

- Sec.  
2261. Presentation of recognition items for recruitment and retention purposes.  
2262. Department of Defense conferences: collection of fees to cover Department of Defense costs.  
2263. United States contributions to the North Atlantic Treaty Organization common-funded budgets.

## AMENDMENTS

- 2011—Pub. L. 112–81, div. A, title X, § 1082(a)(2), Dec. 31, 2011, 125 Stat. 1601, added item 2254a.  
2008—Pub. L. 110–417, [div. A], title X, § 1004(a)(2), Oct. 14, 2008, 122 Stat. 4583, added item 2263.  
2006—Pub. L. 109–364, div. A, title X, § 1051(b), Oct. 17, 2006, 120 Stat. 2396, added item 2262.  
Pub. L. 109–163, div. A, title V, § 589(a)(2), Jan. 6, 2006, 119 Stat. 3279, added item 2261.  
2004—Pub. L. 108–375, div. A, title X, § 1004(b), Oct. 28, 2004, 118 Stat. 2036, added item 2260.  
2000—Pub. L. 106–398, § 1 [[div. A], title X, § 1082(a)(2)], Oct. 30, 2000, 114 Stat. 1654, 1654A–285, added item 2259.  
1999—Pub. L. 106–65, div. A, title V, § 574(b), Oct. 5, 1999, 113 Stat. 624, added item 2257.  
1996—Pub. L. 104–201, div. A, title IX, § 911(a)(2), Sept. 23, 1996, 110 Stat. 2622, added item 2255.  
1992—Pub. L. 102–484, div. A, title X, § 1071(a)(2), Oct. 23, 1992, 106 Stat. 2508, added item 2254.

**§ 2251. Household furnishings and other property: personnel outside the United States or in Alaska or Hawaii**

(a) IN GENERAL.—Subject to subsection (b), the Secretary of the military department concerned may—

(1) purchase household furnishings and automobiles from members of the armed forces and civilian employees of the Department of Defense on duty outside the United States or in Hawaii for resale at cost to incoming personnel; and

(2) provide household furnishings, without charge, in other than public quarters occupied by members of the armed forces or civilian employees of the Department of Defense who are on duty outside the United States or in Alaska or Hawaii.

(b) REQUIRED DETERMINATION.—The authority provided in subsection (a) may be used only when it is determined, under regulations approved by the Secretary of Defense, that the use of that authority would be advantageous to the United States.

(Added Pub. L. 100–370, § 1(e)(1), July 19, 1988, 102 Stat. 845.)

## HISTORICAL AND REVISION NOTES

Section is based on Pub. L. 98–212, title VII, § 723, Dec. 8, 1983, 97 Stat. 1443.

**§ 2252. Rewards: missing property**

The Secretary of Defense and the Secretary of each military department may pay a reward of not more than \$500 in any case for information leading to the discovery of missing property under the jurisdiction of that Secretary or leading to the recovery of such property.

(Added Pub. L. 100–370, § 1(e)(1), July 19, 1988, 102 Stat. 845.)

## HISTORICAL AND REVISION NOTES

Section is based on Pub. L. 99–190, § 101(b) [title VIII, § 8005(b)], Dec. 19, 1985, 99 Stat. 1185, 1202.

## PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 7209 of this title prior to repeal by Pub. L. 100–370, § 1(e)(3)(A).

**§ 2253. Motor vehicles**

(a) GENERAL AUTHORITIES.—The Secretary of Defense and the Secretary of each military department may—

(1) provide for insurance of official motor vehicles in a foreign country when the laws of such country require such insurance; and

(2) purchase right-hand drive passenger sedans at a cost of not more than \$30,000 each.

(b) HIRE OF PASSENGER VEHICLES.—Amounts appropriated to the Department of Defense for operation and maintenance of the active forces may be used for the hire of passenger motor vehicles.

(Added Pub. L. 100–370, § 1(e)(1), July 19, 1988, 102 Stat. 845; amended Pub. L. 105–85, div. A, title VIII, § 805, Nov. 18, 1997, 111 Stat. 1834; Pub. L. 112–81, div. A, title VIII, § 814(a), Dec. 31, 2011, 125 Stat. 1491.)

## HISTORICAL AND REVISION NOTES

Subsection (a)(1) of this section and sections 2241(b) and 2242(1), (4) of this title are based on Pub. L. 98–212, title VII, § 705, Dec. 8, 1983, 97 Stat. 1437.

Subsection (a)(2) is based on Pub. L. 99–190, § 101(b) [title VIII, § 8005(i)], Dec. 19, 1985, 99 Stat. 1185, 1202.

Subsection (b) of this section and sections 2241(a) and 2661(a) of this title are based on Pub. L. 98–212, title VII, § 735, Dec. 8, 1983, 97 Stat. 1444, as amended by Pub. L. 98–525, title XIV, §§ 1403(a)(2), 1404, Oct. 19, 1984, 98 Stat. 2621.

## AMENDMENTS

2011—Subsec. (a)(2). Pub. L. 112–81 substituted “passenger sedans” for “vehicles”.

1997—Subsec. (a)(2). Pub. L. 105–85 substituted “\$30,000” for “\$12,000”.

**§ 2254. Treatment of reports of aircraft accident investigations**

(a) IN GENERAL.—(1) Whenever the Secretary of a military department conducts an accident investigation of an accident involving an aircraft under the jurisdiction of the Secretary, the records and report of the investigations shall be treated in accordance with this section.

