

116TH CONGRESS
1ST SESSION

S. 1250

To prioritize funding for an expanded and sustained national investment
in biomedical research.

IN THE SENATE OF THE UNITED STATES

APRIL 30, 2019

Mr. DURBIN (for himself, Mr. BROWN, Mr. VAN HOLLEN, Mr. CARDIN, Mr. CASEY, Mr. MARKEY, Ms. BALDWIN, Mr. BLUMENTHAL, and Ms. KLOBUCHAR) introduced the following bill; which was read twice and referred to the Committee on the Budget

A BILL

To prioritize funding for an expanded and sustained national
investment in biomedical research.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “American Cures Act”.

5 **SEC. 2. CAP ADJUSTMENT.**

6 (a) IN GENERAL.—Section 251(b)(2) of the Balanced
7 Budget and Emergency Deficit Control Act of 1985 (2
8 U.S.C. 901(b)(2)) is amended—

1 (1) by redesignating subparagraphs (D), (E),
2 and (F) as subparagraphs (E), (F), and (G), respec-
3 tively; and

4 (2) by inserting after subparagraph (C), the fol-
5 lowing:

6 “(D) BIOMEDICAL RESEARCH.—

7 “(i) NATIONAL INSTITUTES OF
8 HEALTH.—If a bill or joint resolution mak-
9 ing appropriations for a fiscal year is en-
10 acted that specifies amounts for the Na-
11 tional Institutes of Health at the Depart-
12 ment of Health and Human Services, then
13 the adjustments for that fiscal year shall
14 be the amount of additional new budget
15 authority provided in that Act for such
16 programs for that fiscal year, but shall not
17 exceed—

18 “(I) for fiscal year 2020,
19 \$2,737,000,000 in additional new
20 budget authority;

21 “(II) for fiscal year 2021,
22 \$5,666,000,000 in additional new
23 budget authority;

1 “(III) for fiscal year 2022,
2 \$8,800,000,000 in additional new
3 budget authority;

4 “(IV) for fiscal year 2023,
5 \$12,153,000,000 in additional new
6 budget authority; and

7 “(V) for fiscal year 2024,
8 \$15,741,000,000 in additional new
9 budget authority.

10 “(ii) CENTERS FOR DISEASE CONTROL
11 AND PREVENTION.—If a bill or joint reso-
12 lution making appropriations for a fiscal
13 year is enacted that specifies amounts for
14 the Centers for Disease Control and Pre-
15 vention at the Department of Health and
16 Human Services, then the adjustments for
17 that fiscal year shall be the amount of ad-
18 ditional new budget authority provided in
19 that Act for such programs for that fiscal
20 year, but shall not exceed—

21 “(I) for fiscal year 2020,
22 \$511,000,000 in additional new budg-
23 et authority;

1 “(II) for fiscal year 2021,
2 \$1,057,000,000 in additional new
3 budget authority;

4 “(III) for fiscal year 2022,
5 \$1,642,000,000 in additional new
6 budget authority;

7 “(IV) for fiscal year 2023,
8 \$2,268,000,000 in additional new
9 budget authority; and

10 “(V) for fiscal year 2024,
11 \$2,938,000,000 in additional new
12 budget authority.

13 “(iii) DEPARTMENT OF DEFENSE
14 HEALTH PROGRAM.—If a bill or joint reso-
15 lution making appropriations for a fiscal
16 year is enacted that specifies amounts for
17 the Department of Defense health pro-
18 gram, then the adjustments for that fiscal
19 year shall be the amount of additional new
20 budget authority provided in that Act for
21 such programs for that fiscal year, but
22 shall not exceed—

23 “(I) for fiscal year 2020,
24 \$167,510,000 in additional new budg-
25 et authority;

1 “(II) for fiscal year 2021,
2 \$346,745,700 in additional new budg-
3 et authority;

4 “(III) for fiscal year 2022,
5 \$538,527,899 in additional new budg-
6 et authority;

7 “(IV) for fiscal year 2023,
8 \$743,734,852 in additional new budg-
9 et authority; and

10 “(V) for fiscal year 2024,
11 \$963,306,292 in additional new budg-
12 et authority.

13 “(iv) MEDICAL AND PROSTHETICS RE-
14 SEARCH PROGRAM OF THE DEPARTMENT
15 OF VETERANS AFFAIRS.—If a bill or joint
16 resolution making appropriations for a fis-
17 cal year is enacted that specifies amounts
18 for the medical and prosthetics research
19 program of the Department of Veterans
20 Affairs, then the adjustments for that fis-
21 cal year shall be the amount of additional
22 new budget authority provided in that Act
23 for such programs for that fiscal year, but
24 shall not exceed—

1 “(I) for fiscal year 2020,
2 \$54,530,000 in additional new budget
3 authority;

4 “(II) for fiscal year 2021,
5 \$58,350,000 in additional new budget
6 authority;

7 “(III) for fiscal year 2022,
8 \$62,440,000 in additional new budget
9 authority;

10 “(IV) for fiscal year 2023,
11 \$66,810,000 in additional new budget
12 authority; and

13 “(V) for fiscal year 2024,
14 \$71,490,000 in additional new budget
15 authority.

