

 <p>OFFICE OF RESEARCH & GRADUATE STUDIES CENTRAL MICHIGAN UNIVERSITY</p>	POLICY	
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	• Originator:	Sarah Hall & Tanya Hohlbein
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OFFICE OF SPONSORED PROGRAMS & THE GRANT	
ACCOUNTING OFFICE	
SUBJECT:	Policy for Compliance with the Fly America Act
<p>This document includes the guidelines for ensuring compliance with the Fly America Act, and this policy has been developed through a collaboration between the Grant Accounting Office (GAO) and the Office of Sponsored Programs (OSP).</p> <p>The Fly America Act refers to the provisions enacted by 49 U.S.C. § 40118. The Fly America Act is applicable to all travel funded by United States federal government funds and requires the use of "U.S. flag" airlines with a few exceptions.</p> <p>Per the Fly America Act, “All air travel and cargo transportation services funded by the federal government are required to use a ‘U.S. flag’ air carrier service.” At CMU, this requirement applies to all externally funded projects managed in a WBS unless a sponsor’s guidelines are more restrictive.</p> <ol style="list-style-type: none"> 1. CMU Policy 3-43, <i>Approval for International Travel (Travel Abroad)</i>, must be followed including the completion of the Travel Abroad Authorization form. <ol style="list-style-type: none"> a. Per the Travel Abroad Authorization form, the Grant Accounting Office (GAO) or the Post Award Services (PAS) team in the Office of Sponsored Programs (OSP) should be contacted prior to booking airfare if there are any questions. 2. Per the Fly America Act, ticket cost and convenience <u>are not</u> allowable exceptions. 3. There are some circumstances in which exceptions to the Fly America Act are allowable: <ol style="list-style-type: none"> a. When a U.S. air carrier is not available. b. When using a U.S. carrier service would extend the travel time by 24 hours or more. c. When a U.S. carrier does not offer a nonstop or direct flight between origin and destination, and using a U.S. carrier: <ol style="list-style-type: none"> i. Increases the number of aircraft changes outside the United States by two or more; ii. Extends travel time by six hours or more; or iii. Requires a connecting time of four hours or more at an overseas interchange point. d. When the flight time from origin to destination is less than three hours and using a U.S. flag carrier doubles the flight time. 	

- e. When there is an applicable Open Skies Agreement in effect that meets the requirements of the Fly America Act.
 - i. The exceptions provided by the Open Skies Agreements for government-funded travel do not apply if your transportation is funded by the Department of Defense.
4. If it seems that travel may fall under an exception to the Fly America Act as noted in item #3, the CMU Fly America Act Waiver must be completed by whoever is booking the travel. The waiver is incorporated into this policy as Attachment A.
 - a. If the Principal Investigator/Project Director (PI/PD) of the externally funded project is not booking the travel, they must also review and sign off on the waiver.
5. Once the waiver is completed, it should be sent to GrantAcct@cmich.edu for review.
 - a. A copy of the approval of the Travel Abroad Authorization form must be included with the waiver.
6. GAO and OSP will review the waiver and verify that the travel is allowable per the funded project.
 - a. If additional information is needed for the review to be completed, or if questions arise, GAO and/or OSP will reach out the PI as needed.
7. If it is determined that the travel does not meet the exception criteria, or is not allowable on the project, the expense will be moved to a cost center in alignment with GAO policy 10,121.



CMU Fly America Act Waiver

This waiver must be completed if foreign air travel on a non-U.S. carrier is being purchased on an externally-funded project managed in a WBS.

To document a waiver of the restrictions of the Fly America Act under 41 CFR Part 301-310, complete the checklist below. This form should be completed prior to purchasing airline tickets to alleviate any concerns about the allowability of flights taken.

This form should be signed and sent to the Office of Grant Accounting, along with all other supporting documentation.

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.

To seek approval for a Fly America exception or waiver, including under an Open Sky Agreement, you must provide the following to the Office of Grant Accounting:

1. A completed and signed CMU Fly America Act Waiver.
2. A copy of the approved Travel Abroad Authorization form.
3. A detailed travel itinerary from a travel agent or online travel service.
4. **The online search results performed at the time of booking** that document all available flights and the existence of the Fly America exception identified on this waiver, if applicable.

Please select all that apply:

- A U.S. air carrier is not available
- Using a U.S. carrier service would extend the travel time by 24 hours or more
- A U.S. carrier does not offer a nonstop or direct flight between origin and destination, and using a U.S. carrier:
 - Increases the number of aircraft changes outside the United States by two or more
 - Extends travel time by six hours or more
 - Requires a connecting time of four hours or more at an overseas interchange point
 - When the flight time from origin to destination is less than three hours and using a U.S. flag carrier doubles the flight time
- There is an applicable Open Skies Agreement in effect that meets the requirements of the Fly America Act (the exceptions provided by the Open Skies Agreements for government-funded travel do not apply if your transportation is funded by the Department of Defense)

If any of the qualifying statements above is checked, travel on a foreign air carrier may be allowable. The designated vice president must approve the circumstances and information on this checklist.

Certified by:

_____	_____	_____	_____
Travel Organizer's Signature	Date	PI/PD Signature	Date

Approved by:

_____	_____	_____	_____
Grant Accountant's Signature	Date	OSP Post Award Signature	Date

For questions and/or assistance, please contact:

The Grant Accounting Office:	774-3707	grantacct@cmich.edu
The Office of Sponsored Programs	774-6777	ORGS@cmich.edu