

115TH CONGRESS
1ST SESSION

S. 640

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

IN THE SENATE OF THE UNITED STATES

MARCH 15, 2017

Mr. DURBIN (for himself, Mr. BROWN, Mr. MARKEY, Mr. CARDIN, Mr. CASEY, and Mr. VAN HOLLEN) 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—

9 (1) by redesignating subparagraph (D) as sub-
10 paragraph (E); and

(2) by inserting after subparagraph (C), the following:

“(D) BIOMEDICAL RESEARCH.—

“(i) NATIONAL INSTITUTES OF HEALTH.—If a bill or joint resolution making appropriations for a fiscal year is enacted that specifies amounts for the National Institutes of Health at the Department of Health and Human Services, then the adjustments for that fiscal year shall be the amount of additional new budget authority provided in that Act for such programs for that fiscal year, but shall not exceed—

“(I) for fiscal year 2017, \$2,966,000,000 in additional new budget authority;

“(II) for fiscal year 2018, \$4,718,000,000 in additional new budget authority;

“(III) for fiscal year 2019, \$6,643,000,000 in additional new budget authority;

1 “(IV) for fiscal year 2020,
2 \$8,743,000,000 in additional new
3 budget authority; and

4 “(V) for fiscal year 2021,
5 \$10,981,000,000 in additional new
6 budget authority.

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

18 “(I) for fiscal year 2017,
19 \$1,430,000,000 in additional new
20 budget authority;

21 “(II) for fiscal year 2018,
22 \$1,828,000,000 in additional new
23 budget authority;

1 “(III) for fiscal year 2019,
2 \$2,264,000,000 in additional new
3 budget authority;

4 “(IV) for fiscal year 2020,
5 \$2,740,000,000 in additional new
6 budget authority; and

7 “(V) for fiscal year 2021,
8 \$3,247,000,000 in additional new
9 budget authority.

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

20 “(I) for fiscal year 2017,
21 \$135,100,000 in additional new budg-
22 et authority;

23 “(II) for fiscal year 2018,
24 \$241,000,000 in additional new budg-
25 et authority;

1 “(III) for fiscal year 2019,
2 \$356,000,000 in additional new budg-
3 et authority;

4 “(IV) for fiscal year 2020,
5 \$482,000,000 in additional new budg-
6 et authority; and

7 “(V) for fiscal year 2021,
8 \$618,000,000 in additional new budg-
9 et authority.

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

22 “(I) for fiscal year 2017,
23 \$36,000,000 in additional new budget
24 authority;

1 “(II) for fiscal year 2018,
2 \$65,000,000 in additional new budget
3 authority;

4 “(III) for fiscal year 2019,
5 \$98,000,000 in additional new budget
6 authority;

7 “(IV) for fiscal year 2020,
8 \$134,000,000 in additional new budg-
9 et authority; and

10 “(V) for fiscal year 2021,
11 \$172,000,000 in additional new budg-
12 et authority.

13 “(v) DEFINITIONS.—As used in this
14 subparagraph:

15 “(I) ADDITIONAL NEW BUDGET
16 AUTHORITY.—The term ‘additional
17 new budget authority’ means—

18 “(aa) with respect to the
19 National Institutes of Health, the
20 amount provided for a fiscal
21 year, in excess of the amount
22 provided in fiscal year 2016, in
23 an appropriation Act and speci-
24 fied to support the National In-
25 stitutes of Health;

1 “(bb) with respect to the
2 Centers for Disease Control and
3 Prevention, the amount provided
4 for a fiscal year, in excess of the
5 amount provided in fiscal year
6 2016, in an appropriation Act
7 and specified to support the Cen-
8 ters for Disease Control and Pre-
9 vention;

10 “(cc) with respect to the De-
11 partment of Defense health pro-
12 gram, the amount provided for a
13 fiscal year, in excess of the
14 amount provided in fiscal year
15 2016, in an appropriation Act
16 and specified to support the De-
17 partment of Defense health pro-
18 gram; and

19 “(dd) with respect to the
20 medical and prosthetics research
21 program of the Department of
22 Veterans Affairs, the amount
23 provided for a fiscal year, in ex-
24 cess of the amount provided in
25 fiscal year 2016, in an appropria-

1 tion Act and specified to support
2 the medical and prosthetics re-
3 search program of the Depart-
4 ment of Veterans Affairs.

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

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

21 “(IV) MEDICAL AND PROS-
22 THETICS RESEARCH PROGRAM OF THE
23 DEPARTMENT OF VETERANS AF-
24 FAIRS.—The term ‘medical and pros-
25 thetics research program of the De-

partment of Veterans Affairs’ means the appropriations accounts that support the various institutes, offices, and centers that make up the medical and prosthetics research program of the Department of Veterans Affairs.

“(V) NATIONAL INSTITUTES OF HEALTH.—The term ‘National Institutes of Health’ means the appropriations accounts that support the various institutes, offices, and centers that make up the National Institutes of Health.”.

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

(1) for the National Institutes of Health, the amounts provided for under clause (i) of such section 251(b)(2)(D) in each of fiscal years 2017 through 2021, and such sums as may be necessary for each subsequent fiscal year;

(2) for the Secretary of Health and Human Services, acting through the Centers for Disease Control and Prevention, the amounts provided for under clause (ii) of such section 251(b)(2)(D) in each of fiscal years 2017 through 2021, and such

1 sums as may be necessary for each subsequent fiscal
 2 year;

3 (3) for the Department of Defense health pro-
 4 gram, the amounts provided for under clause (iii) of
 5 such section 251(b)(2)(D) in each of fiscal years
 6 2017 through 2021, and such sums as may be nec-
 7 essary for each subsequent fiscal year; and

8 (4) for the medical and prosthetics research
 9 program of the Department of Veterans Affairs, the
 10 amounts provided for under clause (iv) of such sec-
 11 tion 251(b)(2)(D) in each of fiscal years 2017
 12 through 2021, and such sums as may be necessary
 13 for each subsequent fiscal year.

14 (c) MINIMUM CONTINUED FUNDING REQUIRE-
 15 MENT.—Amounts appropriated for each of the programs
 16 and agencies described in section 251(b)(2)(D) of the Bal-
 17 anced Budget and Emergency Deficit Control Act of 1985
 18 (as added by subsection (a)) for each of fiscal years 2017
 19 through 2021, and each subsequent fiscal year, shall not
 20 be less than the amounts appropriated for such programs
 21 and agencies for fiscal year 2016.

22 (d) EXEMPTION OF CERTAIN APPROPRIATIONS FROM
 23 SEQUESTRATION.—

24 (1) IN GENERAL.—Section 255(g)(1)(A) of the
 25 Balanced Budget and Emergency Deficit Control

1 Act (2 U.S.C. 905(g)(1)(A)) is amended by inserting
2 after “Advances to the Unemployment Trust Fund
3 and Other Funds (16–0327–0–1–600).” the fol-
4 lowing:

5 “Appropriations under the American
6 Cures Act.”.

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

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