

FLY AMERICA ACT WAIVER CHECKLIST

(To assist in determining qualification for a waiver of the restrictions of the Fly America Act under 41 CFR Part 301-10, check the applicable statement(s) below.)

Foreign air travel on a non-U.S. air carrier is financed by U.S. Government, or will be claimed as costs under an award. (If you do not check this block, the restrictions of the Fly America Act do not apply. Check at least one of the statements below to qualify for a waiver of the restrictions of the Fly America Act.)

Use of foreign air carrier is a matter of necessity because of. (Must check one below)

U.S. flag air carrier cannot provide the air transportation needed, e.g.

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. air carrier in authorized class of service is unavailable, seat on foreign air carrier in authorized class of service is available. Other (Provide detailed explanation.)

Use of U.S. flag air carrier will not accomplish the Department's mission. (Provide detailed justification)

Bilateral or multilateral air transportation agreement. U.S. is a party and Dept. of Transportation determines agreement meets requirements of Fly America Act.

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

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

Service on a foreign air carrier is three hours or less, and use of U.S. flag air carrier doubles en route travel time.

Air travel is between the U.S. and another country and use of a U.S. carrier on a nonstop flight extends travel time by 24 hours or more.

Any other air travel. (You must check at least one of the following statements to qualify for a waiver of the FlyAmerica Act restrictions in this section)

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.

Remember, 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.

Please note, this checklist is meant as a helpful guide and not as a final determination on applicability or scope of Fly America. Please refer to 41 CFR Part 310-10 for official guidance on Fly America and its exemptions.