

FLY AMERICA ACT WAIVER CHECKLIST

Traveler: Use this checklist to determine qualification for a waiver of the restrictions for air travel financed by federal funds, in accordance with the Fly America Act under [41 CFR Part 301-10](#).

Please check the appropriate reason for exempting travel from a U.S. flag carrier and **attach supporting documentation**, if necessary. Please note, the waiver may be applicable to only a portion of the trip.

1. The use of a foreign air carrier is necessary because the U.S. flag carrier cannot provide the air transportation needed. Must check one statement listed below and attach supporting documentation.
 - The use of a foreign air carrier is necessary for medical reasons.
 - The use of a foreign air carrier is required to avoid unreasonable risk to the traveler's safety. *(Supporting evidence is needed, as outlined in 41 CFR 301-10.138(b)(2).)*
 - A seat on a U.S. air carrier in an authorized class of service is unavailable, and a seat on a foreign air carrier in an authorized class of service is available.
 - Other *(provide detailed justification memo under separate letterhead)*

1. A bilateral or multilateral air transportation agreement exists. *(The Department of Transportation determines whether the agreement meets Fly America Act requirements. [Open Skies Agreements](#) are nullified for Australia, Switzerland, and Japan by the number of [city-pair agreements](#) in place. Therefore, it is likely that a U.S. flag air carrier would still have to be used. Evidence that no city-pair agreement exists must be submitted if the box is checked.)*

2. No U.S. flag air carrier provides service on a leg of the route. *(Travelers can only use foreign air carriers to or from the nearest interchange point to connect with a U.S. carrier.)*

3. The U.S. flag air carrier involuntarily reroutes traveler on a foreign air carrier.

4. Excess travel time /or flight changes where:
 - use of a U.S. carrier increases the number of aircraft changes outside the U.S. by two or more
 - use of a U.S. carrier extends travel time by six hours or more
 - use of a U.S. carrier requires a connecting time of four hours or more at an overseas interchange point
 - use of a U.S. carrier for all non-stop travel between the U.S. and another country extends travel time by 24 hours or more.

Please note you must use a U.S. flag air carrier on every portion of the route where it provides service unless you qualify for a waiver. Cost, convenience, or the destinations are not qualifying exceptions used to determine the non-availability of a U.S. flag air carrier. **THE SIGNED COMPLETED FORM SHOULD BE UPLOADED TO THE TRAVEL REQUEST IN THE CONCUR TRAVEL SYSTEM**

I certify that the above is a complete and accurate statement to the best of my knowledge.

Traveler's Signature _____ Date _____

Principal Investigator's Signature _____ Date _____

Department Business Administrator Signature _____ Date _____