Fly America Act Waiver Checklist

This checklist can be used to determine if a waiver of the Fly America Act (41 CFR Part 301-10) could be allowable under the federal regulations. **Attach completed form to employee travel reimbursement request with appropriate documentation for applicable exception.**

1. Use of a foreign air carrier is a matter of necessity because:
   - Use of foreign air carrier is necessary for medical reasons. *(Provide supporting documentation such as doctor’s note.)*
   - Use of foreign air carrier is required to avoid unreasonable risk to traveler’s safety.
   - Seat on U.S. flag air carrier in authorized class of service is unavailable; seat on foreign air carrier in authorized class of service is available. *(Provide detailed explanation along with supporting documentation from at least 2 U.S. flag carriers.)*
   - Use of U.S. flag air carrier will not accomplish the sponsoring agency’s mission. *(Provide detailed justification with supporting documentation from the federal sponsoring agency.)*

2. Code sharing agreement exists. U.S. is a party and the Department of Transportation determines agreement meets requirements of the Fly America Act. *(Supporting documentation with U.S. flag carrier designator code must be included.)*

3. No U.S. flag air carrier provides service on a particular leg of your route.


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

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

7. Other:
   - Use of a U.S. flag air carrier increases the number of aircraft changes outside the U.S. by two or more.
   - Use of a U.S. flag air carrier extends travel time by six hours or more.
   - Use of a U.S. flag air carrier requires a connecting time of four hours or more at an overseas interchange point.