16 “(v) DEFINITIONS.—As used in this
17 subparagraph:

18 “(I) ADDITIONAL NEW BUDGET
19 AUTHORITY.—The term ‘additional
20 new budget authority’ means—

21 “(aa) with respect to the
22 National Institutes of Health, the
23 amount provided for a fiscal
24 year, in excess of the amount
25 provided in fiscal year 2019, in

1 an appropriation Act and speci-
2 fied to support the National In-
3 stitutes of Health;

4 “(bb) with respect to the
5 Centers for Disease Control and
6 Prevention, the amount provided
7 for a fiscal year, in excess of the
8 amount provided in fiscal year
9 2019, in an appropriation Act
10 and specified to support the Cen-
11 ters for Disease Control and Pre-
12 vention;

13 “(cc) with respect to the De-
14 partment of Defense health pro-
15 gram, the amount provided for a
16 fiscal year, in excess of the
17 amount provided in fiscal year
18 2019, in an appropriation Act
19 and specified to support the De-
20 partment of Defense health pro-
21 gram; and

22 “(dd) with respect to the
23 medical and prosthetics research
24 program of the Department of
25 Veterans Affairs, the amount

1 provided for a fiscal year, in ex-
2 cess of the amount provided in
3 fiscal year 2019, in an appropria-
4 tion Act and specified to support
5 the medical and prosthetics re-
6 search program of the Depart-
7 ment of Veterans Affairs.

8 “(II) CENTERS FOR DISEASE
9 CONTROL AND PREVENTION.—The
10 term ‘Centers for Disease Control and
11 Prevention’ means the appropriations
12 accounts that support the various in-
13 stitutes, offices, and centers that
14 make up the Centers for Disease Con-
15 trol and Prevention.

16 “(III) DEPARTMENT OF DE-
17 FENSE HEALTH PROGRAM.—The term
18 ‘Department of Defense health pro-
19 gram’ means the appropriations ac-
20 counts that support the various insti-
21 tutes, offices, and centers that make
22 up the Department of Defense health
23 program.

24 “(IV) MEDICAL AND PROS-
25 THETICS RESEARCH PROGRAM OF THE

1 DEPARTMENT OF VETERANS AF-
2 FAIRS.—The term ‘medical and pros-
3 thetics research program of the De-
4 partment of Veterans Affairs’ means
5 the appropriations accounts that sup-
6 port the various institutes, offices,
7 and centers that make up the medical
8 and prosthetics research program of
9 the Department of Veterans Affairs.

10 “(V) NATIONAL INSTITUTES OF
11 HEALTH.—The term ‘National Insti-
12 tutes of Health’ means the appropria-
13 tions accounts that support the var-
14 ious institutes, offices, and centers
15 that make up the National Institutes
16 of Health.”.

17 (b) FUNDING.—There are hereby authorized to be
18 appropriated—

19 (1) for the National Institutes of Health, the
20 amounts provided for under clause (i) of such sec-
21 tion 251(b)(2)(D) in each of fiscal years 2020
22 through 2024, and such sums as may be necessary
23 for each subsequent fiscal year;

24 (2) for the Secretary of Health and Human
25 Services, acting through the Centers for Disease

1 Control and Prevention, the amounts provided for
2 under clause (ii) of such section 251(b)(2)(D) in
3 each of fiscal years 2020 through 2024, and such
4 sums as may be necessary for each subsequent fiscal
5 year;

6 (3) for the Department of Defense health pro-
7 gram, the amounts provided for under clause (iii) of
8 such section 251(b)(2)(D) in each of fiscal years
9 2020 through 2024, and such sums as may be nec-
10 essary for each subsequent fiscal year; and

11 (4) for the medical and prosthetics research
12 program of the Department of Veterans Affairs, the
13 amounts provided for under clause (iv) of such sec-
14 tion 251(b)(2)(D) in each of fiscal years 2020
15 through 2024, and such sums as may be necessary
16 for each subsequent fiscal year.

17 (c) MINIMUM CONTINUED FUNDING REQUIRE-
18 MENT.—Amounts appropriated for each of the programs
19 and agencies described in section 251(b)(2)(D) of the Bal-
20 anced Budget and Emergency Deficit Control Act of 1985
21 (as added by subsection (a)) for each of fiscal years 2020
22 through 2024, and each subsequent fiscal year, shall not
23 be less than the amounts appropriated for such programs
24 and agencies for fiscal year 2019.

1 (d) EXEMPTION OF CERTAIN APPROPRIATIONS FROM
2 SEQUESTRATION.—

3 (1) IN GENERAL.—Section 255(g)(1)(A) of the
4 Balanced Budget and Emergency Deficit Control
5 Act (2 U.S.C. 905(g)(1)(A)) is amended by inserting
6 after “Advances to the Unemployment Trust Fund
7 and Other Funds (16–0327–0–1–600).” the fol-
8 lowing:

9 “Appropriations under the American
10 Cures Act.”.

11 (2) APPLICABILITY.—The amendment made by
12 this section shall apply to any sequestration order
13 issued under the Balanced Budget and Emergency
14 Deficit Control Act of 1985 (2 U.S.C. 900 et seq.)
15 on or after the date of enactment of this Act.

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