AMENDMENT TO
RULES COMMITTEE PRINT 116–19
OFFERED BY MR. KINZINGER OF ILLINOIS

At the end of subtitle C of title I, add the following new section:

SEC. 1. PROVISIONS RELATING TO RC–26B MANNED INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE AIRCRAFT.

(a) LIMITATION OF FUNDS.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2020 for the Air Force may be obligated or expended to retire, divest, realign, or place in storage or on backup aircraft inventory status, or prepare to retire, divest, realign, or place in storage or on backup aircraft inventory status, any RC–26B aircraft until a period of 60 days has elapsed following the date on which the Secretary of Defense certifies to the congressional defense committees that—

(1) technologies or platforms other than the RC–26B aircraft provide capacity and capabilities equivalent to the capacity and capabilities of the RC–26B aircraft; and
(2) the capacity and capabilities of such other technologies or platforms meet the requirements of combatant commanders with respect to indications and warning, intelligence preparation of the operational environment, and direct support for kinetic and non-kinetic operations.

(b) EXCEPTION.—The limitation in subsection (a) shall not apply to individual RC–26 aircraft that the Secretary of the Air Force determines, on a case-by-case basis, to be no longer mission capable because of mishaps or other damage.

(c) FUNDING FOR RC–26B MANNED INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE PLATFORM.—

(1) Of the amount authorized to be appropriated in section 301 for operation and maintenance, as specified in the corresponding funding table in 4301, for operation and maintenance, Air National Guard, the Secretary of the Air Force may transfer up to $15,000,000 for the purposes of the RC–26B manned intelligence, surveillance, and reconnaissance platform.

(2) Of the amount authorized to be appropriated in section 421 for military personnel, as specified in the corresponding funding table in 4401, the Secretary of the Air Force may transfer up to
$16,000,000 from military personnel, Air National Guard for personnel who operate and maintain the RC–26B manned intelligence, surveillance, and reconnaissance platform.

(d) MEMORANDUM OF AGREEMENT.—Notwithstanding any other provision of law, the Chief of the National Guard Bureau may enter into one or more Memorandum of Agreement with other Federal entities for the purposes of assisting with the missions and activities of such entities.

(e) AIR FORCE REPORT.—Not later than 90 days after enactment of this Act, the Secretary of the Air Force shall submit to congressional defense committees a report detailing the manner in which the Secretary would provide manned and unmanned intelligence, surveillance, and reconnaissance mission support or manned and unmanned incident awareness and assessment mission support to military and non-military entities in the event the RC–26B is divested. The Secretary shall include a determination regarding whether or not this support would be commensurate with that which the RC–26B is able to provide. The Secretary, in consultation with the Chief of the National Guard Bureau shall also contact and survey the support requirements of other Federal agencies and provide an assessment for potential opportunities to enter
into one or more Memorandum of Agreements with such agencies for the purposes of assisting with the missions and activities of such entities, such as domestic or, subject to legal authorities, foreign operations, including but not limited to situational awareness, damage assessment, evacuation monitoring, search and rescue, chemical, biological, radiological, and nuclear assessment, hydrographic survey, dynamic ground coordination, and cyberspace incident response.