate Committee on Health, Education, Labor and Pensions met to consider S. 1927, to amend the Child Abuse Prevention and Treatment Act. The bill before the Committee, however, would have imposed a federal requirement that all children have legal representation—while admirable in intent, the mandate was constructed in a manner that was in direct conflict with the operations of child representation in several states, including Indiana, and that would have driven up costs in the state. Sen. Braun joined Sen. Maggie Hassan (NH) in offering an amendment to prevent this mandate from being instated. HELP Committee leadership agreed to work on this provision further following Committee consideration, and in December 2022, the Braun-Hassan amendment was agreed to be incorporated in to the new bill file.



## No. 04 — **Let States Innovate Under Medicaid Act**

In June 2021, HHS arbitrarily revoked Indiana's, and several other states, conditionally approved work and community engagement requirements for individuals enrolled in the State's Medicaid program. To combat the federal government from undermining what works in the State of Indiana, Sen. Braun introduced a bill (S. 3332, the Let States Innovate Medicaid Requirements Act) to afford states with more opportunities to innovate under Section 1115 Medicaid demonstration project waivers. Specifically, this bill would simply allow states that want to implement work or community engagement requirements, like Indiana, the flexibility to do so. Additionally, this legislation would provide predictability and clarity for States and Medicaid beneficiaries, protecting this program and the vulnerable population it serves from the impact of changing administrations and differing partisan motivations. In December 2021, Sen. Braun went to the floor to ask the Senate to pass this legislation, but his request was blocked by Senate Democrats.

### **Protecting the Second Amendment Rights to Bear Arms**

The Second Amendment of the U.S. Constitution guarantees the right of the American people to keep and bear arms from infringement. 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.

During the 117th Congress, Senator Braun was the lead sponsor of the ATF Accountability Act (S. 1920), legislation designed to provide transparency to gun owners across America on 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 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, and also permits gun manufacturers to appeal the legal status or classification of any product.

Senator Braun was the lead sponsor of the Protecting the Right to Keep and Bear Arms Act (S. 1916). This bill prohibits the President or the 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.

Not content to sit idly by and watch Congressional Democrats ignore these important proposals, Senator Braun took to the floor on July 15, 2021 to ask the U.S. Senate to give its consent to approve the Protecting the Right to Keep and Bear Arms Act and the ATF Accountability Act. Regrettably, Senator Dick Durbin of Illinois objected to passage of both matters, preventing them from Senate approval.

## Oversight Efforts to Protect Second Amendment Rights:

- **Banning Pistol Braces:** On June 24, 2021, Senator Braun joined 47 Senators in writing to ATF about its proposed rule to effectively ban pistol braces, which are largely used by individuals with disabilities or injuries that would otherwise be unable to use a pistol safely.
- **ATF Secret Guidance:** 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.
- **Forms 1 Denials:** 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.

## Preserving Family Values

The family is the cornerstone of society. It is our responsibility to defend the natural rights of man and create a nurturing environment for the next generation to live out the guarantees of our founding documents.

- In December 2019, law enforcement found over 2,000 fetal remains of children slain by a Hoosier abortion doctor. In response to this tragedy, Indiana passed a law requiring the burial of human fetal remains. All human life should be treated with dignity. For this reason, Senator Braun championed in the U.S. Senate the Dignity for Aborted Children Act (S. 293), legislation that establishes requirements for the disposition of human fetal remains from an abortion.
- Science informs us of truth found in nature and is a mechanism by which we may develop a greater understanding of creation. Unfortunately, some wish to disregard these natural truths and conduct destructive experiments that degrade the inherent value of human life. You may be surprised to learn that in 2021, scientists with the Chinese Communist Party participated in unethical human-animal chimera experiments to combine human and monkey embryos. Human life is distinct and sacred, we cannot sanction these destructive efforts. On May 25, 2021, Senator Braun introduced the Human-Animal Chimera Prohibition Act (S. 1800), a bill to establish criminal penalties for the creation or attempt to create human-animal chimeras.
- Planned Parenthood Federation of America is the largest single provider of the abortion industry in the United States. Money is fungible and the American people do not want to subsidize out of their own pocket the senseless destruction of innocent life. Congress has the Article I power to exercise the power of the purse and fund projects as it deems appropriate. In the exercise of fiscal stewardship of the American people's finite tax dollars, Senator Braun co-sponsored Senator Ernst's Protecting Funding for Women's Health Care Act (S. 1144). This legislation redirects all taxpayer dollars that would have been allocated to Planned Parenthood and appropriates those funds to eligible entities that provide actual healthcare to women.

