

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. **Use this checklist after January 1, 1999**)

Is the Foreign air travel on a non-U.S. air carrier financed by the U.S. Government or will it be claimed as costs under a federal award?

YES

NO

If you checked no in this block, the restrictions of the Fly America Act do not apply. If you checked yes, you must 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 (and waiver of Fly America Act) is requested because: (Check one)

- 1) Use of U.S. flag air carrier will not accomplish the Department's mission.
- 2) Bilateral or multilateral air transportation agreement. (U.S. is a party and Dept. of Transportation determines agreement meets requirements of Fly America Act. A copy of the agreement should accompany this request).
- 3) A U.S. flag air carrier involuntarily reroutes traveler on a foreign air carrier.
- 4) Code sharing arrangements are in effect. (Restrictions to this can be found at: <http://oregonstate.edu/dept/budgets/GCGManual/GCG209-09.htm>)
- 5) US Flag carrier is unavailable or travel will be extended (qualifies for waiver in only the following circumstances – please specify below):
- 6) No U.S. flag air carrier provides service on a particular leg of your route (*traveler can only use foreign air carrier to or from the nearest interchange point to connect with a U.S. carrier*).
- 7) Travel between gateway airports need not be on a U.S. carrier if the gateway abroad is the origin or destination point and use of a U.S. carrier would extend time in travel status by at least 24 hours;
- 8) If the gateway abroad is an interchange airport, a U.S. carrier is unavailable if its use would require a wait of 6 hours or more to make connections or time in travel status would be extended by 6 hours or more;
- 9) For travel between two points outside U.S. – use of foreign air carrier is allowed if it eliminates 2 or more aircraft changes or 6 or more hour extension in time in travel status;

If the traveler is using a non-U.S. carrier, a justification statement, in the form prescribed by the regulations must be prepared and submitted to the sponsor with a request for approval 301-3.6 (c)(3). Approval must be requested and obtained prior to the scheduled travel. The approval must be on file in the Office of Post Award Administration. If approval is not submitted to the Office of Post Award Administration and expenditures are disallowed, the department or traveler will need to cover the cost.

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.

OSU Index:

Traveler's Name:

Dates of Travel:

Origin and Destination:

Itinerary of travel:

Statement of Exception:

Approved: OPAA

Date