

# FLY AMERICA ACT EXCEPTIONS FORM

## INSTRUCTIONS

This form can be used to determine if a waiver of the Fly America Act (41 CFR 301-10.131 through 301-10.143) could be allowable under the federal regulations. **Please check all applicable exception criteria in this form and include 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 41 CFR 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 which has an 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

<https://cpsearch.fas.gsa.gov/cpsearch/search.do>)

**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 Federal travel regulations and UNT policies.

Traveler Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Please include this completed document with your Travel Budget Authorization (TBA) before booking your flight to ensure that you are in compliance with the Fly America Act requirements. If you are unsure if your flight arrangements meet the exception requirements please contact your College Research Officer or the Office of Grants and Contracts Administration for assistance.**