

**AMENDMENT TO RULES COMMITTEE PRINT 117-**

**54**

**OFFERED BY MR. KINZINGER OF ILLINOIS**

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

1 **SEC. 1\_\_\_.** **REQUIREMENT TO MAINTAIN FLEET OF**  
2 **MANNED INTELLIGENCE, SURVEILLANCE,**  
3 **AND RECONNAISSANCE AIRCRAFT.**

4 (a) **MANNED INTELLIGENCE, SURVEILLANCE, AND**  
5 **RECONNAISSANCE AIRCRAFT.—**

6 (1) **IN GENERAL.—**The Secretary of the Air  
7 Force, in coordination with Director of the Air Na-  
8 tional Guard, shall maintain a fleet of fixed wing,  
9 manned ISR/LAA aircraft to conduct operations pur-  
10 suant to the provisions of law specified in paragraph  
11 (2).

12 (2) **PROVISIONS SPECIFIED.—**The provisions of  
13 law specified in this paragraph are the following:

14 (A) Sections 124 and 284 of title 10,  
15 United States Code.

16 (B) Section 112 of title 32, United States  
17 Code.

1 (C) Section 1022 of the National Defense  
2 Authorization Act for Fiscal Year 2004 (Public  
3 Law 108–136; 10 U.S.C. 271 note).

4 (b) LIMITATION.—

5 (1) IN GENERAL.—Except as provided in para-  
6 graph (2), none of the funds authorized to be appro-  
7 priated by this Act or otherwise made available for  
8 fiscal year 2023 for the Air Force may be obligated  
9 or expended to retire, divest, realign, or placed in  
10 storage or on backup aircraft inventory status, or to  
11 prepare to retire, divest, realign, or place in storage  
12 or on backup aircraft inventory status, any RC–26B  
13 aircraft.

14 (2) EXCEPTION.—

15 (A) IN GENERAL.—The limitation in para-  
16 graph (1) shall not apply to individual RC–26  
17 aircraft that the Secretary of the Air Force de-  
18 termines, on a case-by-case basis, to be no  
19 longer mission capable because of a Class A  
20 mishap.

21 (B) CERTIFICATION REQUIRED.—If the  
22 Secretary of the Air Force determines under  
23 subparagraph (A) that an aircraft is no longer  
24 mission capable, the Secretary shall submit to  
25 the congressional defense committees a certifi-

1 cation that the status of such aircraft is due to  
2 a Class A mishap and not due to lack of main-  
3 tenance or repairs or other reasons.

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

6 (1) Of the amount authorized to be appro-  
7 priated in section 301 for operation and mainte-  
8 nance as specified in the corresponding funding in  
9 section 4301, for operation and maintenance, Air  
10 National Guard, the Secretary of the Air Force shall  
11 transfer up to \$18,500,000 for the purposes of the  
12 RC-26B manned intelligence, surveillance, and re-  
13 connaissance platform.

14 (2) Of the amount authorized to be appro-  
15 priated in section 421 for military personnel, as  
16 specified in the corresponding finding table in sec-  
17 tion 4401, the Secretary of the Air Force shall  
18 transfer up to \$13,000,000 from military personnel,  
19 Air National Guard for personnel who operate and  
20 maintain the RC-26B manned intelligence, surveil-  
21 lance, and reconnaissance platform.

22 (d) MEMORANDUM OF AGREEMENT.—Notwith-  
23 standing any other provision of law, the Secretary of De-  
24 fense may enter into one or more memoranda of agree-  
25 ment or cost sharing agreements with other Federal enti-

1 ties for the purposes of assisting with the missions and  
2 activities of such entities.

3 (e) INDEPENDENT ASSESSMENT.—Not later than 30  
4 days after the date of the enactment of this Act, the Direc-  
5 tor of Cost Assessment and Program Evaluation shall con-  
6 duct an independent assessment to determine how the Air  
7 Force can—

8 (1) provide manned ISR/IAA capabilities for  
9 the purposes of conducting operations pursuant to  
10 the provisions of law specified in subsection (a)(2);  
11 and

12 (2) maintain and modernize the manned ISR/  
13 IAA aircraft fleet over the period of ten years fol-  
14 lowing the date of the enactment of this Act.

15 (f) COMPTROLLER GENERAL STUDY.—

16 (1) STUDY.—The Comptroller General of the  
17 United States shall conduct an independent study of  
18 the platforms used to conduct title 32 operations by  
19 manned ISR/IAA aircraft in light of the proposal of  
20 the Air Force to retire and divest the RC-26B air-  
21 craft fleet.

22 (2) BRIEFING.—Not later than September 31,  
23 2023, the Comptroller General shall provide to the  
24 congressional defense committees a briefing on the

1 preliminary findings of the study under paragraph  
2 (1). The briefing shall include an assessment of—

3 (A) the alternatives considered by the Air  
4 Force that led to the recommendation to retire  
5 the RC-26B aircraft, including the relative  
6 costs, benefits, and assumptions associated with  
7 the alternatives to such retirement;

8 (B) any capability gaps in manned ISR/  
9 IAA that would be created by such retirement;

10 (C) the extent to which the Department of  
11 Defense has plans to address any capability  
12 gaps identified under subparagraph (B); and

13 (D) any capability gaps in manned ISR/  
14 IAA that could be created by the added cost to  
15 the Air Force of retaining the RC-26B fleet.

16 (3) REPORT.—As soon as practicable after the  
17 date of the briefing under paragraph (2), the Comp-  
18 troller General shall submit to the congressional de-  
19 fense committees a report on the final results of the  
20 study conducted under paragraph (1).

21 (g) ISR/IAA DEFINED.—In this section, the term  
22 “ISR/IAA” means—

23 (1) intelligence, surveillance, and reconnais-  
24 sance; and

1 (2) incident awareness and assessment.

