

119TH CONGRESS
2D SESSION

S. 4374

To authorize the Secretary of Defense to enter into multiyear contracts for the procurement of F-35 and F-15EX aircraft, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 22, 2026

Mr. BUDD (for himself, Mrs. SHAHEEN, Mr. KING, Mr. SCHMITT, Mr. SHEEHY, Mr. ROUNDS, and Mr. CRAMER) introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To authorize the Secretary of Defense to enter into multiyear contracts for the procurement of F-35 and F-15EX aircraft, 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 “Airpower Acceleration
5 Act of 2026”.

6 **SEC. 2. MULTIYEAR PROCUREMENT AUTHORITY FOR F-35** 7 **AND F-15EX AIRCRAFT.**

8 (a) MULTIYEAR PROCUREMENT AUTHORITY.—Sub-
9 ject to section 3501 of title 10, United States Code, except

1 as provided in this section, the Secretary of Defense may
2 enter into one or more multiyear contracts for the procure-
3 ment of F-35A, F-35B, F-35C, and F-15EX aircraft.

4 (b) FINDINGS REQUIREMENTS.—

5 (1) IN GENERAL.—A contract described in sub-
6 section (a) is deemed to meet the requirements of
7 section 3501(a) of such title.

8 (2) REQUEST.—Section 3501(i)(2) of such title
9 shall not apply for purposes of this Act.

10 (3) REPORT.—Not later than 90 days after the
11 date of the enactment of this Act, the Secretary of
12 Defense shall submit to Congress a report with re-
13 spect to contracts described in subsection (a) con-
14 taining preliminary findings of the agency head de-
15 scribed in paragraphs (1) through (6) of section
16 3501(a) of such title, together with the basis for
17 such findings.

18 (c) ADVANCE PROCUREMENT.—

19 (1) IN GENERAL.—The Secretary of Defense
20 may enter into one or more contracts for advance
21 procurement of key components of F-35A, F-35B,
22 F-35C, and F-15EX aircraft in economic order
23 quantities.

24 (2) CERTIFICATION.—The Secretary of Defense
25 shall include in any certification submitted under

1 section 3501(i)(3) of such title a description of the
 2 specific components the Secretary intends to procure
 3 under the authority provided by paragraph (1).

4 (d) SENSE OF CONGRESS.—It is the sense of Con-
 5 gress that the implementation of section 3501(d) of such
 6 title is important to ensuring that all subcontractors, ven-
 7 dors, and suppliers promptly receive funds in order to su-
 8 percharge the defense industrial base.

9 **SEC. 3. MODIFICATION OF INVENTORY REQUIREMENTS**
 10 **FOR AIR FORCE FIGHTER AIRCRAFT.**

11 (a) IN GENERAL.—Subsection (i) of section 9062 of
 12 title 10, United States Code, is amended to read as fol-
 13 lows:

14 “(i)(1) The Secretary of the Air Force shall—

15 “(A) during the period beginning on October 1,
 16 2026, and ending on October 1, 2035, maintain a
 17 total aircraft inventory of fighter aircraft of not less
 18 than 1,800 aircraft; and

19 “(B) maintain a total aircraft inventory of com-
 20 bat-coded fighter aircraft of—

21 “(i) not less than 1,369 aircraft by Decem-
 22 ber 31, 2030; and

23 “(ii) not less than 1,558 aircraft by De-
 24 cember 31, 2035.

25 “(2) In this subsection:

1 “(A) The term ‘fighter aircraft’—

2 “(i) means an aircraft that—

3 “(I) is designated by a mission design
4 series prefix of F– or A–;

5 “(II) is manned by one or two crew-
6 members; and

7 “(III) executes single-role or multi-
8 role missions, including air-to-air combat,
9 air-to-ground attack, air interdiction, sup-
10 pression or destruction of enemy air de-
11 fenses, close air support, strike control and
12 reconnaissance, combat search and rescue
13 support, or airborne forward air control;
14 and

15 “(ii) does not include collaborative combat
16 aircraft.

17 “(B) The term ‘primary mission aircraft inven-
18 tory’ means aircraft assigned to meet the primary
19 aircraft authorization to a unit for the performance
20 of its wartime mission.

21 “(C) The term ‘total aircraft inventory of com-
22 bat-coded fighter aircraft’ means the total inventory
23 of combat-coded fighter aircraft the Air Force pos-
24 sesses, including in—

25 “(i) the primary mission aircraft inventory;

1 “(ii) the backup aircraft inventory; and
2 “(iii) the attrition reserve.”.

3 (b) EFFECTIVE DATE.—The amendment made by
4 subsection (a) shall take effect on October 1, 2026.

5 **SEC. 4. F-15EX AIRCRAFT FLEET.**

6 (a) AUTHORITY.—Subject to subsection (b), the Sec-
7 retary of the Air Force may increase the size of the F-
8 15EX aircraft fleet from 129 to 329 F-15EX aircraft.

9 (b) CONDITION.—The Secretary of the Air Force
10 shall use any F-15EX aircraft procured after the first 129
11 aircraft under the authority provided by subsection (a) ex-
12 clusively for the purpose of recapitalizing the F-15E air-
13 craft fleet of the Air Force.

○