## 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.
      - Increase the number of aircraft changes you must make outside of the U.S. by 2 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.

   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](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.