

118TH CONGRESS
1ST SESSION

H. R. 5228

To direct the Secretary of the Air Force to develop a plan for the recapitalization of fighter squadrons of the Air National Guard and the Air Force Reserve and to limit modifications to the flying missions of such squadrons until such plan is complete.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 18, 2023

Mr. BACON introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To direct the Secretary of the Air Force to develop a plan for the recapitalization of fighter squadrons of the Air National Guard and the Air Force Reserve and to limit modifications to the flying missions of such squadrons until such plan is complete.

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 “Air Reserve Compo-
5 nent Fighter Recapitalization Act of 2023”.

1 **SEC. 2. LIMITATION ON TERMINATION OF FIGHTER SQUAD-**
2 **RONS.**

3 (a) **LIMITATION.**—The Secretary of the Air Force
4 may not terminate the fighter flying mission of any fighter
5 squadron of the Air National Guard or the Air Force Re-
6 serve until a period of 180 days has elapsed following the
7 date on which the Secretary submits the plan required
8 under subsection (b).

9 (b) **PLAN REQUIRED.**—

10 (1) **IN GENERAL.**—The Secretary of the Air
11 Force, in coordination with the Director of the Air
12 National Guard and the Commander of the Air
13 Force Reserve, shall develop a notional plan for the
14 recapitalization of all fighter squadrons of the Air
15 National Guard and the Air Force Reserve.

16 (2) **ELEMENTS.**—The plan under paragraph (1)
17 shall—

18 (A) provide options for the modernization
19 of fighter squadrons of the Air National Guard
20 and the Air Force Reserve and the replacement
21 of the aircraft of such squadrons at a rate that
22 ensures recapitalization of such squadrons with
23 relevant and more capable replacement fighter
24 aircraft;

25 (B) ensure that each fighter squadron of
26 the Air National Guard and the Air Force Re-

1 serve has the required minimum of primary
2 mission assigned fighter aircraft to meet force
3 presentation requirements of geographic com-
4 batant commanders for both steady-state and
5 operational contingency planning and execution;

6 (C) include consideration for the tem-
7 porary reassignment of aircraft to such squad-
8 rons from other components of the Air Force,
9 as necessary to meet the requirements of the
10 plan; and

11 (D) include the Secretary of the Air
12 Force's assessment of any effects of the force
13 presentation on—

14 (i) combatant commanders;

15 (ii) aircrew accession absorption ca-
16 pacity;

17 (iii) industrial capacity to support any
18 additional production above programmed
19 quantities; and

20 (iv) costs aside from normal training
21 and personnel costs of unit mission transi-
22 tions.

23 (3) SUBMITTAL TO CONGRESS.—The Secretary
24 of the Air Force shall submit to the congressional

1 defense committees the plan required under para-
2 graph (1) together with an explanation of—

3 (A) any programmatic funding required to
4 implement such plan; and

5 (B) how the plan differs from other plans
6 of the Secretary of the Air Force with respect
7 to fighter aircraft squadrons of the Air Na-
8 tional Guard and the Air Force Reserve (includ-
9 ing any such plans in effect as of the date of
10 the submittal of the plan under paragraph (1));
11 and

12 (C) any effects of the plan on operations
13 and efforts to recapitalize or transition existing
14 fighter aircraft squadrons of the Air National
15 Guard and the Air Force Reserve as proposed
16 in the future-years defense program submitted
17 to Congress under section 221 of title 10,
18 United States Code, for fiscal year 2024.

19 (c) CONGRESSIONAL DEFENSE COMMITTEES DE-
20 FINED.—In this section, the term “congressional defense
21 committees” has the meaning given that term in section
22 101(a)(16) of title 10, United States Code.

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