- Parental rights are under assault. State governments and the Biden Administration have undermined the family by allowing activists in schools, doctors' offices, and government institutions to hide intimate information from children's parents and mold impressionable minds with false, confusing, and destructive ideas. Parents are the primary caretaker of their children – not the government. To defend parents and young people, Senator Braun co-sponsored Senator Lee's Parental Accessibility Rights for Emergency and Negligent Treatment (PARENT) Act (S. 206). This legislation ensures medical institutions operate with transparency by requiring any hospital receiving Medicaid funding to provide to parents information relating to the provision, withdraw, or denial of life-sustaining procedures, nutrition, or medication policy and policies relating to parental consent of these services.
- In a similar interest, we should not tolerate pseudoscientists' intentional deception of children and woke corporations' exploitation of confused minors in their unrestrained pursuit of profit. Senator Braun rejects this anti-science and anti-human cash-grab and cosponsored Senator Marshall's Protecting Children from Experimentation Act (S. 778), legislation that establishes criminal offenses for performing irreversible sex-change surgery on developing minors.

2019-2025



**Sen. Mike Braun**  
Indiana (Republican)



**Senator Mike Braun maintains an 'A+' rating from pro-life group Susan B. Anthony List**



**Senator Braun earned another "True Blue" Award from Family Research Council for maintaining a perfect 100% voting record on pro-family issues**

## Working to Help the Business Community Succeed

Senator Braun was a Main Street entrepreneur with a small business for 17 years before being elected to serve Hoosiers in the U.S. Senate. As an entrepreneur, he understands first-hand the hard work and determination it takes to grow and maintain a business. Unfortunately, Washington often pushes forward burdensome regulations that make it harder for Main Street to succeed. Senator Braun has pushed back, leading letters that oppose regulations like the proposed rules on joint-employers and independent contractors. These rules would hurt the flexibility that workers and small businesses enjoy. He has also drafted the following sample of original legislation to better support workers and employers:

« S. 338, the Helping Gig Economy Workers Act of 2021. This bill temporarily permits digital marketplace companies (e.g., Lyft, DoorDash) to provide benefits to workers during the COVID-19 pandemic without such actions establishing those workers as employees or independent contractors or establishing the company as a joint employer under federal, state, or local laws.

« S. 1081, the Voluntary Protection Program Act. This bill authorizes the Secretary of Labor to establish a program of entering into cooperative agreements with employers to encourage the establishment of comprehensive safety and health management systems.

« S. 2193, the Protections for Socially Good Activities Act. This bill encourages franchise brands to share information, policies, trainings, and best practices with franchise owners on COVID-19 safety measures and employee education, among other socially good activities.

« S. 3074, the Ensuring Workers Get PAID Act of 2021. This bill reestablishes the Payroll Audit Independent Determination program, which is administered by the Department of Labor and allows employers to self-report federal minimum wage and overtime violations as an alternative to litigation.

« S. 4270, the EEOC Transparency and Accountability Act of 2022. This bill requires the commissioners of the Equal Employment Opportunity Commission (EEOC) to decide, by majority vote, to commence or intervene in litigation for certain cases, and to publicly post information related to litigation online.

« S. 4613, the Maximize Americans' Retirement Security Act of 2022. This bill amends the Employee Retirement Income Security Act (ERISA) to clarify fiduciary duties of plan administrators to select and maintain investments based solely on pecuniary factors and rates of return.

« S. 5028, the Prioritizing Evidence for Workforce Development Act. This bill requires state workforce development plans to describe how the state will prioritize funding evidence-based programs that demonstrate positive outcomes for their target populations.