(2) For purposes of this section, an accident investigation is any form of investigation of an aircraft accident other than an investigation (known as a “safety investigation”) that is conducted solely to determine the cause of the accident and to obtain information that may prevent the occurrence of similar accidents.

(b) PUBLIC DISCLOSURE OF CERTAIN ACCIDENT INVESTIGATION INFORMATION.—(1) The Secretary concerned, upon request, shall publicly disclose unclassified tapes, scientific reports, and other factual information pertinent to an aircraft accident investigation, before the release of the final accident investigation report relating to the accident, if the Secretary concerned determines—

(A) that such tapes, reports, or other information would be included within and releasable with the final accident investigation report; and

(B) that release of such tapes, reports, or other information—

(i) would not undermine the ability of accident or safety investigators to continue to conduct the investigation; and

(ii) would not compromise national security.

(2) A disclosure under paragraph (1) may not be made by or through officials with responsibility for, or who are conducting, a safety investigation with respect to the accident.

(c) OPINIONS REGARDING CAUSATION OF ACCIDENT.—Following a military aircraft accident—

(1) if the evidence surrounding the accident is sufficient for the investigators who conduct the accident investigation to come to an opinion (or opinions) as to the cause or causes of the accident, the final report of the accident investigation shall set forth the opinion (or opinions) of the investigators as to the cause or causes of the accident; and

(2) if the evidence surrounding the accident is not sufficient for those investigators to come to an opinion as to the cause or causes of the accident, the final report of the accident investigation shall include a description of those factors, if any, that, in the opinion of the investigators, substantially contributed to or caused the accident.

(d) USE OF INFORMATION IN CIVIL PROCEEDINGS.—For purposes of any civil or criminal proceeding arising from an aircraft accident, any opinion of the accident investigators as to the cause of, or the factors contributing to, the accident set forth in the accident investigation report may not be considered as evidence in such proceeding, nor may such information be considered an admission of liability by the United States or by any person referred to in those conclusions or statements.

(e) REGULATIONS.—The Secretary of each military department shall prescribe regulations to carry out this section.

(Added Pub. L. 102-484, div. A, title X, §1071(a)(1), Oct. 23, 1992, 106 Stat. 2507.)

#### EFFECTIVE DATE

Pub. L. 102-484, div. A, title X, §1071(c), Oct. 23, 1992, 106 Stat. 2508, provided that: “Section 2254 of title 10, United States Code, as added by subsection (a), shall apply with respect to accidents occurring on or after the date on which regulations are first prescribed under that section.”

#### REGULATIONS

Pub. L. 105-261, div. A, title X, §1065(c), Oct. 17, 1998, 112 Stat. 2134, provided that: “The Secretary of Defense shall prescribe regulations, which shall be applied uniformly across the Department of Defense, establishing procedures by which the military departments shall provide to the family members of any person involved in a military aviation accident periodic update reports on the conduct and progress of investigations into the accident.”

Pub. L. 102-484, div. A, title X, §1071(b), Oct. 23, 1992, 106 Stat. 2508, provided that: “Regulations under section 2254 of title 10, United States Code, as added by subsection (a), shall be prescribed not later than 180 days after the date of the enactment of this Act [Oct. 23, 1992].”

### § 2254a. Data files of military flight operations quality assurance systems: exemption from disclosure under Freedom of Information Act

(a) AUTHORITY TO EXEMPT CERTAIN DATA FILES FROM DISCLOSURE UNDER FOIA.—

(1) The Secretary of Defense may exempt information contained in any data file of the military flight operations quality assurance system of a military department from disclosure under section 552(b)(3) of title 5, upon a written determination that—

(A) the information is sensitive information concerning military aircraft, units, or aircrew; and

(B) the public interest consideration in the disclosure of such information does not outweigh preventing the disclosure of such information.

(2) In this section, the term “data file” means a file of the military flight operations quality assurance (in this section referred to as “MFOQA”) system that contains information acquired or generated by the MFOQA system, including—

(A) any data base containing raw MFOQA data; and

(B) any analysis or report generated by the MFOQA system or which is derived from MFOQA data.

(3) Information that is exempt under paragraph (1) from disclosure under section 552(b)(3) of title 5 shall be exempt from such disclosure even if such information is contained in a data file that is not exempt in its entirety from such disclosure.

(4) The provisions of paragraph (1) may not be superseded except by a provision of law which is enacted after the date of the enactment of this section and which specifically cites and repeals or modifies those provisions.

(b) REGULATIONS.—The Secretary of Defense shall prescribe regulations for the administration of this section. Such regulations shall ensure consistent application of the authority in subsection (a) across the military departments.

(c) DELEGATION.—The Secretary of Defense may delegate the authority to make a determination under subsection (a) to the Director of Administration and Management of the Department.

(d) TRANSPARENCY.—Each determination of the Secretary, or the Secretary’s designee, under subsection (a) shall be made in writing and accompanied by a statement of the basis for the determination. All such determinations and statements of basis shall be available to the public, upon request, through the Office of the Director of Administration and Management.

(Added Pub. L. 112-81, div. A, title X, §1082(a)(1), Dec. 31, 2011, 125 Stat. 1600.)

#### REFERENCES IN TEXT

The date of the enactment of this section, referred to in subsec. (a)(4), is the date of enactment of Pub. L. 112-81, which was approved Dec. 31, 2011.

#### EFFECTIVE DATE

Pub. L. 112-81, div. A, title X, §1082(b), Dec. 31, 2011, 125 Stat. 1601, provided that: “Section 2254a of title 10,