

'Fly America' Act Waiver Checklist Guidance

Purpose:

Airfares which are intended to be charged to federal sponsors (i.e. the NIH) are subject to compliance with Federal Travel Regulation and the 'Fly America Act'.

This form **must** be completed to ensure compliance when airfare is being charged to federal sponsors is not undertaken using a **U.S. flag air carrier** or carrier identified in the **Open Skies agreements** and **submitted** with travel and expense claims.

Open Skies agreed flag carriers:

- Airlines from member states of the **European Community** (EU + Norway and Iceland)
- Airlines from **Japan**
- Airlines from **Australia**

In each of these cases, the costs of travel are in scope for all permutations of journey. Major airlines that remain out of scope without additional compliance steps include Qatar Airways, Fly Emirates and Singapore Airways.

Only the reasons detailed on the 'Checklist' are considered proper justification for the use of the air carriers not identified as U.S. Flag Carriers or under the various Open Skies agreements in place; and failure to comply with the guidelines may result in the disallowance of all or part of the airfare cost.

When dealing with circumstances revolving around code-share arrangements, please keep in mind that the determining factor for identifying the use of an appropriate flag air carrier is the air carrier's designator code which precedes the flight number (**NW2222**).

Exception criteria and designation:

United States law or 'the Fly America Act', requires travellers whose air travel is being financed by the U.S. Government to use **U.S or 'Open Skies' agreed flag air carrier service for all international air travel** (by this definition, internal U.K. flights are 'international'). Where circumstances dictate difficulties in fulfilling this requirement, U.S. legislation specifies the exception criteria used to determine whether the costs of a flag air carrier external to the U.S and the Opens Skies agreements can be claimed.

****Please note that cost and/or personal convenience are not included in the exceptions criteria used to determine the non-availability of a U.S. flag air carrier****

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Travel information:

Name:	Carrier:
Award number:	Flight Number(s):
Location From:	Date From:
Location To:	Date To:

Please select the appropriate response based on the impact that the use of an U.S. flag air carrier would have on your planned journey.

Travel to and from the United States:

- Extends travel time, including delay at origin, by 24 hours or more

Long distance travel (regardless of origin or destination):

- Increase the number of aircraft changes you must make outside the U.S by 2 or more; or
- Extend your travel time, including delay at origin by at least 6 hours or more; or
- Travel by a U.S.-flag air carrier would require a connecting time of four hours or more at an overseas interchange point.

Short distance travel (regardless of origin or destination):

- Be three hours or less on a foreign air carrier, and use of the U.S flag air carrier would at least double your en route travel time

Traveller confirmation: _____

Please note that cost and/or personal convenience are not included in the exceptions criteria used to determine the non-availability of a U.S. flag air carrier