

116TH CONGRESS  
1ST SESSION

# H. R. 2401

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

---

## IN THE HOUSE OF REPRESENTATIVES

APRIL 30, 2019

Ms. UNDERWOOD (for herself and Mr. FOSTER) introduced the following bill; which was referred to the Committee on the Budget, and in addition to the Committees on Energy and Commerce, Armed Services, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

---

## 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.

○