

**AMENDMENT TO H.R. 8070**  
**OFFERED BY MS. SLOTKIN OF MICHIGAN**

At the appropriate place in title I, insert the following new section:

1 **SEC. 1 \_\_\_\_ . SUSTAINMENT AND RECAPITALIZATION OF AIR**  
2 **NATIONAL GUARD FIGHTER FLEET.**

3 (a) LIMITATION ON DEACTIVATION, REDESIGNA-  
4 TION, OR REASSIGNMENT.—Section 9062 of title 10,  
5 United States Code, is amended by adding at the end the  
6 following new subsection:

7 “(n)(1) During the period beginning on the date of  
8 the enactment of the National Defense Authorization Act  
9 for Fiscal Year 2025 and ending on September 30, 2033,  
10 the Secretary of the Air Force may not—

11 “(A) deactivate, redesignate, or reassign any of  
12 the 25 fighter aircraft squadrons of the Air National  
13 Guard in existence on such date of enactment to any  
14 mission other than that of a fighter aircraft squad-  
15 ron; or

16 “(B) reassign to the active components of the  
17 armed forces, retire, divest, or place in a non-flying  
18 status any fighter aircraft of the Air National Guard  
19 assigned to any such squadron as of such date of en-

1 actment without first providing a one for one re-  
2 placement airframe, which shall be—

3 “(i) an F-15EX, F-22, F-35, or F-35A  
4 aircraft; or

5 “(ii) an advanced capability fighter air-  
6 craft.

7 “(2) In this subsection:

8 “(A) The term ‘advanced capability fighter air-  
9 craft’—

10 “(i) means the next-generation air domi-  
11 nance fighter aircraft or any other fighter air-  
12 craft referenced or designated as a sixth gen-  
13 eration airframe; and

14 “(ii) does not include unmanned fighter  
15 aircraft.

16 “(B) The term ‘fighter aircraft’ has the mean-  
17 ing given that term in subsection (i)(2).”.

18 (b) PLAN FOR SUSTAINMENT AND RECAPITALIZA-  
19 TION.—

20 (1) IN GENERAL.—The Secretary of the Air  
21 Force, in direct personal consultation with the Di-  
22 rector of the Air National Guard, shall develop and  
23 implement a plan to sustain and recapitalize the  
24 fighter fleet of the Air National Guard.

1           (2) ELEMENTS.—The recapitalization plan re-  
2           quired under paragraph (1) shall—

3                   (A) identify each of the 25 fighter aircraft  
4                   squadrons of the Air National Guard in exist-  
5                   ence on the date of the enactment of this Act;

6                   (B) provide for recapitalization of all such  
7                   squadrons at least at the same rate as the  
8                   fighter aircraft squadrons of the active compo-  
9                   nents of the Armed Forces, with the same com-  
10                  bination of legacy capability fighter aircraft and  
11                  advanced capability fighter aircraft found in  
12                  fighter aircraft squadrons of the active compo-  
13                  nents of the Armed Forces; and

14                  (C) establish a timetable for a plan or ac-  
15                  tions for the recapitalization required under  
16                  subparagraph (B) by not later than September  
17                  30, 2033, disaggregated by fighter aircraft  
18                  squadron and fiscal year.

19           (3) READINESS.—The Secretary of Defense  
20           shall ensure that the required operational readiness  
21           rates of the Air National Guard are maintained dur-  
22           ing the sustainment and recapitalization process car-  
23           ried out pursuant to the plan required under para-  
24           graph (1).

25           (4) REPORT.—

1 (A) IN GENERAL.—Not later than July 1,  
2 2025, the Secretary of the Air Force shall sub-  
3 mit to the congressional defense committees a  
4 report that includes the sustainment and re-  
5 capitalization plan required under paragraph  
6 (1).

7 (B) FORM.—The report required under  
8 subparagraph (A) shall be submitted in unclas-  
9 sified form, but may contain a classified annex.  
10 (5) DEFINITIONS.—In this subsection:

11 (A) The term “advanced capability fighter  
12 aircraft” has the meaning given that term in  
13 section 9062(n)(2) of title 10, United States  
14 Code, as added by subsection (a).

15 (B) The term “fifth generation”, with re-  
16 spect to fighter aircraft, means an F-22 or F-  
17 35 aircraft.

18 (C) The term “fighter aircraft” has the  
19 meaning given that term in section 9062(i)(2)  
20 of title 10, United States Code.

21 (D) The term “legacy capability fighter  
22 aircraft” means pre-fifth generation fighter air-  
23 craft, including an F-16, both pre-block and  
24 post-block, F-15C/D, F-15E/EX, and A-10.

