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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To require the Secretary of the Air Force to take steps to ensure the continued production and procurement of advanced capability fighter aircraft and fifth generation fighter aircraft until the fighter units of the Air National Guard are fully recapitalized, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. JAMES introduced the following bill; which was referred to the Committee
on _____

A BILL

To require the Secretary of the Air Force to take steps to ensure the continued production and procurement of advanced capability fighter aircraft and fifth generation fighter aircraft until the fighter units of the Air National Guard are fully recapitalized, and for other purposes.

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 National Guard
5 Squadron Preservation Act of 2025”.

1 **SEC. 2. STATEMENT OF POLICY.**

2 It is the policy of the United States to maintain the
3 capabilities, experience, and strength of the Total Fighter
4 Force needed to confront any threats by ensuring that the
5 service retain force structure through the fighter aircraft
6 squadrons across the Air National Guard are fully recapiti-
7 talized.

8 **SEC. 3. RECAPITALIZATION OF AIR NATIONAL GUARD**
9 **FIGHTER FLEET.**

10 (a) PLAN FOR SUSTAINMENT AND RECAPITALIZA-
11 TION OF AIR NATIONAL GUARD FIGHTER FLEET.—Sec-
12 tion 154(b)(2) of the National Defense Authorization Act
13 for Fiscal Year 2025 (Public Law 118–159) is amended
14 by inserting “, fifth generation fighter aircraft,” after
15 “legacy capability fighter aircraft”.

16 (b) PROCUREMENT OF FIGHTER AIRCRAFT.—

17 (1) IN GENERAL.—The Secretary of the Air
18 Force shall take such steps as may be necessary to
19 ensure the continued production and procurement of
20 at least one model of advanced capability fighter air-
21 craft and at least one model of fifth generation
22 fighter aircraft until the date on which the Secretary
23 certifies to the congressional defense committees
24 that the Secretary has replaced all legacy capability
25 fighter aircraft within each covered Air National

1 Guard fighter unit with an advanced capability
2 fighter aircraft or fifth generation fighter aircraft.

3 (2) CONTRACTS.—For purposes of fulfilling the
4 requirements of paragraph (1), the Secretary shall—

5 (A) seek to enter into a contract for the
6 procurement of advanced capability fighter air-
7 craft and fifth generation fighter aircraft; or

8 (B) modify a contract to provide for the
9 procurement of additional advanced capability
10 fighter aircraft and fifth generation fighter air-
11 craft.

12 (3) GAO REVIEW AND REPORT.—

13 (A) REVIEW.—The Comptroller General of
14 the United States shall conduct a review of ad-
15 vanced capability fighter aircraft. Such review
16 shall include—

17 (i) an assessment of any challenges to
18 the procurement of such aircraft by the
19 Secretary; and

20 (ii) recommendations on how to solve
21 such challenges.

22 (B) BRIEFING.—Not later than one year
23 after the date of the enactment of this Act, the
24 Comptroller General shall provide to the con-
25 gressional defense committees a briefing on the

1 preliminary findings of the review conducted
2 under subparagraph (A).

3 (C) REPORT.—Not later than 30 days
4 after the Comptroller General provides a brief-
5 ing under subparagraph (B), the Comptroller
6 General shall submit to the congressional de-
7 fense committees a final report on the review
8 conducted under subparagraph (A).

9 (4) REPORT ON PROGRESS.—Not later than
10 180 days after the Comptroller General provides a
11 report under paragraph (3)(C) and on an annual
12 basis thereafter, the Secretary shall submit to the
13 congressional defense committees a report on the
14 progress of the Secretary in—

15 (A) implementing the recommendations of
16 the Comptroller General issued pursuant to
17 paragraph (3); and

18 (B) replacing the legacy capability fighter
19 aircraft within each covered Air National Guard
20 fighter unit with an advanced capability fighter
21 aircraft, fifth generation fighter aircraft, or
22 next-generation air dominance fighter aircraft.

23 (c) FEASIBILITY STUDY ON ADVANCED CAPABILITY
24 FIGHTER AIRCRAFT.—

1 (1) STUDY.—The Secretary, in consultation
2 with the Director of the Air National Guard, shall
3 conduct a study to determine the need for procuring
4 advanced capability fighter aircraft for use by the
5 active and reserve components of the Air Force.

6 (2) ELEMENTS.—The study under paragraph
7 (1) shall—

8 (A) take into account any plans of the Sec-
9 retary to implement unmanned or autonomous
10 capabilities in any fighter aircraft of the active
11 or reserve components of the Air Force;

12 (B) calculate any cost savings in long-lead
13 time, supply chain acquisition, and labor attrib-
14 uted to any sales of the Block 70/72 variant or
15 later variant of the F-16 fighter aircraft by the
16 military of a foreign country;

17 (C) identify which reserve and active fight-
18 er units of the Air Force would be eligible for
19 recapitalization with advanced capability fighter
20 aircraft;

21 (D) identify how advanced capability fight-
22 er aircraft would meet steady state and contin-
23 gency force presentation and mission require-
24 ments of combatant commanders; and

1 (E) identify whether a multiyear contract
2 would be the best method for acquiring ad-
3 vanced capability fighter aircraft.

4 (3) REPORT.—Not later than 180 days after
5 the date of the enactment of this Act, the Secretary
6 shall submit to the congressional defense committees
7 the findings of the study conducted pursuant to this
8 subsection.

9 (d) DEFINITIONS.—In this Act:

10 (1) The term “advanced capability fighter air-
11 craft” means a Block 70/72 variant or later variant
12 of the F-16 fighter aircraft, an F-15EX fighter air-
13 craft, any future variant of such fighter aircraft, or
14 any other more advanced capability fighter aircraft
15 (other than a fifth generation fighter aircraft) iden-
16 tified by the Secretary.

17 (2) The term “congressional defense commit-
18 tees” has the meaning given such term in section
19 101(a)(16) of title 10, United States Code.

20 (3) The term “covered Air National Guard
21 fighter unit” means any fighter unit of the Air Na-
22 tional Guard with respect to which the Secretary has
23 not commenced or completed the process of replac-
24 ing the legacy capability fighter aircraft of such unit
25 with advanced capability fighter aircraft or fifth gen-

1 eration fighter aircraft as of the date of the enact-
2 ment of this Act.

3 (4) The term “fifth generation” has the mean-
4 ing given such term in section 154(d)(2) of the Na-
5 tional Defense Authorization Act for Fiscal Year
6 2025 (Public Law 118–159).

7 (5) The term “fighter aircraft” has the mean-
8 ing given such term in section 9062(i)(2) of title 10,
9 United States Code.

10 (6) The term “legacy capability fighter air-
11 craft”—

12 (A) has the meaning given such term in
13 section 154(d)(4) of the National Defense Au-
14 thorization Act for Fiscal Year 2025 (Public
15 Law 118–159); and

16 (B) does not include the Block 70/72 vari-
17 ant of the F–16 fighter aircraft.