

FLY AMERICA ACT (FAA) WAIVER CHECKLIST

This form is used to determine if a waiver of the Fly America Act (41 CFR Part 301-10) could be allowable under the federal regulations. This form must be completed and submitted along with the expense reimbursement request when foreign travel is booked through a foreign flag carrier, and the ticket was not booked through one of the University-approved travel agents.

1. Use of a foreign air carrier is a matter of necessity because:
 - Use of foreign air carrier is necessary for medical reasons.
 - Use of foreign air carrier is required to avoid unreasonable risk to traveler's safety. (*See 41 CFR 301-10.138(b)(2) for supporting evidence needed.*)
 - Seat on U.S. flag air carrier in authorized class of service is unavailable; seat on foreign air carrier in authorized class of service is available. (*Provide detailed explanation along with supporting documentation from at least 2 U.S. flag carriers.*)
 - Use of U.S. flag air carrier will not accomplish the Department's mission. (*Provide detailed justification with supporting documentation from the federal sponsoring agency.*)
2. Code sharing agreement exists. U.S. is a party and the Department of Transportation determines agreement meets requirements of the Fly America Act. (*Payment must be received by the US flag air carrier, not the foreign partner. Supporting documentation must be included.*)
3. No U.S. flag air carrier provides service on a particular leg of your route. (*Provide supporting documentation from one of the University approved travel agencies that the leg could not be ticketed on a U.S. flag carrier utilizing a code sharing agreement with a foreign air carrier.*)
4. A U.S. flag air carrier involuntarily reroutes traveler on a foreign air carrier. (*Provide supporting documentation from the US Flag carrier of the occurrence.*)
5. Service on a foreign air carrier is three hours or less, and use of U.S. flag air carrier doubles en route travel time. (*Provide supporting documentation from one of the University approved travel agencies.*)
6. Air travel is between the U.S. and another country and use of a U.S. flag air carrier on a nonstop flight extends travel time by 24 hours or more. (*Provide supporting documentation from one of the University approved travel agencies.*)
7. Other: (*You must check at least one of the following statements and provide supporting documentation from one of the University approved travel agencies to qualify for a waiver under this section.*)
 - Use of a U.S. flag air carrier increases the number of aircraft changes outside the U.S. by two or more.
 - Use of a U.S. flag air carrier extends travel time by six hours or more.
 - Use of a U.S. flag air carrier requires a connecting time of four hours or more at an overseas interchange point.