

FLY AMERICA ACT WAIVER CHECKLIST

INSTRUCTIONS

This form can be used to determine if a waiver of the Fly America Act (FAR 52.247-63) could be allowable under the federal regulations. **Please check all applicable exception criteria in this form and submit along with the Travel Expense Report and supporting documentation** (e.g. itinerary printouts, receipts, boarding passes, etc); when foreign travel is booked on a foreign flag carrier. **Please note that lower cost and personal convenience are not acceptable criteria for justifying the non-availability of a U.S. flag air carrier.**

“FLY AMERICA ACT” EXCEPTIONS

1. Foreign air travel is NOT financed by U.S. Government (e.g. DOE), or claimed as costs under an award:

Yes

2. Travel To and From the United States: *(Supporting documentation must be included.)*

a. If a U.S.-flag air carrier offers nonstop or direct service (no aircraft change) from your origin to your destination, you must use the U.S.-flag air carrier service unless such use would:

Extend travel time, including delays at origin, by 24 hours or more.

b. If a U.S.-flag air carrier does not offer nonstop or direct service from your origin to your destination, you must use U.S.-flag air carrier service on every portion of the route that it provides service and to the closest point to your destination on a usually traveled route, unless such use would:

Increase the number of aircraft changes you must make outside of the U.S. by 2 or more; or

Extend your travel time by at least 6 hours or more; or

Require a connecting time of 6 hours or more at an overseas interchange point; or

Double the en route travel time when service on a foreign air carrier is three hours or less.

3. Travel Between Two Points Outside the United States: *(Supporting documentation must be included.)*

a. You must always use a U.S. flag carrier for such travel, if available, unless when compared to using a foreign air carrier, such use would:

Increase the number of aircraft changes you must make outside of the U.S. by 2 or more; or

Extend your travel time by at least 6 hours or more; or

Require a connecting time of 6 hours or more at an overseas interchange point; or

Double the en route travel time when service on a foreign air carrier is three hours or less.

4. There was no U.S. flag air carrier service provided on a particular leg of your route:

Yes *(Supporting documentation must be included.)*

5. A U.S. flag air carrier involuntarily rerouted you on a foreign air carrier:

Yes *(Supporting documentation from the U.S. flag carrier of the occurrence must be included.)*

6. Use of a foreign air carrier is a matter of necessity because: *(Provide detailed justification with supporting documentation.)*

Use of U.S. flag air carrier will not accomplish the sponsoring agency's mission.

7. Travel met GSA's Open Skies Agreement because: *(in accordance with FAR 47.403-2 and FTR 301-10.135(b))*

a. Travel is between a point in the U.S. and a member country in the European Union, Norway or Iceland; or between two points outside the U.S.

Yes; **and**

The [airline carrier](#) is from a member country in the European Union open skies agreement with the U.S.

b. Travel is between a point in the U.S. and Switzerland; U.S. and Australia; or U.S. and Japan; or between two points outside the U.S.

Yes; **and**

The airline carrier is from the respective country that has an open skies agreement with the U.S. (e.g. Swiss airline from SFO to Geneva; Qantas from SFO to Adelaide; or JAL from SFO to Hiroshima); **and**

A city pair contract does not exist for origin city to destination city. (Verify this by entering your origin and destination cities at

<http://apps.fas.gsa.gov/citypairs/search/index.cfm?ft>)

Certification: *I hereby certify that no U.S. flag carriers met the Fly America Act criteria at the time of my trip and that traveling on the foreign carrier was a matter of necessity. The air travel expense is in compliance with SLAC policies.*

Traveler Name: _____ Signature: _____ Date: _____

The Travel Reimbursement Office will review this information and determine if a waiver to the Act is justified. Please email travel@slac.stanford.edu before you book your flight if you are unsure it meets the exception requirements.