# SEN. BRAUN COMMITTEE WORK



Sen. Braun speaks on the Health, Education, Labor and Pensions Committee

## **Senator Braun sat on five committees in the United States Senate in the 117th Congress:**

- Agriculture Committee
- Budget Committee
- Committee on Appropriations
- Health, Education, Labor and Pensions (HELP)
- Special Committee on Aging

## Committee Work

Within these committees, Senator Braun was chosen to serve as Ranking Member of three subcommittees, receiving a waiver from colleagues to run more subcommittees than is typical in the Senate body, a testament to his work ethic and ability to effectively manage and multi-task:

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

As part of these committees, Senator Braun participated in 181 hearings over the 2021-2022 timeframe—nine of which were hearings held in subcommittees that Senator Braun serves as Ranking Member. As part of these hearings, Senator Braun was proud to have brought Hoosier voices to Washington, securing four witnesses from the State of Indiana to testify before Congress on their valuable perspectives.



**Sen. Braun invited several Hoosier witnesses to testify on Senate committees including (from left to right): Ms. Leah Curry, Princeton, IN - Toyota, Dr. Katy Rainey, Associate Professor/Director - Purdue Soybean Center, & Dr. William E. Cooke, Austin, IN- Owner/Medical Director of Foundations Family Medicine**

Senator Braun also participated in 31 committee business meetings where legislation was actively amended. At committee markups, Senator Braun offered 31 amendments to improve bills moving through regular order.

Senator Braun also worked tirelessly to keep committee proceedings transparent and accessible to the public. All too often, congressional committees short-circuit regular order by having committee proceedings in closed rooms of the U.S. Capitol that are not accessible to the American public. In the 117th Congress, Senator Braun consistently pushed back against such practices, forcing multiple proceedings back into committee hearing rooms where the public could attend and also watch such proceedings online.

# SEN. BRAUN CONSTITUENT SERVICES

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

It is Senator Braun's goal to help you understand your rights and responsibilities relative to various federal programs, and help you work through a problem you may have with a federal agency.

The Office of Senator Mike Braun responded to

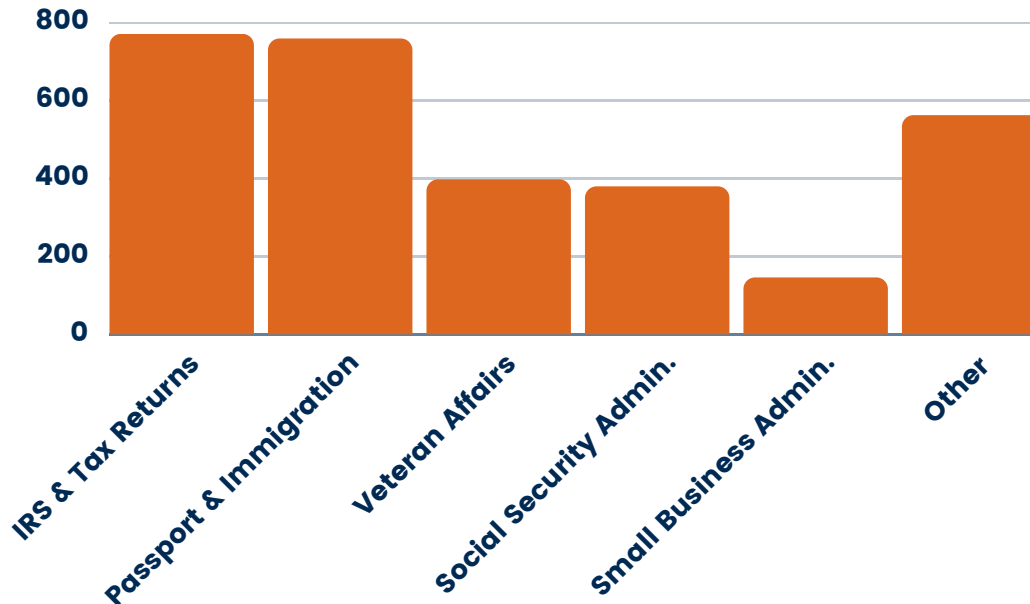
# 1,002,191

emails, letters, and opinions in the 117th Congress

Responses were available to constituents on an average of

# 19 Days

**Number of constituents assisted by the Office of Senator Mike Braun with specific issues in the 117th Congress**



As a Main Street entrepreneur, Senator Braun understands customer service is a vital aspect to any successful office. For this reason, Senator Mike Braun's Indiana staff holds regular Staff Mobile Office Hours to hear from Hoosiers across the state.

In the 117th Congress, 578 Mobile Office Hours were held.

Senator Braun has visited all **92** counties in Indiana every year he has been in office



# GET IN TOUCH

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