



S. 1605

# One Hundred Seventeenth Congress of the United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Sunday,  
the third day of January, two thousand and twenty one*

## An Act

To authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the “National Defense Authorization Act for Fiscal Year 2022”.

### SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) DIVISIONS.—This Act is organized into six divisions as follows:

- (1) Division A—Department of Defense Authorizations.
- (2) Division B—Military Construction Authorizations.
- (3) Division C—Department of Energy National Security Authorizations and Other Authorizations.
- (4) Division D—Funding Tables.
- (5) Division E—Department of State Authorization
- (6) Division F—Other Non-Department of Defense Matters.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Organization of Act into divisions; table of contents.
- Sec. 3. Congressional defense committees.
- Sec. 4. Budgetary effects of this Act.
- Sec. 5. Explanatory statement.

#### DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

##### TITLE I—PROCUREMENT

###### Subtitle A—Authorization of Appropriations

Sec. 101. Authorization of appropriations.

###### Subtitle B—Army Programs

- Sec. 111. Modification of deployment by the Army of interim cruise missile defense capability.
- Sec. 112. Multiyear procurement authority for AH-64E Apache helicopters.
- Sec. 113. Multiyear procurement authority for UH-60M and HH-60M Black Hawk helicopters.
- Sec. 114. Continuation of Soldier Enhancement Program.
- Sec. 115. Limitation on availability of funds pending report on the Integrated Visual Augmentation System.
- Sec. 116. Strategy and authority for the procurement of components for the next generation squad weapon.

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Sec. 6609. Property disposition for affordable housing.  
Sec. 6610. Blocking deadly fentanyl imports.

**SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.**

In this Act, the term “congressional defense committees” has the meaning given that term in section 101(a)(16) of title 10, United States Code.

**SEC. 4. BUDGETARY EFFECTS OF THIS ACT.**

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, jointly submitted for printing in the Congressional Record by the Chairmen of the House and Senate Budget Committees, provided that such statement has been submitted prior to the vote on passage in the House acting first on the conference report or amendment between the Houses.

**SEC. 5. EXPLANATORY STATEMENT.**

The explanatory statement regarding this Act, printed in the House section of the Congressional Record on or about December 8, 2021, by the Chairman of the Committee on Armed Services of the House of Representatives and the Chairman of the Committee on Armed Services of the Senate, shall have the same effect with respect to the implementation of this Act as if it were a joint explanatory statement of a committee of conference.

**DIVISION A—DEPARTMENT OF  
DEFENSE AUTHORIZATIONS**

**TITLE I—PROCUREMENT**

Subtitle A—Authorization of Appropriations

Sec. 101. Authorization of appropriations.

Subtitle B—Army Programs

- Sec. 111. Modification of deployment by the Army of interim cruise missile defense capability.  
Sec. 112. Multiyear procurement authority for AH-64E Apache helicopters.  
Sec. 113. Multiyear procurement authority for UH-60M and HH-60M Black Hawk helicopters.  
Sec. 114. Continuation of Soldier Enhancement Program.  
Sec. 115. Limitation on availability of funds pending report on the Integrated Visual Augmentation System.  
Sec. 116. Strategy and authority for the procurement of components for the next generation squad weapon.

Subtitle C—Navy Programs

- Sec. 121. Extension of procurement authority for certain amphibious shipbuilding programs.  
Sec. 122. Extension of prohibition on availability of funds for Navy port waterborne security barriers.  
Sec. 123. Extension of report on Littoral Combat Ship mission packages.  
Sec. 124. Incorporation of advanced degaussing systems into Arleigh Burke class destroyers.  
Sec. 125. Report on the potential benefits of a multiyear contract for the procurement of Flight III Arleigh Burke class destroyers.  
Sec. 126. Acquisition, modernization, and sustainment plan for carrier air wings.  
Sec. 127. Report on material readiness of Virginia class submarines of the Navy.

Subtitle D—Air Force Programs

Sec. 131. Extension of inventory requirement for Air Force fighter aircraft.

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(3) Determine how to standardize operations across the military entrance processing stations.

(4) Determine how to improve aptitude testing methods and standardized testing requirements.

(5) Determine how to improve the waiver process for individuals who do not meet medical standards for accession.

(6) Determine, by reviewing data from calendar years 2017 through 2021, whether military accessions (including such accessions pursuant to waivers) vary, by geographic region.

(7) Determine, by reviewing data from calendar years 2017 through 2021, whether access to military health records has suppressed the number of such military accessions, authorized Secretaries of the military departments, by—

(A) children of members of such Armed Forces;

(B) retired members of such Armed Forces; or

(C) recently separated members of such Armed Forces.

(8) Implement improvements determined under paragraphs (1) through (7).

(b) BRIEFING.—Not later than one year after the date of the enactment of this Act, the Secretary shall brief the Committees on Armed Services of the Senate and House of Representatives on the results of carrying out this section and recommendations regarding legislation the Secretary determines necessary to improve such military accessions.

**SEC. 523. NOTICE PROGRAM RELATING TO OPTIONS FOR NATURALIZATION.**

(a) UPON ENLISTMENT.—The Secretary of each military department shall prescribe regulations that ensure that a military recruit, who is not a citizen of the United States, receives proper notice of options for naturalization under title III of the Immigration and Nationality Act (8 U.S.C. 1401 et seq.) Such notice shall inform the recruit of existing programs or services that may aid in the naturalization process of such recruit.

(b) UPON SEPARATION.—The Secretary of Homeland Security, acting through the Director of U.S. Citizenship and Immigration Services, and in coordination with the Secretary of Defense, shall provide to a member of the Armed Forces who is not a citizen of the United States, upon separation of such member, notice of options for naturalization under title III of the Immigration and Nationality Act (8 U.S.C. 1401 et seq.) Such notice shall inform the member of existing programs or services that may aid in the naturalization process of such member.

**SEC. 524. APPEALS TO PHYSICAL EVALUATION BOARD DETERMINATIONS OF FITNESS FOR DUTY.**

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall incorporate a formal appeals process (including timelines established by the Secretary of Defense) into the policies and procedures applicable to the implementation of the Integrated Disability Evaluation System of the Department of Defense. The appeals process shall include the following:

(1) The Secretary concerned shall ensure that a member of the Armed Forces may submit a formal appeal made with respect to determinations of fitness for duty to a Physical Evaluation Board of such Secretary.