

**AMENDMENT TO UKRAINE SECURITY
SUPPLEMENTAL APPROPRIATIONS ACT, 2024
OFFERED BY MR. GOSAR OF ARIZONA**

At the appropriate place, insert the following:

1 **TITLE _____ —EMERGENCY WAR**
2 **FUNDING REFORM**

3 **SEC. ____ 1. SHORT TITLE.**

4 This title may be cited as the “Restraining Emer-
5 gency War Spending Act”.

6 **SEC. ____ 2. DEFINITION OF EMERGENCY WAR FUNDING.**

7 For purposes of determining eligible costs for emer-
8 gency war funding, the term “emergency war funding”
9 means—

10 (1) a contingency operation (as defined in sec-
11 tion 101(a) of title 10, United States Code) con-
12 ducted by the Department of Defense that—

13 (A) is conducted in a foreign country;

14 (B) has geographical limits;

15 (C) is not longer than 60 days; and

16 (D) provides only—

17 (i) replacement of ground equipment
18 lost or damaged in conflict;

19 (ii) equipment modifications;

- 1 (iii) munitions;
- 2 (iv) replacement of aircraft lost or
- 3 damaged in conflict;
- 4 (v) military construction for short-
- 5 term temporary facilities;
- 6 (vi) direct war operations; and
- 7 (vii) fuel;

8 (2) the training, equipment, and sustainment

9 activities for foreign military forces by the United

10 States;

11 (3) the provision of defense articles over

12 \$100,000,000 to a single recipient nation or allied

13 group of nations; or

14 (4) assistance provided for the reconstruction of

15 a nation or group of nations in or immediately post-

16 active conflict.

17 **SEC. ___ 3. POINT OF ORDER AGAINST FUNDING FOR CON-**

18 **TINGENCY OPERATIONS THAT DOES NOT**

19 **MEET THE REQUIREMENTS FOR EMERGENCY**

20 **WAR FUNDING.**

21 (a) IN GENERAL.—Title IV of the Congressional

22 Budget Act of 1974 (2 U.S.C. 651 et seq.) is amended

23 by adding at the end the following:

1 **“PART C—ADDITIONAL LIMITATIONS ON BUDG-**
2 **ETARY AND APPROPRIATIONS LEGISLATION**

3 **“SEC. 441. POINT OF ORDER AGAINST FUNDING FOR CON-**
4 **TINGENCY OPERATIONS THAT DOES NOT**
5 **MEET THE REQUIREMENTS FOR EMERGENCY**
6 **WAR FUNDING.**

7 “(a) DEFINITIONS.—In this section—

8 “(1) the term ‘contingency operation’ has the
9 meaning given that term in section 101 of title 10,
10 United States Code; and

11 “(2) the term ‘emergency war funding’ has the
12 meaning given that term in section ____2 of the Re-
13 straining Emergency War Spending Act.

14 “(b) POINT OF ORDER.—

15 “(1) IN GENERAL.—In the Senate, it shall not
16 be in order to consider a provision in a bill, joint
17 resolution, motion, amendment, amendment between
18 the Houses, or conference report that provides new
19 budget authority for a contingency operation, unless
20 the provision of new budget authority meets the re-
21 quirements to constitute emergency war funding.

22 “(2) POINT OF ORDER SUSTAINED.—If a point
23 of order is made by a Senator against a provision
24 described in paragraph (1), and the point of order
25 is sustained by the Chair, that provision shall be

1 stricken from the measure and may not be offered
2 as an amendment from the floor.

3 “(c) FORM OF THE POINT OF ORDER.—A point of
4 order under subsection (b)(1) may be raised by a Senator
5 as provided in section 313(e).

6 “(d) CONFERENCE REPORTS.—When the Senate is
7 considering a conference report on, or an amendment be-
8 tween the Houses in relation to, a bill or joint resolution,
9 upon a point of order being made by any Senator pursuant
10 to subsection (b)(1), and such point of order being sus-
11 tained, such material contained in such conference report
12 or House amendment shall be stricken, and the Senate
13 shall proceed to consider the question of whether the Sen-
14 ate shall recede from its amendment and concur with a
15 further amendment, or concur in the House amendment
16 with a further amendment, as the case may be, which fur-
17 ther amendment shall consist of only that portion of the
18 conference report or House amendment, as the case may
19 be, not so stricken. Any such motion in the Senate shall
20 be debatable. In any case in which such point of order
21 is sustained against a conference report (or Senate amend-
22 ment derived from such conference report by operation of
23 this subsection), no further amendment shall be in order.

24 “(e) SUPERMAJORITY WAIVER AND APPEAL.—

1 “(1) WAIVER.—Subsection (b)(1) may be
2 waived or suspended in the Senate only by an af-
3 firmative vote of three-fifths of the Members, duly
4 chosen and sworn.

5 “(2) APPEALS.—Debate on appeals in the Sen-
6 ate from the decisions of the Chair relating to any
7 provision of this section shall be equally divided be-
8 tween, and controlled by, the appellant and the man-
9 ager of the bill or joint resolution, as the case may
10 be. An affirmative vote of three-fifths of the Mem-
11 bers of the Senate, duly chosen and sworn, shall be
12 required to sustain an appeal of the ruling of the
13 Chair on a point of order raised under subsection
14 (b)(1).”.

15 (b) TECHNICAL AND CONFORMING AMENDMENT.—
16 The table of contents in section 1(b) of the Congressional
17 Budget Act of 1974 is amended by inserting after the item
18 relating to section 428 the following:

“PART C—ADDITIONAL LIMITATIONS ON BUDGETARY AND APPROPRIATIONS
LEGISLATION

“Sec. 441. Point of order against funding for contingency operations that does
not meet the requirements for emergency war funding.”.

